

Fall 9-1-2001

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

Michael E. Patterson

*University of Montana - Missoula*, michael.patterson@umontana.edu

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RECM 370  
Conservation of Wilderness, Wild Rivers, and National Parks  
Fall 2001 9:40-11:00 T,Th

Dr. Michael E. Patterson

**Office:** 308 Forestry

**Telephone:** 243-6614

**Email:** MIKE@FORESTRY.UMT.EDU

**Office Hours:** By appointment

I enjoy meeting with students, work in my office during the day, am very accessible, and encourage you to talk with me outside of class. 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. I will try to keep Tuesday and Thursday afternoons in particular open for student meetings.

### COURSE DESCRIPTION AND GOALS

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 of the class explores case law related to natural resource policy issues. Case law provides a unique opportunity to explore and understand policy as the dynamic and constantly evolving entity it actually is rather than as dry, distant, and dusty history. In our current political system, it is one of the major arenas in which statutory language games, agency interpretation and implementation, and conflict resolution come together in a forum that allows a holistic examination of natural resource policy. This section employs student run moot courts. The third section of the course deals with the question: "How should society make collective decisions about the policies that guide preservation, conservation, and management of natural resources?".

It explores different models and philosophies of decision-making and conflict resolution and culminates by exploring a contemporary policy conflict in light of these different models.

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.

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 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 to analyze and interpret 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.

MISCELLANEOUS ASSIGNMENTS: There will be at least 2 outside of class assignments beyond the moot court project.

EXAMS: There are 3 scheduled major exams (see attached course outline).

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 experience a personal emergency that affects your ability to complete assignments, make me aware of the situation in a timely manner.

MOOT COURTS: Each student will participate in every moot courts in one of three roles. In one court you will be a litigant presenting arguments for one side of the issue; in a second court you will sit on a panel of justices and be responsible for accurately presenting the court's ruling and the reasoning underlying their ruling and will prepare a case brief to be distributed to the class; and in the remaining courts you will be the general audience and participate in opportunities for discussion. I will assign you the role you are to play in the latter three court cases, but you may request the general case topics you wish to be involved in on a first come first serve basis. Based on current class size, there will be 6 moot courts. General topics for the courts will be natural resource-based recreation policy issues (2 moot courts), natural resource policy issues related to native Americans (2 moot courts), endangered species/wildlife policy issues (1 moot court), and grazing policy issues (1 moot court). These moot courts are scheduled to be held during the middle of the semester (see attached course outline). Additional details will be distributed in class.

## **GRADING**

<u>Percent</u>		<u>Grading Scale</u>
Class Participation	15	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. Student participated actively in class discussions on a regular basis and the nature of these contributions were of superior quality.
Misc. Assignments	10	
Group Project	30	
Exams	45	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.
		C - Acceptable. Student did all assignments on time and met the basic/fundamental requirements of each 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.