

**Public Lands Law and Policy
NRM 204, 3 Credits
Spring Semester 2013
Arctic Health, Room 183
Tuesday & Thursday, 2:00-3:30**

Instructor: Julie Lurman Joly
Associate Professor of Resources Law and Policy
364 O'Neill
Office Hours: Mondays 1:30-4:30
474-6794
julie.joly@alaska.edu

If you have a physical or learning disability, please advise me in writing of any special consideration necessary by the beginning of the second class. I will do everything possible to accommodate you in accordance with the Americans with Disabilities Act.

This class covers the major laws and policies governing the management of federal public lands and resources. The goals of the course are to gain an understanding of the agencies that manage the different land units and resources and the laws which animate their management strategies. Additionally, we will cover important issues that affect public lands in the Western United States and Alaska.

Class Schedule

Thursday January 17

1. Course Introduction

Tuesday January 22

2. The Philosophy of Public Land
 - Thinking about natural resources [Wilkinson preface and 1-27]
 - Wise Use v. Preservation (Pinchot v. Muir) [Reading packet 1-15]

Thursday January 24- Tuesday January 29

2. The National Forests
 - Organic Act and Multiple Use Sustained Yield Act (MUSY) [Reading packet 19-27; Wilkinson 120-142]
 - National Forest Management Act and Forest Management Planning [Wilkinson 142-174]

Thursday January 31- Tuesday February 5

3. The Bureau of Land Management
 - Taylor Grazing Act and Mining Law of 1872 [Wilkinson 29-50, 75-98]
 - Federal Land Policy and Management Act (FLPMA) [Wilkinson 50-74, 98-113]

Thursday February 7

4. Wild and Scenic Rivers
 - Wild and Scenic Rivers Act [Reading packet 37-44]

Tuesday February 12- Thursday February 14

5. The National Park Service
 - National Parks Organic Act [Reading packet 45-49]
 - Antiquities Act [Reading packet 50-59]

Tuesday February 19- Thursday February 21

6. Wildlife Refuges [Reading packet 60-81]
 - National Wildlife Refuge System Administration Act of 1966 and Refuge Recreation Act
 - 1997 National Wildlife Refuge System Improvement Act and “Compatibility”

Tuesday February 26- Thursday February 28

7. Wilderness
 - The Preservation Ethic [Reading packet 82-139]
 - The Wilderness Act [Reading packet 140-170]

Tuesday March 5

Review for midterm

Thursday March 7

Midterm

Tuesday March 12- Thursday March 14

Spring Break

Tuesday March 19

8. National Environmental Policy Act (NEPA) [Reading packet 171-192]
- About NEPA
 - When must an EIS be prepared?
 - How to tell if the EIS is adequate?
 - Does NEPA work?

Thursday March 21

no class

Tuesday March 26

NEPA continued

Thursday March 28- Tuesday April 2

9. Public Lands and Land Law in Alaska
- Alaska Native Claims Settlement Act (ANCSA) [Reading packet 193-208]
 - Alaska National Interest Lands Conservation Act (ANILCA) [Reading packet 209-223]

Thursday April 4

10. Migratory Birds
- Migratory Bird Treaty Act [Reading packet 224-232]
 - Constitutional Treaty Power [Reading packet 233-238]

Tuesday April 9

11. Marine Mammal Protection Act (MMPA) [Reading packet 244-257]
- About MMPA
 - Management Principles
 - Tuna-Dolphin Conflict
 - Navy Sonar Issue

Thursday April 11- Tuesday April 16

12. Water Law
- Riparian Rights v. Prior Appropriations [Reading packet 265-287]
 - Damming the West [Wilkinson 219-292]
 - Water Scarcity [handout]

Thursday April 18- Tuesday April 23- Thursday April 25

13. Endangered Species Act (ESA) [Reading packet 290-327]
- Why Should We Save the Endangered?
 - About the ESA
 - Tellico Dam, the Snail Darter, and the God Squad

Tuesday April 30

Review for Final

Thursday May 2

In Class Final Exam

Course Requirements and Grading:

Textbooks:

There is a required reading packet which I will hand out in class, and a text book that you must purchase entitled *Crossing the Next Meridian: Land, Water, and the Future of the West*, by Charles F. Wilkinson (Island Press, Washington DC, 1992). In the syllabus, readings in the text will be denoted as “Wilkinson” and those in the reading packet as “Reading packet.”

Exams:

There will be one midterm exam and one final exam, the final exam is not cumulative. Each exam will account for 30% of your total final grade. Exams will take place in class and will be **closed book**. Exam questions will be drawn from the required readings, lectures, and the classroom discussions. A close understanding of the course material is important as exam questions may require you to apply information you learned in class to new situations, rote memorization will often not be enough to get an A. Exams will include essay and short answer questions. Please make sure that you write legibly as illegible answers may not be graded. There will be no makeup exams, if you are unable to take the exam on the date scheduled and you have a good reason, please see me as soon as possible.

Assignments and Quizzes:

There will be 2-4 take home assignments and 2-4 quizzes worth a total of 30% of your grade.

Assignments will be **open note**, and may require additional research. You may not work together, except to prepare for in-class debates. Assignments must be typed and must be handed in on time. Late work will lose 10% of the total available points each day it is late.

Quizzes will be in-class, pop quizzes. They will be **open note** and will take place in the first 15 minutes of the class period, so timeliness is crucial. Missed quizzes cannot be made up.

Attendance, Preparation, and Class Participation:

Attendance and proper preparation for each class session are mandatory. Regular class participation is strongly encouraged and will impact your grade. Together these three components will make up 10% of your final grade.

Grades:

This course is graded with a letter grade corresponding to the numerical score you receive. This class will use +/- grades.

Extra Help:

If you find, at any time during the semester, that you are having trouble understanding the concepts discussed in class, please see me before you fall behind. I am happy to provide additional explanations and other help to any student who is interested.

Good luck to each of you this semester.