SUBMITTED BY: Keith Criddle  
Department: Fisheries Division  
Prepared by: Keith Criddle  
Email Contact: kriddle@sfos.ua.edu  
College/School: SFOS  
Phone: 796-5449  
Faculty Contact: Keith Criddle

1. ACTION DESIRED (CHECK ONE):  
   Trial Course X  New Course

2. COURSE IDENTIFICATION:  
   Dept: FISH  Course #: 694  No. of Credits: 2
   Justify upper/lower division status & number of credits:
   This class meets for two hours per week throughout the semester, hence, it is two credits. It is intended for current fisheries management professionals and graduate students who will apply their diverse backgrounds to study the role that state, federal, and international law affect fisheries management in Alaska. The term paper and essay exams will require a level of writing that is beyond the ability of most undergraduate students.

3. PROPOSED COURSE TITLE: Law and Fisheries

4. CROSS LISTED? YES/NO  
   (Requires approval of both departments and deans involved. Add lines at end of form for such signatures.)  
   No

5. STACKED? YES/NO  
   No

6. FREQUENCY OF OFFERING: As Demand Warrants  
   (Every or Alternate) Fall, Spring, Summer — or As Demand Warrants
   (if approved) Fall 2010

8. COURSE FORMAT:  
   COURSE FORMAT:  
   1 [ ] 2 [ ] 3 [ ] 4 [ ] 5 [ ] X [ ] 6 weeks to full semester
   OTHER FORMAT

9. CONTACT HOURS PER WEEK:  
   2 [ ] LECTURE hours/weeks  
   LAB hours/week  
   PRACTICUM hours/week
   OTHER HOURS (specify type) None

10. COMPLETE CATALOG DESCRIPTION  
    FISH 694 Law and Fisheries (2 credits)  
    This course will explore the principle statutes, regulations, and international agreements that govern fisheries in the US Exclusive Economic Zone (EEZ).

11. COURSE CLASSIFICATIONS: (undergraduate courses only.)  
    H = Humanities  [ ]  N = Natural Science  [ ]  S = Social Sciences  [ ]
    Will this course be used to fulfill a requirement for the baccalaureate core?  
    YES [ ] NO [ ]
    IF YES, check which core requirements it could be used to fulfill:  
    O = Oral Intensive, Format 6  [ ]  W = Writing Intensive, Format 7  [ ]  Natural Science, Format 8

12. COURSE REPEATABILITY:  
    Is this course repeatable for credit?  
    YES [ ] NO [ ]
    Justification:
    How many times may the course be repeated for credit?  
    TIMES [ ]
    If the course can be repeated with variable credit, what is the maximum number of credit hours that may be earned for this course?  
    CREDITS [ ]
13. **GRADING SYSTEM:**
   - **LETTER:** [X]
   - **PASS/FAIL:** 

14. **RESTRICTIONS ON ENROLLMENT (if any)**
   - **PREREQUISITES:** None.
   - **RECOMMENDED:** None.
   - These will be required before the student is allowed to enroll in the course. Classes, etc. that student is strongly encouraged to complete prior to this course.

15. **SPECIAL RESTRICTIONS, CONDITIONS**
   - Graduate standing or permission of instructor

16. **PROPOSED COURSE FEES**
   - None.
   - Has a memo been submitted through your dean to the Provost & VCAS for fee approval? Yes/No [ ]

17. **PREVIOUS HISTORY**
   - Has the course been offered as special topics or trial course previously? Yes/No [No]
   - If yes, give semester, year, course #, etc.: 

18. **ESTIMATED IMPACT**
   - **WHAT IMPACT, IF ANY, WILL THIS HAVE ON BUDGET, FACILITIES/SPACE, FACULTY, ETC.**
   - Costs to the university will include the use of classrooms at Lena Point in Juneau and costs associated with videoconference delivery of this course to Fairbanks and other sites as demand warrants. These costs will be offset, in part, by tuition. The proposed instructor is a tenured faculty member and will teach this class as a component of his workload; the course will not require unusual classroom features or other facilities.

19. **LIBRARY COLLECTIONS**
   - Have you contacted the library collection development officer (ffkl@uaf.edu, 474-6695) with regard to the adequacy of library/media collections, equipment, and services available for the proposed course?
   - No [ ] Yes [X]
   - Karen Jensen, Collection Development Officer, Rasmuson Library, was consulted on December 14, 2009. Based on the course description and list of required readings, she concluded that: “we probably have adequate materials to support your course”.

20. **IMPACTS ON PROGRAMS/DEPTS**
   - What programs/departments will be affected by this proposed action?
   - Include information on the Programs/Departments contacted (e.g., email, memo)
   - **FISH** will bear the bulk of costs and reap the bulk of benefits associated with offering this class. The Political Science and Resource Management departments also offer law courses and were contacted by email on 12/14/09 and asked if they had any concerns about the proposed course. Amy Lovecraft (Political Science) replied “I don’t see any problem with that from our department’s perspective.” Joshua Greenberg (Resource Management) replied “This looks like a fine course that will not overlap with our current offerings”.

21. **POSITIVE AND NEGATIVE IMPACTS**
   - Please specify positive and negative impacts on other courses, programs and departments resulting from the proposed action.
   - The principle benefit of this course is that it will provide students with an opportunity to gain a working understanding of law as it relates to fisheries and fisheries management, armed with this background, they will be better qualified for state and federal fisheries management and policy analysis positions.
   - The Political Science and Resource Management departments indicate that this course will not duplicate current offerings and thus has no adverse impact on their programs. If the course is approved, they intend to bring it to the attention of their graduate students.

**JUSTIFICATION FOR ACTION REQUESTED**

Successful and sustainable management of fisheries requires a solid understanding of biological and ecological relationships and an understanding of the legal framework that governs and regulates fishery management actions. While this framework is briefly introduced in fishery management courses (e.g., FISH 418, FISH 487, FISH 640), to be successful in federal and state management agencies, fisheries professionals need to have more detailed background in federal and state statutes and international agreements that govern access to living marine resources. No existing courses in FISH, NRM, or FS provide a dedicated review of laws and treaties that govern fisheries.

Rome, FAO. He has contributed to management policy analysis for National Research Council reports on the Effectiveness of International & National Measures to Prevent & Reduce Marine Debris & its Impacts, the Introduction of Non-native Oysters in the Chesapeake Bay, and Individual Fishing Quotas. He has also been an invited presenter at the University of Washington, National Fishery Law Symposium.

**APPROVALS:**

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Signature of Provost (if applicable)

Offerings above the level of approved programs must be approved in advance by the Provost.

**ALL SIGNATURES MUST BE OBTAINED PRIOR TO SUBMISSION TO THE GOVERNANCE OFFICE**

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<th>Date</th>
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SFOS Curriculum Council review of: Law and Fisheries

Keith Criddle <kcriddle@sfos.uaf.edu>  
Reply-To: kcriddle@sfos.uaf.edu  
To: Christina Neumann <clneumann@alaska.edu>  
Cc: Trent Sutton <tmsutton@alaska.edu>, kcriddle@sfos.uaf.edu

Wed, Dec 16, 2009 at 3:44 PM

Trent,

I've attached revised drafts of the Trial course request form and syllabus for Fish Law. I consulted with Resource Management and Political Science regarding possible redundancy or turf issues. They confirmed that the material I intend to cover in this class is not covered in any of their current classes or in any classes they anticipate offering in the near future. They also indicated that if this course is approved for Fall 2010, they will announce it to their graduate students but they have few students interested in fisheries and are not interested in cross listing a trial course. I consulted with the library and they do not believe that this course will require resources beyond what is already available on campus and online. After careful consideration I have concluded that graduate standing is ample preparation for this class and that there is no need to require or recommend prerequisite courses.

Keith

From: Christina Neumann [mailto:clneumann@alaska.edu]  
Sent: Friday, December 11, 2009 4:31 PM  
To: kcriddle@uaf.edu  
Cc: Katrin Iken; Jeremy Mathis; Michael Castellini  
Subject: SFOS Curriculum Council review of: Law and Fisheries

[Quoted text hidden]

2 attachments

- 2009-12-12 FISH Law trial course.doc  
  147K

- 2009-12-12 FISH Law syllabus.doc  
  63K
FISH 694: Law and Fisheries (2 credits)
Dr. Keith R. Criddle

This course will explore the principle statutes and regulations and international agreements that govern fisheries in the US Exclusive Economic Zone (EEZ). Prerequisite: graduate standing or permission of instructor.

Lecture: Thu 5:20-7:20 pm
Contact Information: kcriddle@sfos.uaf.edu
Office hours: by appointment
LP 212, Juneau, and by video conference if demand warrants
796-5449
LP 323

Course Readings:
The principle texts for this course are federal and state statutes and regulations and international agreements. These materials are available for download from government websites; copies will be posted on the UAF Electronic Blackboard.

Instructional Method:
A combination of lectures, facilitated discussions, and work sessions. UAF’s Electronic Blackboard will be used to post links to reference materials and lecture notes.

Evaluation:
Evaluation will be based on 2 essay-short answer exams (100 pts each), a 25-30 page (double-spaced Time New Roman 11pt font) individual research paper (100 pts), and classroom participation (100 pts). Letter grades will be based on the weighted sum of scores on the exams (50%), research paper (40%), and classroom participation (10%). All writing will be judged for content and exposition. Students with weighted scores equal to or above 90% will receive an “A”, those with scores equal to or above 80% and below 90% will receive a “B”. Students with weighted scores below 80% will receive a “C”, a failing grade for this graduate class.

Course Goals and Learning Objectives:
Students who successfully complete this course will have a background in the legal framework that governs and regulates fishery management actions. While this framework is briefly introduced in fishery management courses (e.g., FISH 418, FISH 487, FISH 640), to be successful in federal and state management agencies, fisheries professionals need to have more detailed exposure to federal and state statutes and international agreements that govern access to living marine resources. Specifically, students who successfully complete this course will know:

- The origins and evolution of common law and the public trust doctrine as developed in court cases related to fisheries.
- The rights and obligations of federal and state governments, dependent sovereigns, and individuals as defined in the U.S. constitution and as they have figured in court cases related to fisheries.
- The ten national standards for fisheries management defined in the MSFCMA as they are interpreted and applied in U.S. fisheries.
- MSFCMA standards and criteria related to the creation and administration of limited access privilege and catch share programs.
- NEPA requirements for environmental assessments and environmental impact statements, U.S. DOC standards for preparation of these documents, and case law that has shaped the preparation of these documents in U.S. fisheries.
- Basic requirements of the ESA, MMPA; CZMA, CWA, and OCSLA as they relate to the management of living marine resources and essential fish habitat.
- U.S. DOC standards for preparation of analyses required under the Regulatory Flexibility Act; EO 12866, and EO 12899, and case law that has shaped the preparation of these documents in U.S. fisheries.
• The role that special purpose congressional action e.g., ANCSA, ANILCA, and the AFA have played in the management of fisheries in Alaska and in federal waters offshore of Alaska.
• The role that the common ownership, sustainable yield, and limited entry sections of the Alaska constitution play in defining the suite of management actions available to the Alaska Board of Fish.
• The organization and authority of the Alaska Board of Fish and the Alaska Department of Fish and Game.
• The development and evolution of UNCLOS, the main provisions related to fisheries, and the role they play in international and domestic fisheries.
• The basic character and provisions of major international treaties and conventions related to North Pacific fisheries.
• The organizational structure and legal authority for enforcement of State, Federal, and International fisheries law.

Disabilities Services:
Reasonable accommodation will be provided for all persons with disabilities in order to ensure equal participation within the program. If you have a disability that will likely require some accommodation, the disability must be documented through the UAF Office of Disabilities Services (907-474-7043), preferably during the first week of the course. Any request for special consideration must be discussed with and approved by the instructor. In cooperation with the UAF Office of Disabilities Services, course materials can be provided in alternative format, large print, audio, diskette, or Braille.

Other Support Services:
For a listing of other support services that may be useful, see: http://www.uaf.edu/sssp/index.html.

Course policies:
Students are expected to attend all class sessions having completed reading assignments and prepared to engage in active discussion. Students will be asked and are expected to be able to answer questions about the content and implications of laws covered in the reading assignments. Exams will be closed-book and in-class. Plagiarism in the research paper or cheating on the exams is automatic grounds for failing course grade.
TENTATIVE COURSE OUTLINE:

1. US Legal Framework for Fisheries Management
   a. Common Law
      Origins and evolution of Common Law and the Public Trust Doctrine
   b. Federal Constitution
      Property clause, commerce clause, treaty clause, prohibitions against discrimination, tribes as sovereign entities.
   c. Magnuson Stevens Fishery Conservation and Management Act
      The MSFCMA is the principle law governing fisheries in the US EEZ.: review of the structure, organization and authority of Regional Fishery Management Councils; review of the ten national standards; review of standards and provisions for delegated authority and the creation of catch shares.
   d. National Environmental Policy Act
      This act requires preparation of Environmental Assessments/Environmental Impact Statements
   e. Other Broadly Applicable Federal Environmental Laws
      Endangered Species Act, Marine Mammal Protection Act; Coastal Zone Management Act, Clean Water Act, Outer Continental Shelf Lands Act.
   f. Regulatory Flexibility Act; Executive Order 12866, Executive Order 12899
      The RFA and these Executive Orders require assessment of the economic and social impacts of federal actions.
   g. Examples of Narrowly Constructed Statutes—the Congressional Sausage Factory
      E.g., Alaska Native Claims Settlement Act, Alaska National Interest Lands Conservation Act, American Fisheries Act

2. Alaska State Fisheries Law
   a. The Alaska Constitution
      Common ownership, sustainable yield, and limitations on limited entry
   b. State Statutes and Regulations
      Organization and authority of the Alaska Board of Fish, the Alaska Department of Fish and Game; interplay between law related to commercial, sport, personal use, and subsistence activities.

3. International Regulatory Context
   a. UN Convention on the Law of the Sea
      UNCLOS has been in force since 1994. Although the US is not a signatory, the US has parallel domestic legislation for key provisions related to extended jurisdiction, pollution, transportation, and fisheries.
   b. International Treaties and Conventions
      Special provisions related to coastal fisheries, high seas fisheries, anadromous species, highly migratory species, marine mammals, Regional Fishery Management Organizations

4. Enforcement
   a. Structure and function of enforcement in State, Federal, and International fisheries
Curriculum Committee SFOS

Members: Trent Sutton (Chair)
         Katrin Iken
         Jeremy Mathis

11 December 2009

Trial Course
Course Number: FISH 694
Course Title: Law and Fisheries
Instructor: Keith Criddle
First Time of Offering: Yes

General Recommendations:

A discussion held by the SFOS Curriculum Committee regarding this course pertained to whether the instructor should include anyone with a law background. The committee recommends that the instructor contact and possibly co-develop/co-instruct the course with MAP agent Izetta Chambers (Dillingham) or someone from Political Science such as Gerald McBeath that have a background in legal policy and knowledge of fisheries.

Faculty Senate Form:

Clarify and Address the following:

- Should this course be cross listed with Political Science?
- Under Contact Hours per Week, change 3 to 2
- Based on the course description, it would appear that the recommended courses should be prerequisites. The recommended courses then should be “none”.
- You need to contact the library and provide a contact date and contact person. The UAF Curriculum Review Committee rejects all course proposals that do not include that bare minimum of information.
- All courses have some impact (section 20). For example, wouldn’t this course impact Political Science and SFOS? You can elaborate on that in section 21. If a course cannot have at least a positive impact (you provided none), should we even be offering it?

Syllabus:

- How many points available for each graded component? What are the total points available in the class? What is the grading scale?
- Need learning objectives
- Your course policies are lacking detail. Please provide more substance so that students can be clear of your policies. View your syllabus as a contract with the students.
Syllabus:

- Provide office hours
- Provide the overall course goal and specific learning objectives
- Include the total points available in the course and the points available per assignment
- What are your course readings? Will you provide these via Blackboard?
- Your course schedule is very vague, so please sketch it out in greater detail and tie to the course readings.