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Fall 9-1-2000

### RECM 370.01: Conservation of Wilderness, Wild Rivers, and National Parks

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RECM 370  
Conservation of Wilderness, Wild Rivers, and National Parks  
Fall 2000 9:40-11:00 M,W

Dr. Michael E. Patterson  
**Office:** 308 Forestry  
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**Office Hours:** M,T,Th 3:30-4:30 (By appointment\*)  
W 2:30-3:30 (By appointment\*)

\*I enjoy meeting with students, am very accessible, and encourage you to talk with me outside of class. I will try to reserve the times listed above for meeting with students, however you need to set up the meeting in advance to be positive I'll be there. If you are not able to meet at one of these times, we will find a mutually acceptable time. To schedule a specific meeting time you can see me at the **end** of class; contact me through email; call my office number; or leave a note on the message pad on my office door.

**COURSE DESCRIPTION:**

This course explores the historical, philosophical, and legislative background underlying development and management of our national system of wilderness areas, wild and scenic rivers, trails, and national parks and their place in our social structure. The course is divided into 3 major sections. The first section uses federally designated wilderness as a case study for understanding policy processes in natural resource management. This section traces the history of wilderness as a politically designated unit of land beginning with the establishment of National Parks and National Forests through passage of the Wilderness Act of 1964. It also provides students an understanding of fundamental policy concepts (statutes, regulations, case law) and policy processes (development, implementation, and judicial review). The second section explores different approaches to dealing with conflict regarding natural resource policies. The third section of the course explores conflicts over contemporary policy issues related to wilderness, wild and scenic rivers, national parks, national forests, etc. Students work in groups on contemporary policy issues applying concepts learned in the first sections of the class; lead the class in an exploration of their issues; and generate a discussion of approaches to resolving these policy conflicts.

**COURSE GOALS:**

At the conclusion of this course students will be able to:

- 1.) Demonstrate an understanding the legal foundations for our system of wilderness areas, National Parks, and other federally managed wildlands;
- 2.) Demonstrate an understanding of policy processes that led to the development of our wilderness system including factors that shape the development of policy, different types of policy (e.g., statutes, agency regulations, internal agency policy), the role agencies play in interpreting and implementing policy, and the role of the court system in reviewing agency interpretation and implementation of statutes;
- 3.) Demonstrate an understanding of planning processes mandated by federal statutes;
- 4.) Demonstrate an understanding of federal agencies responsible for managing wildland areas including similarities and differences in professional cultures, identities, environmental philosophies, and land ethics;

- 5.) Be familiar with resources for researching contemporary natural resource policy issues;
- 6.) Demonstrate an in-depth understanding of the contemporary natural resource policy issues explored by student groups.

Required texts:

There is no text for this course. Assigned readings will be made available on the library's traditional reserve and E-reserve (<http://eres.lib.umt.edu>) systems.

### TEACHING/LEARNING PHILOSOPHY

There are no prerequisites for this course other than an interest in the subject, college level reading and writing skills, and a willingness to engage the material and participate actively in your education. Please note this is not an over-view or introductory course. It is a junior level course designed for "majors" and I have high expectations about the level of effort and quality of work that goes with a course of this nature. The course emphasizes critical thinking skills such as analysis, evaluation, synthesis, and integration across readings/discussion topics rather than simple memorization of facts and dates. For example, the first section of the course covers the evolution of wilderness policy. Rather than simply memorizing the dates on which specific events occurred you should be trying to understand not only the progression of events, but also the cultural and political factors that shaped these events and how this case study of wilderness illustrates one of the routes by which environmental policy in American society evolves. At the end of this section you should be able to present an insightful narrative discussing these issues that makes specific references to class readings and discussions.

I expect you to do every reading assigned for the classes before you come to class. There are different levels at which one can potentially do the readings: (1) reading to be familiar with what the author says, (2) reading that analyzes and interprets what the author says (every reading assigned has a deeper message than just the "facts and dates" presented); and (3) reading critically (critiquing what the author says, synthesizing/integrating this reading with previous readings/class discussions, and finding something to say about the reading in a discussion). I expect you to read at all three levels. To accomplish this you should do readings well ahead of time; underline or highlight key points; and review these highlights an additional time before class, making notes of the key points, things worth discussing, and links to topics being covered in the class.

### COURSE POLICIES

CLASS PARTICIPATION: This portion of the grade will be based on attendance **AND** contribution to class discussions. Perfect attendance is anticipated; missing more than 3 classes represents an excessive number of absences. I also expect you to be in class on time. But remember that regularly attending class is a necessary, but not sufficient, aspect of this portion of the grade. The course operates as a discussion seminar; therefore, the success of the class (and your grade) depends on the quality of your preparation and your active participation in discussions.

Your grade for this aspect of the course will be assessed in three ways: (1) the degree to which I am convinced that you consistently read and carefully thought about the assignments (I will use pop quizzes if I think it is necessary), (2) your willingness to participate in class discussions, and (3) self-evaluation of your contribution to class discussions (each day, at the end of class, you will fill out a log [to be provided in class] rating your participation in the class discussion for that day).

MISCELLANEOUS ASSIGNMENTS: Throughout the semester take home and in-class assignments

will be made. In-class assignments will include quizzes about class readings and class discussions. Quizzes may be announced or they may represent "pop" quizzes. This portion of the grade also includes at least 3 major written assignments (see course outline for tentative dates). Assignments will build on ideas developed through course readings and discussions, therefore it is essential for you to keep up with the readings and discussions. More specific explanations of the assignments will be distributed at the appropriate times. All out of class assignments **must be typed, printed with legible ink, and securely fastened together.**

FINAL ASSIGNMENT: The final assignment will be comprehensive in nature and will be explained later in the course.

LATE POLICY: All assignments are due at the **BEGINNING** of class on the specified due date. Missing classes in the preceding week is **NOT** an acceptable reason for failing to complete assignments in their entirety. Missing class on the due date is **NOT** an excuse for failing to turn in the assignment unless there is a serious personal emergency. Should you encounter a personal emergency that affects your ability to complete assignments, make me aware of the situation in a timely manner.

GROUP PROJECT/PRESENTATION: Students will work in groups to explore a contemporary natural resource policy issue. Students may choose from a variety of topics including: a contemporary policy debate regarding a specific issue or site (e.g., President Clinton's roadless area directive to the Forest Service, snowmobile use in Yellowstone National Park, bison management in Yellowstone National Park, the Forest Service's newly proposed planning regulations, social conflict over Jarbidge road in the Humboldt Toiyabe National Forest in Nevada, the recent controversy over Makah Whaling, delisting the gray wolf in Minnesota); a contemporary policy debate concerning a broader theme (e.g., wildland fire policy, the ethics of hunting, ecosystem restoration, the Park Service's natural regulation policy); or a social philosophy or ethical framework that has policy implications and was not covered in class (e.g., ecofeminism). Students are free to propose topics other than those listed, but topics must be approved by the instructor.

You will be working in groups of 3-4 depending on class size. Each group will be responsible for filling 70 minutes of the class period during which their group is scheduled (40-50 minutes of presentation, 20-30 minutes of class discussion). The final 10 minutes of the class will be used to identify significant ideas/concepts derived from the group presentation/class discussion that we want to record for posterity.

The presentation should cover core concepts necessary to understand the issue and integrate/reflect themes developed previously in the class. Presentations should be professional, clearly emphasize key points, be well organized, and include visual aides and/or handouts. Additionally each group will be responsible for assigning 1-2 readings to provide background material for the presentation.

You may choose your group or wait to be assigned to a group. If you wish to choose your own group, hand in a list of group members (first and last names) no later than **September 22**. You should identify and hand in a topic for approval no later than **September 29**. I have extremely high expectations for the amount of effort you put into this assignment and for the quality of the presentations and will grade accordingly. Additional details will be distributed in class.

FINAL ASSIGNMENT: There will be a comprehensive final exam.

## GRADING

<u>Percent</u>		<u>Grading Scale</u>
Class Participation	20	A - Excellent. Student did all assignments on time and the work is of superior quality. Answers to assignments could be distributed to class as an example of excellence.
Misc. Assignments	40	Student participated actively in class discussions on a regular basis and the nature of these contributions were of superior quality.
Group Project	30	B - Very Good. Student did all assignments on time. The work showed thought and insight beyond the minimum level necessary to pass. Evidence of real understanding of the material. Regular class participation; comments are relevant & show insights into the material.
Final Assignment	10	C - Acceptable/Passing. Student did all assignments on time and met the basic/fundamental requirements of the assignment, but there is clear room for improvement. Student participated in discussions at an acceptable level, but room from improvement in terms of the regularity and/or depth/relevance of comments.
		D - Pass with reservation. Student was late on assignments, work was of unsatisfactory quality, work did not meet some of the basic requirements, and/or student barely showed enough understanding of the material to pass the assignments/class. Participation may also have been lacking in terms of overall amount and/or quality.
		F - Fail. Student was late on assignments, failed to complete assignments, and/or work showed so little knowledge of the subject that the student needs to repeat assignment/course.

### Course Outline<sup>1</sup>

#### WILDERNESS AS A CASE STUDY IN POLICY CONCEPTS AND PROCESSES

September 6 - Origins - NPS and US Forest Service

\*\*\*Read course syllabus and project handout.\*\*\*\*\*

September 11 - Fall Trek

September 13 - Fall Trek

September 18 - Fall Trek (We will meet on Friday September 22 to make up)

September 20 - Fundamentals of Policy

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<sup>1</sup>This is a tentative outline. Changes will be announced in class depending on how rapidly/slowly we proceed. Readings may be substituted. Announcements will be made in class and it is your responsibility to keep track of these announcements.

September 22 - Preservation vs. Conservation: Thoreau v. Pinchot (Make up day for September 18)

Taylor, B. P. 1992. Chapter 1 The pastoral and progressive visions. In *Our limits transgressed: environmental political thought in America*. University Press of Kansas.

September 25 - National Park Service vs. US Forest Service: The Emergence of Wilderness

Rothman, H. K. 1989. "A regular ding-dong fight." Agency culture and evolution in the NPS-USFS Dispute, 1916-1937. *Western Historical Quarterly* 20:141-161.

September 27 - The Emergence of Wilderness (Continued)

Leopold, A. 1993. The land ethic. In Finch, R. and Elder, J. (eds.) *The Norton Book of Nature Writing*. W. W. Norton & Co.: New York (pp. 406-421).

Zeide, B. 1998. Another look at Leopold's land ethic. *Journal of Forestry* 96(1):13-19.

October 2 - Wilderness Act - Hearings on 1957 Bill

Selected excerpts from Hearings Before the Committee on Interior and Insular Affairs United States Senate 85th Congress First Session on S. 1176

October 4 - Wilderness Act, 1964

Wilderness Act, 1964

October 9 - Code of Federal Regulations (Start of Critique of Wilderness)

Budiansky, S. 1995. *Nature's keepers: the new science of nature management*. The Free Press: New York. Chapters 1 and 2 (pp. 3-43).

October 11 - Critique of Wilderness (**Essay Assignment 1 Due**)

Budiansky, S. 1995. *Nature's keepers: the new science of nature management*. The Free Press: New York. Chapters 3 (pp. 45-66).

### **COURTS AND THE INTERPRETATION OF NATURAL RESOURCE POLICY**

October 16 - Wilderness and the Courts: (**Practice Legal Brief 1**)

*Idaho Conservation League v. Mumma*, 956 F.2d 1508 (9th Cir. 1992)

October 18 - Wildlife and the Courts: Lawsuits and Judicial Interpretation (**Practice Legal Brief 2**)

*Wyoming Farm Bureau Fed'n v. Babbitt*, 987 F. Supp. 1349 (D. Wyo. 1997)

### **CONFLICT & CONTEMPORARY POLICY ISSUES**

October 23 - Destructive Conflict (**Legal Brief Assignment Due**)

No reading assignment

October 25 - Value-driven Approaches to Policy Conflicts

Lange, J. I. 1990. Refusal to compromise: the case of Earth First! *Western Journal of Speech Communication* 54:473-494.

October 30 - Norm-driven Approaches to Conflict

Peterson, T. R. and Horton, C. C. 1995. Rooted in the soil: how understanding the perspectives of landowners can enhance the management of environmental disputes. *Quarterly Journal of Speech* 81:139-166.

November 1 - Frank Church River of No Return Wilderness & Jet Boat Use

Excerpts from Study of Jet Boat Users

November 6 - Collaboration - Proponents

Primm, S. A. 1996. A pragmatic approach to grizzly bear conservation. *Conservation Biology* 10:1026-1035.

Barry, D. J. 1998. Cape Cod National Seashore, Off Road Vehicle Use. *Federal Register* 63:9143-9149.

November 8 - Collaboration - Opponents

Coggins, G. C. 1999. Regulating federal natural resources: a summary case against devolved collaboration. *Ecology Law Quarterly* 25:602-610.

McClosky, M. 1999. Local communities and the management of public forests. *Ecology Law Quarterly* 25:624-629.

November 13 - Grizzly Bear Reintroduction and the Citizen Management Committee

Excerpts from Environmental Impact Statement

### **CURRENT NATURAL RESOURCE POLICY ISSUES - STUDENT PROJECTS**

November 15 - Group Policy Project 1

Readings to be announced

November 20 - Group Policy Project 2 (**Position Statement on Grizzly Bear CMC Due**)

Readings to be announced

November 22 - Travel Day

November 27 - Group Policy Project 3

Readings to be announced

November 29 - Group Policy Project 4

Readings to be announced

December 4 - Group Policy Project 5

Readings to be announced

December 6 - Group Policy Project 6

Readings to be announced

December 11 - Group Policy Project 7

Readings to be announced

December 13 - Final class (**Final Assignment**)

To be announced

December 21 - Final Exam 8:00-10:00 AM