Wilderness and Civilization Program 2014-2015

NRSM 370S
Wildland Conservation Policy and Governance
Fall 2014, T/R 2:40-4:00 pm, JRH 203

Instructor: Laurie Yung
201A
laurie.yung@umontana.edu

Course Description
This course examines how policies related to public lands and protected areas, and environmental conservation more broadly are debated, decided, implemented, and challenged. During the course of the semester we will explore a number of policy processes, including development of statutes, case law, legislative history, voter initiatives, and administrative rulemaking. We will examine these policy processes through a series of case studies. Each case study will provide a window into political debate and policy processes, as well as substantive issues involved in public lands management and environmental conservation. We will also consider decision-making processes such as collaboration that are parallel to, yet somewhat outside of, the formal policy-making processes, but provide important new avenues for making change.

The course will continually examine the relationship between social forces and conflicts, and policy. This course is not comprehensive; we will not study every policy related to conservation and the environment, nor will we examine every type of policy process. Classroom time will consist of lecture, discussion, and activities. Every student is required to think critically and constructively, and to contribute significantly to the quality of the discussions.

Course Objectives
Specifically, students in this course will:

1. Understand many of the policy processes related to wildlands and conservation
2. Understand how to locate, understand, and analyze policy
3. Understand how policy provides a window into political and social debate, and conflict
4. Understand some of the major policy debates related to public lands and private lands
5. Understand how policy evolves over time
6. Improve writing, speaking, and analytical skills
7. Gain knowledge of multiple avenues for making change and how they work

Course Schedule and Readings
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Course readings are available on moodle.

Readings will be available on course reserve at least one week before students are required to read them. Readings must be completed prior to class. To adequately prepare for class, students should be familiar with the “facts” outlined in the reading (who, what, when, where, how, etc.) and carefully analyze and critique the material presented (making connections to other readings, class discussions, and the policy process as a whole). As you are reading, make notes about key points, questions you have, interesting issues raised, and connections to other topics being covered in the course.

Course Schedule

Part I: Laws, Agencies, and Management: Putting Policy into Practice

8/29 Politics, Policy, Government, Democracy

8/31 No class (Fall Trek)
9/2 No class (Fall Trek)
9/4 No class (Fall Trek)

9/9 The Emergence of Federal Lands
   No reading

9/11 Federal Land Management Agencies


9/16 The Political System and Wilderness Decision-Making


9/18 No class

9/23 The Political Public: Ideology and Polarization


9/25 No class
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9/30 Wilderness Legislation: From the Wilderness Act to Current Wilderness Proposals


The 1964 Wilderness Act

Select 113th Congress Wilderness Bills

10/2 Park Management: National Park Service Origins and the Challenge of Naturalness

National Park Service Organic Act (1916)


Part II: Who Decides?: Public Involvement, Rulemaking, Judicial Decisions, and Collaboration

10/7 NEPA, Public Involvement, and Agency Decision-Making

The National Environmental Policy Act of 1969

10/9 How the Courts Operate, the Role of Lawsuits, and the Nature of Judges

No Reading

10/14 The Roadless Area Conservation Rule


2001-2008 Roadless Area Conservation Policy Chronology

10/16 Native Americans and National Parks


10/21 Collaboration and Alternative Decision-Making Processes
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Part III: Private Property and Regulation: New Tools, New Battles

10/23 Private Property and Public Access


Local Websites about Property Rights (see course reserve for details)


10/28 The Oregon Takings Initiative


Regulatory Takings. Georgetown Law.

Summary of Measure 37. Compiled by Meg Moore, Research Assistant for the Georgetown Environmental Law & Policy Institute, Spring 2006.


10/30 Conservation Easements and Family Farms


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11/4 No class - Election Day

11/6 Wildland Fire and Policies Governing the Wildland Urban Interface

*Headwaters Economics. 2014. Reducing Wildfire Risks to Communities: Solutions for Controlling the Pace, Scale, and Pattern of Future Development in the Wildland-Urban Interface.*

11/11 No class - Veteran’s Day

**Part IV: Policy Frontiers: Energy, Restoration, and Climate Change**

11/13 The Global Context: Globalization, Trade, Consumption, and Population

Reading TBA

11/18 The Superfund Law (The Comprehensive Environmental Response, Compensation, and Liability Act) and the Clark Fork River

Reading TBA

11/20 Climate Change Battles: Coal Trains and the Keystone Pipeline


11/25 No class

11/27 No class - Thanksgiving

12/2 Executive Initiatives: The Environmental Protection Agency and Climate Change Policy

*Executive Order. 2013. Preparing the United States for the Impacts of Climate Change.*

*Additional Readings on EPA Regulations TBA*
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12/4  International Climate Policy: The United Nations Framework Convention on Climate Change


12/8  3:20-5:20
Resilience Deliberative Transformation, and Uncivilization


Excerpts from The Dark Mountain Manifesto

Evaluation

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Percentage of Final Grade</th>
<th>Due Date</th>
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<tbody>
<tr>
<td>Attendance and being prepared for class</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>Participation in class activities</td>
<td>15%</td>
<td></td>
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<tr>
<td>In-class writing assignments</td>
<td>20%</td>
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<tr>
<td>Op/ed or Montana Public Radio commentary</td>
<td>25%</td>
<td>10/3, 10/24</td>
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<tr>
<td>Final paper policy analysis</td>
<td>35%</td>
<td>11/14, 11/28</td>
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General Grading and Attendance Policies
Because your presence in class has an important affect on your learning, attendance will be recorded and counted toward your participation grade. If you have an emergency that interferes with attendance, please let me know and I will take the circumstances into account (but please know that I will ask for documentation).

Written assignments are due at the beginning of class on the specified due date. If you miss class at any time, you are responsible for inquiring about any new assignments or in-class writing assignments. Late papers will be accepted, but your grade will be lowered at least one letter grade (and potentially more depending on your circumstances and how late the paper is – bottom line: if you are late with a paper, you should still turn it in, but get it to me as soon as possible). This does not apply to drafts, which must be turned in on time.

In-class Writing Assignments
You will have four in-class essays between now and the end of the semester. Each essay will count for 5% of your grade. The essays will require that you respond to the readings for that day or to a short film that we will watch in class.
Op/ed or Montana Public Radio commentary
Your op/ed should focus on a very specific policy issue or problem in a particular place (e.g. coal exports or wolf trapping in Montana). For this assignment you will be required to develop a concise, persuasive argument in just 500 words (this is a strict word limit). You will need to outline the issue and explain its importance, take a position on the issue, provide support or evidence for your position, and make a specific policy recommendation regarding how to resolve the issue. Be specific about who would make the policy decision (e.g. a city council, a federal agency, Congress, etc.). You are welcome to turn in a draft op/ed for feedback (Drafts will not be graded. Drafts must be turned in by 10/3.). Please review the following resources on writing op/eds:

http://view.fdu.edu/default.aspx?id=4807
http://aboutpublicrelations.net/ucmclaina.htm
http://newsoffice.duke.edu/duke_resources/oped
http://newsroom.depaul.edu/facultyresources/OPEDTips/index.html
http://extension.oregonstate.edu/eesc/how-to/write-killer-op-ed-piece

Policy Analysis Paper
The policy analysis paper requires an in-depth analysis of an existing or proposed policy related to the environment or public lands. The specific policy you select must be different from the topic you chose for your op/ed. Unlike the op/ed, this is not a persuasive piece where you argue for a specific action/proposal (although you are encouraged to conclude with some specific recommendations regarding how to move forward/what could be improved). In your paper, please discuss the policy process (e.g. Is this a bill before Congress and if so, is it out of committee? Is this a voter initiative that’s been enacted in a specific state? Is it a regulation and if so, written by what agency based on what law?) and the specific policy (e.g. what is the policy called and what, exactly does it require?). Spend the bulk of your paper on your analysis (e.g. why was this policy proposed, what problem was it trying to solve, who supported and opposed it and why, what are some of the counterproposals, if it’s already enacted has it been effective, what evidence has been presented to support different views on the policy?). Conclude with some recommendations. Your paper should be doubled-spaced 6-7 pages with citations in the text (author last name and year in parentheses is fine) and a bibliography (any format is fine, just be consistent). Your paper will be graded based on the quality of your writing, the depth of your analysis/understanding, and the insightfulness of your conclusions. You are welcome to turn in a draft paper for feedback (Drafts will not be graded. Drafts must be turned in by 11/14.)

Class Participation
Students are expected to take an active role in their education in this course, and course grades will be based, in part, on student participation. Participation includes attendance punctuality, attentiveness, effort, and being prepared for class (having completed any assignments, including the reading for that day). Participation also means offering one’s thoughts, ideas, opinions, and questions during class. There will be frequent opportunities for discussion during class, providing time for you to explore the complexity of the policy process and, in particular, work on issues you find confusing. Your participation grade is
not based on knowing the "right" answers or the quantity or length of your comments (in fact, concise and succinct comments, where appropriate, are favorable), but rather on your willingness to contribute, evidence that you have completed and thought through material presented in the reading, and the quality of your contributions. In addition to talking in class, participation includes respect for differing opinions. Participation grades will also be based on the quality of student’s contributions to class activities. Students who arrive late miss class, fail to do readings on time, and/or do not engage in class discussions will be penalized.

**Grading Scale**

Final course grades will be determined based on the following scale:

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<thead>
<tr>
<th>Score Range</th>
<th>Grade</th>
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<tbody>
<tr>
<td>93-100</td>
<td>A</td>
</tr>
<tr>
<td>90-92</td>
<td>A-</td>
</tr>
<tr>
<td>88-89</td>
<td>B+</td>
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<tr>
<td>83-87</td>
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<td>80-82</td>
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<td>63-67</td>
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<tr>
<td>60-62</td>
<td>D-</td>
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<tr>
<td>59-</td>
<td>F</td>
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**Students with Disabilities**

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Services for Students (DSS). If you think you may have a disability adversely affecting your academic performance, and you have not already registered with DSS, please contact DSS in Lommason 154 or 406 243 2243. We will work with you and DSS to provide an appropriate modification.

**Student Conduct Code**

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.