### 1. ASCRC General Education Form

<table>
<thead>
<tr>
<th>Group</th>
<th>Social Science</th>
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<tbody>
<tr>
<td>Dept/Program</td>
<td>RSCN</td>
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<tr>
<td>Course Title</td>
<td>Wildland Conservation Policy and Governance</td>
</tr>
<tr>
<td>Prerequisite</td>
<td>None</td>
</tr>
<tr>
<td>Course #</td>
<td>370</td>
</tr>
<tr>
<td>Credits</td>
<td>3.0</td>
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### II. Endorsement/Approvals

Complete the form and obtain signatures before submitting to Faculty Senate Office

<table>
<thead>
<tr>
<th>Instructor</th>
<th>Michael Patterson</th>
</tr>
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<tbody>
<tr>
<td>Phone / Email</td>
<td>6614</td>
</tr>
<tr>
<td>Program Chair</td>
<td>Paul Alaback, Resource Conservation</td>
</tr>
<tr>
<td>Dean</td>
<td>James Burchfield, College of Forestry &amp; Conservation</td>
</tr>
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### III. Description and purpose of the course:

General Education courses must be introductory and foundational. They must emphasize breadth, context, and connectedness; and relate course content to students’ future lives: See Preamble: [http://www.umt.edu/facultysenate/gened/GEPreamble_final.htm](http://www.umt.edu/facultysenate/gened/GEPreamble_final.htm)

This course is part of the Wilderness and Civilization minor, a program that serves students from a variety of majors. These students typically have no background in foundational concepts of policy and political processes necessary to understand the origins and ongoing management controversies underlying our national system of wildlands. Therefore, the course is designed to be a first exposure to policy and politics with the goal of imparting foundational knowledge necessary for students to become active citizens in the development and evolution of policy governing public wildland conservation and management. The class has no course prerequisites; however, students are expected to have junior level reading, writing, and discussion skills in order to effectively participate in the case study oriented approach. These case studies seek to provide students with foundational learning about key concepts in the nature of political institutions; the roles, rights, discretion, and interactions among different players in political processes; and the social history underlying existing wildland law, policy and institutions. The course provides students with a basic understanding of how policy decisions are made and how they are contested.

### IV. Criteria: Briefly explain how this course meets the criteria for the group. See: [http://www.umt.edu/facultysenate/ASCRCx/Adocuments/GE_Criteria5-1-08.htm](http://www.umt.edu/facultysenate/ASCRCx/Adocuments/GE_Criteria5-1-08.htm)

1. **systematically study individuals, groups, or social institutions;**
   
   In this course, students systematically study policy making processes, land management institutions, key stakeholder groups, and the social and political context within which they make decisions.
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<td><strong>2. analyze individuals, groups, or social problems and structures; and/or</strong></td>
<td>Wildland conservation is explored in this course as a social problem. Specific case studies are examined in depth, to provide students with substantive understanding of the key issues related to wildland conservation and governance in the U.S. The course emphasizes critical thinking skills. To succeed in the course, students must be able to analyze both policy documents and various systems for resolving political conflicts, not simply memorize decisions.</td>
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<td><strong>3. give considerable attention to ways in which conclusions and generalizations are developed and justified as well as the methods of data collection and analysis.</strong></td>
<td>This course uses original policy documents, including court cases, statutes, executive orders, congressional testimonies, and federal agency policy, as texts. Policy texts provide a window into understanding the social processes of negotiating between conflicting interests, and the political institutions that comprise our system of governance. While the data is not quantitative, students are expected to utilize policy documents as evidence for particular arguments that they present in their written work in the course. Students also examine original social science data related to policy formation (interviews with stakeholder groups about policy proposals). Connections are made between policy texts, social science data, and current political theory.</td>
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<tr>
<td><strong>V. Student Learning Goals:</strong> Briefly explain how this course will meet the applicable learning goals. See: <a href="http://www.umt.edu/facultysenate/ASCRCx/Adocuments/GE_Criteria5-1-08.htm">http://www.umt.edu/facultysenate/ASCRCx/Adocuments/GE_Criteria5-1-08.htm</a></td>
<td>The nature, structure, and historic development of wildland policy is the focus of the course. Topics are examined with the goal of better understanding social and political change, how political institutions, social movements, policy processes, and social change all effect decision-making.</td>
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2. use theory in explaining these individual, group, or social phenomena; and/or

Various social and political theories are incorporated into the class to explain the evolution of wildland policy and conflict over such policies. Concrete examples of policy decisions are explored in the context of theory and students are required to use policy texts and other data as evidence to support or contest various political theories.

3. understand, assess, and evaluate how conclusions and generalizations are justified based on data

As described above, students are required to use policy texts, social science data, and case studies as evidence to support specific arguments in written course materials. The course explicitly examines how theory or conclusions are generated from historical evidence and policy decisions, and how different interpretations of these decisions force a rethinking of social and political institutions.

VII. Syllabus: Paste syllabus below or attach and send digital copy with form. The syllabus should clearly describe how the above criteria are satisfied. For assistance on syllabus preparation see: [http://teaching.berkeley.edu/bgd/syllabus.html](http://teaching.berkeley.edu/bgd/syllabus.html)

RECM 370.01 Conservation of Wilderness, Wild Rivers, and National Parks
Spring 2008 3:40-5:00 T, Th GBB 201

Instructor: Dr. Michael E. Patterson
Office: 410 Science Complex  Telephone: 243-6614  Email: michael.patterson@umontana.edu
Office Hours: To be announced

1I 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 meeting with me, it is most effective if you can see me at the end of class to set up a time. Calling my office number is second most effective. Email contact is least effective (I try to keep up but the volume of email I get is overwhelming).

COURSE DESCRIPTION AND GOALS
This course explores the historical, philosophical, and legislative background underlying the evolution, conservation, and management of our national system of wild lands. The course is divided into five major sections.

The first section explores fundamentals of policy and introduces students to case law as it relates to wild land policy issues. In our current political system, case law is one of the few major arenas in which legislative directives, agency interpretation and implementation, and social conflict resolution come together in a single, relatively compact, publicly observable forum. Therefore, case law provides a unique opportunity to study and understand policy as the dynamic, interpretive, and constantly evolving process underlying conservation and
management it actually is (rather than as the dry, distant, dusty, and irrelevant history it is sometimes perceived to be). Case law also provides a spring board for discussing fundamental social/political concepts in natural resource management that our society is constantly debating. Examples include: (1) the extent to which society holds an individual responsible for his/her own actions in public wild lands; (2) the nature of an individual’s legal rights with respect to public land and resources; and (3) the extent of discretion a federal agency has in decision making under our current legal system, etc. Finally, we live in a very litigious era, so whether your interest in public wildland policy is professional or personal, being able to understand case law is highly beneficial.

This first section of the class uses recreation use statutes and wolf management in Wyoming as vehicles for introducing policy fundamentals and case law.

The second section of the course uses a series of court cases to provide an overview of the legal history of aboriginal title. It explores the evolution of policy dealing with one type of prior land tenure. It also reveals concepts of wilderness that existed early in US political history.

The third section of the course uses federally designated wilderness as a case study for understanding policy processes in public wild land management. It traces the history of wilderness as a politically designated unit of land from the establishment of National Parks and National Forests through passage of the 1964 Wilderness Act.

The fourth section of the course is closely related and explores how agencies interpret and implement policy like the Wilderness Act.

The fifth section of the course deals with the question: "How should society deal with conflict and make collective decisions about the policies that guide preservation, conservation, and management of public wild lands and natural resources?" It explores different models and philosophies of conflict resolution and decision-making.

Required texts:

There is no textbook for this course. Assigned readings will be made available on the library's E-reserve system (http://eres.lib.umt.edu/eres).

TEACHING/LEARNING PHILOSOPHY

There are no prerequisites for this course other than an interest in the subject; junior level reading, analysis, and writing skills; plus a willingness to participate actively in your education. And please note, this is not an over-view or introductory course. First, the material covered in the class is difficult – that is the nature of policy and politics and this course seeks to provide a realistic exposure to these topics. Second, this is a junior level class 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 just memorization of concepts, facts, and dates. For example, one 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 natural resource policy in US society evolves. At the end of this section you should be able to present an insightful discussion about these issues that makes specific references to class readings and discussions.

What you get out of a class depends to a large extent on what you put into it. Learning is an active process, it occurs most readily when you are a participant throughout rather than a spectator or “night before the exam crammer”. 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. If you fall behind the material will overwhelm you.

COURSE POLICIES

CLASS PARTICIPATION: 25% I will provide ample opportunities for class discussion on a regular basis. A discussion provides you the opportunity to explore issues you find confusing, which is important given the complexity of political and social processes in our society - answers often are not black and white. I encourage you to use class discussions to clarify confusing issues, to test your understanding, and to contribute to your classmates’ (and my) education by sharing your insights about the material. If you anticipate being present and participating consistently you can opt to have class participation be a portion of your grade. If you feel a given day’s class discussion did not provide you the opportunity to participate and/or to demonstrate your knowledge of the material, let me know immediately after class on that day.

The first aspect of participation is being present (my definition of present for grading purposes is in class on time and there for the whole period). But being present is a necessary but not sufficient condition for your class participation grade. Getting credit for participation on a given day also depends on three criteria: (1) the extent to which you actively participate in the class discussions, (2) the extent to which you demonstrate to me that you read and thought about the assigned materials, and (3) the extent to which your comments are relevant to the focus of the discussion.

EXAMS/ESSAYS: 75% There will be at least 4 essay exams. The essays will be short (4-5 pages in length). But do not let their brevity fool you. I will be looking for critical thinking, the ability to integrate and demonstrate an understanding of material we have covered in class, and the quality of writing one would expect from juniors in college – put careful thought into their completion. Essays that serve as an exam are to be done independently, copying another student’s essay in whole or part is a form of academic misconduct.
Syllabus Statements Mandated by Academic Officers of The University of Montana:

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. The Code is available for review online at [http://ordway.umt.edu/SA/VPSA/index.cfm/name/StudentConductCode](http://ordway.umt.edu/SA/VPSA/index.cfm/name/StudentConductCode).

Course Schedule

FUNDAMENTALS OF POLICY AND CASE LAW

1) Course Introduction plus On Your Own in the Woods? Responsibility vs Liability
   a. Read the course syllabus fully after class
   b. Date: January 22

2) On Your Own in the Woods? Responsibility vs Liability
   a. Read 2 case summaries: *California Diving & Yellowstone Moose*. MS Word File posted on e-reserve
   b. Date: January 24

3) Fundamentals of Policy plus Wolf Reintroduction - the Question of Standing
   b. Tentative Date: January 29

4) Yellowstone and Wolf Reintroduction - the Merits of the Case 1
   a. Read: Wolf Reintroduction – Merits 1
   b. Tentative Date: January 31

5) Yellowstone and Wolf Reintroduction - the Merits of the Case 2
   a. Read: Wolf Reintroduction – Merits 2
   b. Tentative Date: February 5

6) In the Line of Duty? Fish & Wildlife Employees, Wolves, & - Littering?
   a. State of Wyoming v Livingston and Jimenez, 43 F.3d 1211 (10th Circuit Court, 2006)
   b. Tentative Date: February 7

7) Assignment 1: Due Friday Feb 15 by 4 PM
   a. Note you will read and analyze a wolf related court case on your own – instructions for the specific assignment will be posted on e-reserve.
   b. February 14 will be an open day to work on the assignment - case but please note

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1This 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.
PRIOR TO WILDERNESS? CASE LAW ON ABORIGINAL TITLE

8) The Concept of Aboriginal Title in Law in the 1820’s
   a. Read: Johnson v McIntosh – US Supreme Court, 1823.
   b. Tentative Date: February 12

9) Return and discuss assignment #1
   a. No reading
   b. Tentative Date: February 19

10) The Concept of Aboriginal Title in Law in the 1950’s
    a. Read Tee-Hit-Ton Indians v United States.
    b. Tentative Date: February 21

11) The Concept of Aboriginal Title in Law in the 1990’s
    a. Read Minnesota v. Mille Lacs Band of Chippewa - Majority Opinion
    b. Tentative Date: February 26

12) The Concept of Aboriginal Title in Law in the 1990’s
    a. Read Minnesota v. Mille Lacs Band of Chippewa - Dissenting Opinion
    b. Tentative Date: February 28

13) Assignment #2: Assignment will be due March 14 by 4 PM
    a. Instructions for Assignment #2 will be posted on library web site.
    b. Tentative Date: March 13 – this is an open day to work on the assignment

THE WILDERNESS ACT: A CASE STUDY IN POLICY CONSTRUCTION

14) Origins of The Federal Agencies
    b. Tentative Date: March 4

15) The Emergence of Wilderness as an Agency Land Designation
    a. Read: Eve of Wilderness collection of readings
    b. Tentative Date: March 6

16) Dawn of Wilderness Congressional Hearings/Legislative History
    a. Read: Wilderness Bill of 1957
17) Dawn of Wilderness Congressional Hearings/Legislative History
   a. 1957 Wilderness Bill Hearings - Reading Set 1 - Sponsor/Agency Perspectives
   b. Tentative Date: March 18

18) Dawn of Wilderness Hearings on the 1957 Wilderness Bill
   a. 1957 Wilderness Bill Hearings - Reading Set 2 - Public Perspectives.
   b. Tentative Date: March 20

March 25 Spring Break
March 27 Spring Break

MANAGING WILDERNESS: POLICY INTERPRETATION & IMPLEMENTATION

19) Frank Church River of No Return Wilderness – Wilderness Experiences on the Salmon? 1
   a. No pre-class reading.
   b. Tentative Date: April 1

20) Frank Church River of No Return Wilderness – Wilderness Experiences on the Salmon? 2
   b. Tentative Date: April 3

21) Rock Climbing in Wilderness 1 – To stand before the Devil
   b. Tentative Date: April 8

22) Assignment #3: Assignment will be due April 11 by 4 PM
   a. Instructions for Assignment #3 will be posted on library web site.
   b. Tentative Date: April 10

23) Rock Climbing in “Wilderness” 2 – The Devil’s Bidding
   a. Read: Bear Lodge Multiple Use Association et al. v Babbitt (1998)
   b. Tentative Date: April 15

CONFLICT, COLLABORATION, AND COLLECTIVE DECISION-MAKING

24) Approaches to Public Conflict & Collective Decision Making 1
b. Tentative Date: April 17

25) Approaches to Public Conflict & Collective Decision Making 2
   a. Federal Register 63:9143-9149. (you will use electronic Federal Register to retrieve)
   b. Tentative Date: April 22

26) Collaboration Case Example: Managing New York Deer Populations
   b. Tentative Date: April 24

27) The proposed CMC for Grizzly Bear Reintroduction
   Read: Proposed Rule for Grizzly Bear Reintroduction in the Selway Bitterroot.
   a. Tentative Date: April 29

28) Assignment 4
   a. Instructions for Assignment #4 will be posted on library web site.
   b. Tentative Date: May 1

May 6 - Final Exam 1:10-3:10 PM

*Please note: As an instructor of a general education course, you will be expected to provide sample assessment items and corresponding responses to the Assessment Advisory Committee.