

**SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY**

**SAULT STE. MARIE, ONTARIO**



**SAULT  
COLLEGE**

**COURSE OUTLINE**

**COURSE TITLE:** Federal/Provincial Legislation – Environment

**CODE NO. :** NRL150 **SEMESTER:**

**PROGRAM:** Natural Resources - Law

**AUTHOR:** R. L. Stewart

**DATE:** May 2012 **PREVIOUS OUTLINE DATED:** N/A

**APPROVED:**

**“ BRIAN PUNCH ”**

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**CHAIR** **DATE**

**TOTAL CREDITS:** 3

**PREREQUISITE(S):** NONE

**HOURS/WEEK:** 3

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**For additional information, please contact Brian Punch,**  
**Chair of Environment/Design/Business**  
**(705) 759-2554, Ext. 2681**

- I. COURSE DESCRIPTION:** This course leads students through an in-depth review of provincial and federal environmental acts and regulations. Students will learn how to locate, interpret and analyze various provincial and federal acts, regulations and cases, based on current case outcomes and legal precedents.

**II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:**

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

1. **Interpret and display a general knowledge of Canadian and Ontario Environmental Control Legislation in context of current environmental issues.**

Potential Elements of the Performance:

Review and understand:

- Federal Provincial Jurisdictional Issues
- Understand significant environmental legal case precedents
- Environmental Penalties
- Directors Orders
- Provincial Officers Orders
- Power of Inspectors
- Power of investigation
- Voluntary abatement and mandatory abatement
- II&E Code of Professionalism Compliance policies PIBS 6248
- Permits ( ONMA, EPA, OWRA, PA)
- Training and licensing
- Spill and Spiller response requirements

*This learning outcome will constitute approximately 40% of the course's grade*

2. **Interpret, display and apply a general knowledge of Canadian and Ontario Environmental Consultation Legislation in context of current environmental issues and explain First Nations' role in the process.**

Potential Elements of the Performance:

Review and understand

- Role of First Nations - The Sparrow case
- What constitutes meaningful consultation?
- Ontario Bill of Rights and the Environmental Registry
- The Ontario EA process: Classes, Full EA
- The Federal EA process
- Combining the EA processes
- Hearings and Tribunals
- The Role of the Environmental Commissioner

*This learning outcome will constitute approximately 35% of the course's grade*

3. **Display a general knowledge of Canadian and Ontario Environmental Promotional Legislation in context of current environmental issues**

Potential Elements of the Performance:

Describe and Explain

- OWRA ( e. g. Water and Sewer Infrastructure funding)
- Powers of the Ministers
- The Role of Municipalities
- Industry Best practices ISO

*This learning outcome will constitute approximately 5 % of the course.*

4. **Understand and Access Federal and Provincial Environmental Legislation**

Potential Elements of the Performance:

- Understand the importance of terms and definitions in Acts and Regulations
- Understand the interaction and hierarchy of environmental legislation
- Access E-Laws and other sources of legislation
- Develop skill in interpretation of complex legislation, policies and guidelines

*This learning outcome will constitute approximately 10 % of the course's grade*

5. **Develop presentations and demonstrate delivery skills from case studies: Student demonstrate proficiency by providing a 15 minute presentation /case study on an issue related to one of the major Canadian or Ontario Environmental Acts to their peers.**

Potential Elements of the Performance:

- Understand the importance of presenting and explaining complex environmental law related issues in a manner that clients and the public can understand and act on.
- Examine the public policy decision balancing issues
- Display a sound knowledge of a researched issue
- Handle questions and different points of view on issues

*This learning outcome will constitute approximately 10 % of the course's grade*

### **III. TOPICS:**

1. Federal and Provincial Environmental jurisprudence. For example the Polluter Pays Principle
2. Review of the processes for development of legislation in the parliaments and legislatures; Laws that prohibit, laws that provide approval and laws that allow funding
3. Role of First Nations: Collaboration, Consultation , or Consent
4. Environmental Public Consultation and Decision processes:  
Environmental Assessment CEAA OEAA OEER
5. The municipal role in environmental control as a creature of the province. By laws, sewer use, the Planning Act
6. Environmental Protection. CEPA and OEPA and associated regulations (3 classes)
7. The Ontario Pesticides Act and regulations and its place in Federal pesticides approvals. Pesticides permits and licenses
8. Drinking Water in the Wake of Walkerton. OSDWA
9. Case Studies in Environmental Law Presentations by students ( 2 classes)
10. Federal Provincial jurisdiction and the evolution of roles through case law. Federal corporations such as CPR and their governmental environmental oversight.

**IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:**

\*Note: This course will require substantial student pre-reading for each week's lecture or presentation.

**Resources:**

- 1) Jamie Benidickson, *Environmental Law* (Toronto: Irwin Law, 2009).
- 2) Course Handouts
- 3) Power Point Presentations –R.L. Stewart and others
- 4) Websites such as:

<http://www.facebook.com/CanadianEnvironmentalLawAssociation>

<http://www.canadianinstitute.com/2011/202/environmental-law--regulation-in-ontario>

<http://www.cela.ca/>

and many others as referenced in the Course Plan NR 150

- 5) Major Canadian and Ontario Environmental Acts
  - Canadian Environmental Protection Act, 1999 (CEPA)
  - Fisheries Act
  - Canadian Environmental Assessment Act (CEAA)
  - Species at Risk Act (SARA)
  - Transportation of Dangerous Goods Act, 1992
  - Hazardous Products Act
  - Pest Control Products Act
  - Environmental Bill of Rights
  - Environmental Protection Act (EPA)
  - Ontario Water Resources Act (OWRA)
  - Environmental Assessment Act (EAA)
  - Pesticides Act
  - Safe Drinking Water Act
  - Nutrient Management Act
  - Green Energy Act
  - Toxics Reduction Act

**V. EVALUATION PROCESS/GRADING SYSTEM:**

- 4 Quizzes (15% each)
- 1 Presentation (20%)
- 1 Final Exam (20%)

The following semester grades will be assigned to students:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	4.00
B	70 - 79%	3.00
C	60 - 69%	2.00
D	50 - 59%	1.00
F (Fail)	49% and below	0.00
CR (Credit)	Credit for diploma requirements has been 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:**

Attendance:

Sault College is committed to student success. There is a direct correlation between academic performance and class attendance; therefore, for the benefit of all its constituents, all students are encouraged to attend all of their scheduled learning and evaluation sessions. This implies arriving on time and remaining for the duration of the scheduled session.

**VII. COURSE OUTLINE ADDENDUM:**

The provisions contained in the addendum located on the portal form part of this course outline