

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



Sault College

COURSE OUTLINE

COURSE TITLE: Natural Resources Law
CODE NO. : NRT 240 **SEMESTER:** 4
PROGRAM: Forestry, Fish & Wildlife, Parks & Outdoor Recreation Technician
AUTHOR: Harold Cooper
DATE: Jan. / 07 **PREVIOUS OUTLINE DATED:** Jan. /06

APPROVED:

| | | |
|-------------------------|-------------|-------------|
| | _____ | _____ |
| | DEAN | DATE |
| TOTAL CREDITS: | 3 | |
| PREREQUISITE(S): | | |
| HOURS/WEEK: | 2 | |

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For additional information, please contact Colin Kirkwood, Dean
School of Technology, Skilled Trades & Natural Resources
(705) 759-2554, Ext. 688

I. COURSE DESCRIPTION:

This course will acquaint natural resource students with pertinent issues in the Canadian and Ontario justice systems and enforcement procedures. Students will be required to have a working knowledge of the content and significance of legislation related to forest resource use. A section will be devoted to aboriginal rights related to natural resources. Compliance monitoring and enforcement protocols will be emphasized.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Learning Outcomes: Students will

1. Distinguish between the roles of Federal, Provincial and Municipal governments (designated by the BNA Act) as they apply to officer power and procedure.
2. Access and interpret Provincial & Federal natural resource legislation related to:
 - Use of forests and forest resources
 - Use and protection of the environment
 - Use of park lands and wild lands
 - Conservation of fish and game
3. Demonstrate an awareness of the duties of a natural resources enforcement officer with respect to preparation and participation in courtroom activities based on the violation of any natural resource legislation.
4. Demonstrate an awareness of current events in Natural Resources Law.
5. Describe the evolution of treaty and aboriginal rights in Ontario as they apply to Natural Resources Law;

Potential Elements of the Performance

Upon successful completion of this course, the student will demonstrate the ability to:

1. Distinguish between the roles of Federal, Provincial and Municipal governments (designated by the BNA Act) as they apply to officer power and procedure.

Potential Elements of the Performance

- Read a summation of the BNA Act
- Collect information from reference material
- Distinguish between Federal/Provincial/Municipal statutes

Summarize key points in chart format based on enforcement duties, courts responsible, types of resources

This learning outcome will constitute 10% of the course's final grades.

2. Access and interpret Provincial and Federal natural resource legislation related to:

- Use of forests and forest resources
- Use and protection of the environment
- Use of park lands and wild lands
- Conservation of fish and game

Potential Elements of the Performance:

- Use the internet and L.R.C. to locate and summarize pertinent legislation that applies to Natural Resources
- Evaluate material for inclusion
- Summarize the intent and key sections of important Acts, Statutes or policies
- Interpret and solve case studies and scenarios that deal with the following legislation:
 - The Provincial Offenses Act
 - The Criminal Code of Canada
 - The Youth Criminal Justice Act
 - The Crown Forest Sustainability Act
 - The Forestry Act
 - The Fisheries Act & The Ontario Fishery Regulations
 - The Migratory Birds Convention Act and Regulations
 - The Fish & Wildlife Conservation Act & Regulations
 - WAPPRITTA & CITES
 - Aggregate Resources Act
 - Public Lands Act
 - The Provincial Parks Act and Regulations

This learning outcome will constitute 50% of the course's grade.

3. Demonstrate an awareness of the basic duties of a natural resources enforcement officer with respect to preparation and participation in courtroom activities based on the violation of any natural resource legislation.

Potential Elements of the Performance:

Potential elements of the performance:

- Review officer procedures to initiate charges re: violation
- Discuss field investigation procedures re: compliance
- Organize proper documents in preparation for courtroom appearance
- Discuss role and appropriateness of offense notice, summons or appearance notice
- Attend a courtroom in progress to observe protocol and procedures

This learning outcome will constitute 20% of the course's grade.

4. Demonstrate an awareness of current events in Natural Resources Law.

Potential Elements of the Performance:

- Read and collect a wide variety of current written material related to natural resources law
- Search the Internet for relevant case law
- Select significant articles that are directly related to the natural resources law course
- Provide brief critical comments on each of the collected articles
- Arrange the article in an indexed format to describe current events in law.

This learning outcome will constitute 5% of the course's grade.

5. Describe the evolution of treaty and aboriginal rights in Ontario as they apply to Natural Resources Law.

Potential Elements of the Performance: Potential elements of the performance:

- Identify historical documents related to aboriginal law
- Collect information describing treaty areas and treaty rights
- Review case law from various sources and identify significant cases for natural resource use
- Summarize and comment on the "Ontario Interim Enforcement Guidelines for Aboriginal people"

This learning outcome will constitute 15% of the course's grade.

III. TOPICS:

1. The History of Natural Resource Law
2. The application of Native Legislation in the context of the BNA and the Constitution Act 1982
3. Laws and Their Application
4. Statutes and Regulations That Protect Our Forests.
5. Statutes and Regulations That Protect Our Parks and Public Lands
6. Statutes and Regulations That Protect the Environment
7. Statutes and Regulations That Protect Our Fish & Wildlife

IV. REQUIRED RESOURCES/TEXTS/MATERIALS:

1. Study Guide for Natural Resources Law (Bookstore)
2. The Fish & Wildlife Conservation Act and Regulations(Bookstore or Internet)
3. The Forest Fire Prevention Act (Bookstore or Internet)
4. Ontario Hunting/Fishing Regulation summaries (Hand-out or Internet)
5. The Charter of Rights (hand-out or Internet)
6. The Crown Forest Sustainability Act (Hand-out or Internet)
7. Others as required

V. EVALUATION PROCESS/GRADING SYSTEM:

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|--|-------------|
| Assignments | 20 % |
| #1 Court Report, Assignment 1-1 page 1-24 from Study Guide | |
| #2 Scrapbook Assignment 1-2 page 1-25 from Study Guide | |
| #3 Research assignment on a statute | |
| Quizzes (random) | 15 % |
| Term Tests (2) | 30 % |
| Final Exam | 35% |

The following semester grades will be assigned to students in postsecondary courses:

| Grade | <u>Definition</u> | <i>Grade Point Equivalent</i> |
|--------------|--------------------------|-------------------------------|
| A+ | 90 – 100% | 4.00 |
| A | 80 – 89% | 3.00 |
| B | 70 - 79% | 2.00 |
| C | 60 - 69% | 1.00 |
| D | 50 – 59% | 0.00 |
| F (Fail) | 49% and below | |

CR (Credit) Credit for diploma requirements has been

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| | awarded. |
| S | Satisfactory achievement in field /clinical placement or non-graded subject area. |
| U | Unsatisfactory achievement in field/clinical placement or non-graded subject area. |
| X | A temporary grade limited to situations with extenuating circumstances giving a student additional time to complete the requirements for a course. |
| NR | Grade not reported to Registrar's office. |
| W | Student has withdrawn from the course without academic penalty. |

VI. SPECIAL NOTES:

Special Needs:

If you are a student with special needs (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with your professor and/or the Special Needs office. Visit Room E1101 or call Extension 493 so that support services can be arranged for you.

Retention of Course Outlines:

It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other postsecondary institutions.

Plagiarism:

Students should refer to the definition of “academic dishonesty” in *Student Rights and Responsibilities*. Students who engage in “academic dishonesty” will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course/program, as may be decided by the professor/dean. In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced, and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

Course Outline Amendments:

The professor reserves the right to change the information contained in this course outline depending on the needs of the learner and the availability of resources.

Substitute course information is available in the Registrar's office.

VII. PRIOR LEARNING ASSESSMENT:

Students who wish to apply for advanced credit in the course should consult the professor. Credit for prior learning will be given upon successful completion of a challenge exam or portfolio.

VIII. DIRECT CREDIT TRANSFERS:

Students who wish to apply for direct credit transfer (advanced standing) should obtain a direct credit transfer form from the Dean's secretary. Students will be required to provide a transcript and course outline related to the course in question.