

Fundamentals of Environmental Law

LESSON OVERVIEW

This lesson will introduce students to environmental law by examining a hypothetical land use assessment for a construction project. Students will become familiar with water, land, and species laws in addition to Federal and Provincial conservation laws.

Content warning: *This lesson will briefly mention ecological and natural disasters. Students who are climate refugees or know someone who was impacted by one of these events may be impacted. (Resources found below in the resource section)*

GOALS

- Understand and appreciate the breadth of environmental law.
 - Explain how environmental law issues arise with day-to-day activities.
 - Identify environmental issues through a discussion of laws and case studies.
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MATERIALS

- Overview and Background Information Document
- Slide Deck: Fundamentals of Environmental Law
- Fact Sheets: Fundamentals of Environmental Law
- Worksheet: Reflection Questions
- Optional Case Study (general or biology specific version)
 - Worksheet: Case Study (general or biology specific version)



PROGRAM OF STUDY CONNECTIONS

Environmental and Outdoor Education 9	Environmental Core: 1B, 3B, Environmental Investigations: 1A, 1B, 1C, 2A, 2B
CTF Challenge	Understanding Energy (Energy Law pg. 47-56)
Social Studies 10-1/-2	POS 1.1, 1.3, 2.1, 2.5, 2.10-2.11, 3.7-3.9, 4.1
Social Studies 30-1/-2	POS 1.6, 1.8-1.9, 3.8-3.9
Science 10	Unit D: sts&k 1.1, 4.1
Science 20	Unit D: 1.4k, 1.5k, 1.2s
Science 24	Unit C: sts&k 1
Science 30	Unit D: 1.1sts, 2.1sts, 1.2s, 1.3s, 1.4s
Biology 20	Unit A: 2.1sts Unit B: 1.1 sts, 1.3s, 1.4s
CTS: Natural Resources	ENS: 1020, 1040, 1110, 1115, 2120, 2030, 2050, 2130, 3030, 3050, 3110, 3210 WLD: 1070, 1075, 1080, 2070, 2080, 2090, 3020, 3050, 3060, 3090 FOR: 1110, 2010, 3010 PRS: 1020, 1050
CTS: Legal Studies	LGS: 2030



LESSON OUTLINE

Time (times are all approximate)	Description	Materials and Resources
15 minutes	A. Environmental Law Intro Part 1 <ul style="list-style-type: none"> • What comes to mind when you think about the environment? • What is environmental law? • What are some environmental laws in AB and Canada? • What do the images have in common? 	Fundamentals of Environmental Law Slide Deck Slides 1-6 Optional: <ul style="list-style-type: none"> • Sticky notes • Pens/ Pencils/ Markers
15 minutes	B. Environmental Law Intro Part 2 <ul style="list-style-type: none"> • Where does environmental law come from? • Who enforces environmental law? 	Slides 7-9
20+ minutes If you choose to include the optional components, more time will be required.	C. Case Study <ul style="list-style-type: none"> • Divide class into 6 groups (will vary depending on class size) • 2 (or more) groups, each examining the water, land, and species laws to be considered • Optional: groups will examine the case study from the perspective of an interest group • Optional: Biology focused version 	Slides 10-14, 17 <ul style="list-style-type: none"> • Case Study • Case Study Worksheet • Environmental Laws Fact Sheets Slides 10-17 <ul style="list-style-type: none"> • Biology Version Case Study • Biology Version Case Study Worksheet
15 minutes	D. Case Study Reflection	Slide 18 <ul style="list-style-type: none"> • Case Study Worksheet
15 minutes	E. Lesson Reflection	Slide 19-21 <ul style="list-style-type: none"> • Reflection Worksheet



LESSON PLAN

All background knowledge needed to facilitate this lesson can be found in the [“Environmental Laws 101” Document on pages 7-11](#). Along with the slide deck and activities provided, you have all the resources needed to facilitate this lesson. If you need further clarification or additional information, please don't hesitate to reach out to programs@abcee.org.

A. ENVIRONMENTAL LAW INTRO: PART 1

Slides 1-4

- **Ask** students to brainstorm what comes to mind when they think of the environment and environmental law.
 - This can be done as a whole class, in small groups, through a word cloud, or using stickies placed on the board.
- **Topic: Environmental Law**
 - **Explain** that there is no single definition and share some examples of definitions.
 - **Alberta's Environmental Protection and Enhancement Act (EPEA)** defines environment as “the components of the earth and includes (i) air, land and water (ii) all layers of the atmosphere (iii) all organic and inorganic matter and living organisms and (iv) the interacting natural systems that include components referred to in subclauses (i) to (iii).” Therefore, environmental law is regulation of the environment as defined.
 - **Black's Law Dictionary** defines environmental law as “[t]he field of law dealing with the maintenance and protection of the environment, including preventive measures such as the requirements of environmental impact statements, as well as measures to assign liability and provide cleanup for incidents that harm the environment. Because most environmental litigation involves disputes with government agencies, environmental law is heavily intertwined with administrative law.”
 - **Discussion:** What are some ways that you encounter environmental law on a day to day basis?
 - *Examples: rules around garbage you can throw out, rules in National Parks, etc.*
- Environmental laws can be made at different levels, local (like a city bylaw), provincial, national, or even international. **(Slide 4)**
 - **Discussion:** As a class or in small groups.
 - Can you think of ways that decisions made by your local, provincial, or federal government about the environment show up in your everyday life?
 - *Examples:*
 - *Local: waste management and disposal (littering, how we sort our waste)*
 - *Municipal, provincial, and national parks and their associated rules and laws*
 - Why do you think these rules are in place, and who do you think they are meant to protect?
 - All of these decisions influence how we live day to day, from what we throw away, to how we heat our homes, to where we can go camping or swimming.



Slides 5-6

- **Examples of Environmental Laws in AB and Canada**
 - Provincial Environmental Laws:
 - Environmental Protection and Enhancement Act
 - Wildlife Act
 - Water Act
 - Federal laws:
 - Species at Risk Act
 - Canada National Parks Act
 - Canadian Environmental Protection Act, 1999
- **Ask students** what comes to mind with the images on **slide 6**. This can be done as a class or in smaller groups with 1 or more images assigned to each group.
 - **Explain** that each image represents something that has been the subject of environmental legal debates in Alberta.
 - **Discussion:** How might these images be connected to environmental law? What laws may apply to each image?
 - *Examples:*
 - *Bird - wildlife protection which may fall under the Provincial Wildlife Act and/ or the Federal Species at Risk Act*
 - *Solar panels - this requires permits, registration, and adherence to specific regulations at the municipal level*
 - *Water - water regulations may be in place at all levels to ensure clean healthy water and to protect its ecosystems*

B. ENVIRONMENTAL LAW INTRO: PART 2

Slide 7

- **Topic: Where does environmental law come from? (Slide 7)**
 - **International Law:** a set of rules that are generally regarded as binding by countries around the world.
 - *Example: The United Nations (UN) is an international organization with 193 Member States that uses international law as a means to “take action on the issues confronting humanity in the 21st century, such as peace and security, climate change, sustainable development, human rights, disarmament, terrorism, humanitarian and health emergencies, gender equality, governance, food production, and more.”*
 - **The Canadian Constitution:** sets out some of the founding principles of Canadian legislation and divides powers and responsibilities between the federal and the provincial governments.
 - **Statutes:** a law that is enacted (written down) by either the Federal Parliament or the Provincial Legislatures. Canadian law is made up of a combination of both common law (judge-made law) and statute, however, if the two are in conflict, then the statute will come first.
 - *Examples of federal environmental statutes: Fisheries Act, Species at Risk Act*
 - *Examples of provincial environmental statutes: Public Lands Act, Water Act*



- **Regulations:** the practical details that make it possible to enforce or understand how the large concepts, usually dealt with in statute, will work.
 - Regulations are a critical component of environmental law. This is because enforcing big ideas such as how and where to dump pollution or how to understand whether the air in your area is clean enough to be up to legislative standards requires specific rules and measures.
 - *Examples:*
 - *Alberta has specific regulations around fishing, including which species can be caught, where they can be caught, and how many you're allowed to keep within a certain time period.*
 - *In Canada, catalytic converters are legally required for all new vehicles sold and for vehicles to pass emissions testing to be registered for road use.*
- **Common Law:** judge-made law developed through the court system.
 - As with other types of law, environmental lawyers have relied heavily on common law ideas in order to protect certain aspects of the environment, especially relying on environmental principles like the precautionary principle.
 - **Precautionary Principle:** If the environmental risk of an action is unclear or unknown, lawmakers or others, will err on the side of caution.
 - *Example: If a company's actions may result in a substance being released into the environment that may cause harm to fish, the precautionary principle would require regulations to control that release even without full evidence of the harm.*

Slides 8-9

- **Topic: How are laws enforced?**

- **Explain:** The courts are hierarchical. This means that each level can overturn or change decisions from the lower levels.
 - Each level of court has different rules about the type of legal matters it can hear.
- **In Alberta:**
 - The Provincial Court of Justice hears the majority of lower-level criminal offences, including some environmental offences that break rules or regulations.
 - The next level of Court is the Court of King's Bench of Alberta. The Court of King's Bench hears some appeals from the Court of Justice and some more complicated matters that go straight to a higher level of court.
 - The highest level of court is the Court of Appeal of Alberta. The Court of Appeal hears appeals on decisions made in the Court of King's Bench.
 - Each level of court may see environmental law issues.
- **In Canada:**
 - The Supreme Court of Canada is the final appeal court in the country – it is the highest court in the land and appeals from all of the provinces can make their way to the Supreme Court of Canada.
 - There is another branch of the court system called the Federal Court system. This court hears matters related to the federal government including for species at risk or impact assessments for large projects.
 - Offences against federal laws such as the Fisheries Act or Species at Risk Act are generally handled at the federal level.



- **Tribunals:**
 - A number of environmental law decisions are also heard at the tribunal level. Tribunals run parallel to the court system and may resemble a court because they are authorized to make decisions when a dispute arises.
 - Environmental law issues often start at an environmental tribunal and move their way to the court level that is set out in the relevant statute.
 - **Government Ministries:**
 - In Alberta there are three main government departments that manage environmental law
 - Environment and Protected Areas is focused on species at risk, waste management, water, and environmental assessments.
 - Forestry and Parks manages forestry and provincial parks.
 - Energy and Minerals focuses on energy development primarily non-renewable energy such as oil and gas.
 - In Canada there are four main government departments focused on environmental issues (names subject to change with different governments).
 - Energy and Natural Resources focuses on energy development, forestry, and other natural resource development.
 - Canadian Culture, Identity and Parks Canada manages national parks.
 - Environment and Climate Change manages pollution and waste management, climate change, species at risk, and other major environmental issues.
 - Fisheries and Oceans manages fisheries and water in Canada.
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C. CASE STUDY (LAW OR BIOLOGY FOCUS)

Slides 10-14, 17 (Biology focus: add slides 15-16)

- Divide the class into 6 groups (this will vary depending on class size). Two (or more) groups each will examine water, land, or species laws that may apply in the respective case study.
 - Hand out the Fundamentals of Environmental Law Fact Sheets referencing the applicable laws.
 - Hand out the case study and case study worksheet to fill in during the group work and the discussion.
- Give groups ~20 minutes to read the case study, review the problem questions, and identify the laws that may apply to the hypothetical situation.
 - After reviewing the case study and relevant laws, have each group share one or more of their key takeaways with the class. Alternatively, you can mix groups from different categories to encourage cross-group discussion and idea sharing.
- Should time allow, groups can choose from one of three interest groups on their worksheet, or create their own from a different point of view, to consider how they would feel about the proposed change in land use from that perspective.



- Other ways to complete this activity:
 - Students can role play scenes from the case study and advocate as their interest group.
 - Students can create posters, presentations, or write letters to the community as their interest group.
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D. CASE STUDY REFLECTION

Slide 18

- This can be completed as a class, in groups, or as an individual assignment.
 - As communities grow, how might this impact the need for a larger rec centre?
 - What may be the long-term benefits/ repercussions of this project on the quality of life of the community?
 - How might these topics be connected to local or world events/ news?
 - What other perspectives could be considered?
 - Do you think the community recreation centre should be built in this location? Why or why not? Support your answer using evidence from the laws, the species impact research (biology version), and the stakeholder perspectives discussed.
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E. LESSON REFLECTION

Slides 19-21

- Review the complexity of environmental law, and the intersection of conservation, law, and policy.
 - Why is environmental law often seen as complex or challenging to navigate?
 - Who regulates all of these activities and enforces the environmental laws in Alberta?
- What types of careers or fields are involved in land management, and how do they contribute to protecting the environment and supporting sustainable land use?
 - Name different careers (e.g., environmental scientists, conservation officers, Indigenous land stewards, agricultural advisors, land-use planners, legal professionals).
 - Describe the responsibilities of each role.
 - Think about how these professionals work together and follow environmental laws to manage land responsibly.
 - Optional career profiles (**Slide 21**)



RESOURCES

- [ACEE Green Careers Program](#)
- [Alberta Environmental Appeals Board](#)
- [Canada Service Corps](#)
- [ECO Canada career profile](#)
- [EcoPolitics Podcast](#)
- [Green Career Centre](#)
- [International Law: United Nations Framework Convention on Climate Change](#)

Eco-Anxiety Resources:

- [UBC Climate Emergency Resource Page](#)
- [Mental Health and Climate Change Alliance: Resources for Climate Distress](#)
- [Mental Health Commission of Canada: Understanding and Coping with Eco-anxiety](#)
- [Video: Climate Change and Mental Health](#)

