

9-2011

NRSM 422.01: Natural Resource Policy & Administration

Martin Nie

University of Montana - Missoula, martin.nie@umontana.edu

Let us know how access to this document benefits you.

Follow this and additional works at: <https://scholarworks.umt.edu/syllabi>

Recommended Citation

Nie, Martin, "NRSM 422.01: Natural Resource Policy & Administration" (2011). *Syllabi*. 1073.
<https://scholarworks.umt.edu/syllabi/1073>

This Syllabus is brought to you for free and open access by the Course Syllabi at ScholarWorks at University of Montana. It has been accepted for inclusion in Syllabi by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.

University of Montana
College of Forestry & Conservation

Natural Resource Policy & Administration

NRSM 422 (undergraduate/graduate credit), Fall 2011, 3 credits, TR 9:40—11:00, HS #207

Prof. Martin Nie
402 Clapp Bldg
Telephone: 243-6795
about: <http://www.cfc.umt.edu/personnel.aspx>

Office hours: 11:30—1:00 TR & by
appointment only.

Course Description: This course examines public land and resources policy, law and administration from multiple perspectives. It covers environmental and administrative decision making and various contemporary resource management problems and conflicts. A number of substantive policy areas are examined including national forests, public rangelands, water, wildlife and biodiversity, and protected areas, among others. These substantive areas are approached and analyzed in a number of different ways.

Required Reading: (1) James Rasband, James Salzman, and Mark Squillace, *Natural Resources Law and Policy*, 2d ed. (New York: Foundation Press, 2009). 1340pp.

*This textbook also has a website with access to statutes, cases, agencies, current events, and links to recommended readings: <http://www.naturalresources.byu.edu>

(2) Lecture notes: my lecture notes are available at the bookstore. They are required and students will not be able to follow class sessions without them.

Recommended reading for graduate students: Martin Nie, *The Governance of Western Public Lands: Mapping Its Present and Future* (Lawrence: University Press of Kansas, 2009) (this recommended book may help students understand how various topics covered in class play out in contemporary cases and lead to possible reform measures). All author profits to be given to Kettlehouse foundation/brewery.

*We will also discuss a number of contemporary issues in natural resource politics. An excellent way to stay up-to-date is provided by the Center for the Rocky Mountain West's *Headwaters News* online at www.headwatersnews.org; *High Country News* online at www.hcn.org; and *Land Letter* online at <http://www.eenews.net/ll/>

Learning Outcomes: Students successfully completing the course will:

1. Acquire a substantive understanding of natural resources policy and management in the U.S.
 - Understand the relationship between law and policy and resources management in the U.S., with a focus on the primary majors in the College of Forestry and Conservation (forestry—as required by SAF, wildlife biology, resource conservation, recreation, restoration, and other environmental sciences).
 - Understand basic decision making/planning processes
 - Understand key environmental laws and policies and how they work on-the-ground in a management setting
 - Understand various approaches to different sets of policy problems
2. Be able to think critically about a number of natural resource policy problems and solutions.
 - Understand the nature of various policy disputes

- Evaluate the assumptions, strengths, and weaknesses of various reform measures and policy proposals
- Approach problems and issues in an integrated and intellectually rigorous fashion

3. Have the ability to apply acquired knowledge to their field of study or professional/personal interest(s)

- To make connections between policy and law to real-world management problems in forestry, resource conservation, wildlife management, recreation, and the environmental sciences.

Student Responsibilities & Grading:

Class Participation: My classes are proactive and conversational in nature. Thus, *all* students must not only have read the reading assignment *prior* to class, but must be ready to discuss the readings on a regular basis. I am seeking input from the entire class, not just from a few committed students. Thus, students need to know when to speak up and when to stay quiet. If discussion is poor, unannounced pop-quizzes may be given. Therefore, it is in the collective interest of the class to participate. Any student who misses class for any reason will be held responsible for all materials covered and all announcements made during his/her absence. Don't ask me for missed handouts or about material that was covered unless you have a validated excuse. Chronic tardiness is rude. Please turn off your cell phones before entering class.

Respect: Given the amount of discussion expected in this course, showing respect for others is paramount and is taken very seriously. We will strive towards an engaging but respectful open forum in which numerous opinions can be discussed and explored. Personal attacks will not be tolerated.

3 Exams (100pts each): There are three undergraduate exams consisting of short answer and/or essay. The final exam is comprehensive. I will provide possible test questions at least one week in advance. **The final exam is on Wednesday, Dec. 14th 10.10 am—12.10pm.**

*Graduate student exams are short-paper take home assignments (roughly 8-10 pages double-spaced in length). Students will have at least one-week to complete them. There is a 5pt penalty for each day that they are late.

Academic Honesty: All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The Code is available for review online at www.umt.edu/SA/VP/SA/index.cfm?page?1321.

Grading Scale: The following scale will be used to translate points into grades.

93-100: A	<u>Undergraduate Points</u>
90-92: A-	Exam 1: 100pts
88-89: B+	Exam 2: 100pts
83-87: B	Final exam: 100pts
80-82: B-	Total: 300pts
78-79: C+	
73-77: C	<u>Graduate Points</u>
70-72: C-	Midterm: 100pts
68-69: D+	Final: 100pts
63-67: D	Total: 200pts
60-62: D-	
59- F	

COURSE READINGS & CLASS SCHEDULE

This syllabus is very tentative and may regularly change. Bring this schedule to each class session for regular updates and additional or subtracted readings. *All readings are to be done before class.* Given time constraints, some areas may have to be sacrificed, and individual reading will have to take its place. Students must be willing to read and be responsible for text material that may not be covered in class. Dates have been left open in order to increase flexibility and allow for maximum class participation and discussion. This type of open schedule, however, requires that students come to class to find out where we are and where we're going. I will inform students before upcoming sections of what readings they should pay particular attention.

Reading the Text: I'm sure you have noticed the density of our text for this semester. I have chosen it because of its integrated and comprehensive approach to public land and resources policy, law and administration. Previous surveys of this course also informed me that a majority of students wanted a comprehensive and detailed text that they could keep and use as a future resource and reference. Please don't be intimidated by this book: we will work our way through it and I will tell you exactly what you are to read and understand. In general though, it's a good idea to read the selected sections while skipping the extended question sections and case law sections, as this will make the reading much lighter. Those students really interested in the subject matter can of course read all of it and then some. You are also not expected to memorize the cases, nor understand the intricacies of the American legal system. Again, I will tell you what you need to know and why it is important. I've also placed on e-reserve a few tutorials on how to read legal cases, see "An Introduction to Legal Research and Citation," and "Understanding Legal Citations."

*Unless otherwise noted, case law and question sections in the following readings are optional.

TOPICS & READINGS

READ BY:

Thinking About Natural Resources Policy

Introduction: What is public policy

Natural Resources: Why are they difficult to manage? Why so much conflict?

Reading: Chapter 1 focusing on:

II. Why Are Natural Resources Difficult to Manage, pp. 36-62

Case Study: The Arctic National Wildlife Refuge, pp. 67-69

III. Tools for Managing Natural Resource—"The Five Ps," pp. 69-74.

Recommended: Nie, Introduction, Chapter 1.

The Historical and Constitutional Geography of Natural Resources Policy

Historical context of federal lands management

Constitutional context of natural resources policy

Reading: Chapter 2 focusing on:

I. Introduction, pp. 80-82

II. Acquisition of the Public Lands, pp.82-88

III. Allocating the Nation's Lands and Natural Resources, pp.94-95, 115-126, 129-133, 139-141 (#s 4, 5).

IV. Federal Power Over Natural Resource Management (no assigned reading, but lecture will roughly follow pp. 146-207)

Agency Decision Making and Planning

Administrative rulemaking

Environmental decision making and NEPA

Reading: Chapter 3 focusing on:

- I. The Federal Natural Resource Agencies, pp. 214-220
 - II. Improving Agency Decision-making, pp. 223-233, including *Northern Spotted Owl v. Hodel* (but not including section on 2. Adjudication)
 - II (B). The Role of Nongovernmental Organizations, pp. 236-241.
 - III. Improving Agencies' Environmental Decision-making (NEPA), pp. 258-268, 277-279 (Essential Elements of an EIS), 285-286, 288-289, 290-292.
- Recommended: Nie, Chapters 2 & 3.

Hardrock Mining: History, Law, and Politics

Reading: Chapter 9 focusing on:

- I. An Introduction to Mining, pp. 1022-1026.
- III. Mining on the Public Lands, pp. 1077-1086
- V. Environmental Regulation of Mining, pp. 1170-1174

Tony Davis, "Hardrock Showdown," *High Country News* (Nov. 22, 2010), available online at <http://www.hcn.org/issues/42.20/hardrock-mining-showdown>

Western Water Policy

Reading: Chapter 7 focusing on:

- II. Understanding the Water Resource, pp. 739-758
- III. The Law of Water Allocation, pp. 758-825
- IV. Water Federalism, pp. 825-888.

Public Rangeland Policy

Reading: Chapter 8 focusing on:

- II. Home on the Range, pp. 913-934
 - IV. Environmental Law Comes to the Range...Slowly, pp. 949-973, 1011-1015
 - V. Rangeland Reform, pp. 975-983
- Recommended: Nie, pp. 56-60.

Forest Policy and Resources Planning

Reading: Chapter 10—please read all of this chapter, with question and case law sections optional. And Chapter 3 focusing on:

Resource Planning on Public Lands, pp. 292-319.

Recommended: Nie, pp. 45-51, Chapters 4 & 5

Wildlife and Biodiversity Policy

Reading: Chapter 4 focusing on:

- I. Life on Earth, pp. 320-338
 - II. Managing the Wildlife Commons, pp. 338-348
 - III. The Endangered Species Act, pp. 348-426
- Recommended: Nie, pp. 63-68.

Protected Lands Policy

Reading: Chapter 6 focusing on:

- I. Introduction, pp. 577-582
 - II. The Case for Preservation, pp. 582-599
 - III. National Parks, pp. 599-619
 - IV. National Monuments, pp. 619-635
 - VI. National Wildlife Refuges, Wild and Scenic Rivers, and LWCF, pp. 662-673
 - V. Wilderness, pp. 636-661
 - IX. Alternatives to Public Lands Preservation, pp. 727-738
- Recommended: Nie, pp. 51-56, 60-63

Semester Review and Discussion

Review and analysis

Options and alternatives in public lands and resources policy

Recommended: Nie, Chapter 6 & Conclusion

FINAL EXAM: Wednesday, Dec. 14th 10.10 am—12.10pm