THE 2007 ADVANCED NATURAL RESOURCES SEMINAR:

THE OLYMPIC PENINSULA AND PUGET SOUND

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This three-credit seminar, which is designed as the capstone course of our natural resources curriculum, is available for twelve law students, and three graduate students from other disciplines, with strong interests and backgrounds in natural resources issues in the American West. It is intended to provide students with an in-depth opportunity to tie together the materials they have studied in various courses relating to natural resources law and policy. Another main objective is for students to move beyond textbook-type materials and examine ongoing natural resources issues in an on-the-ground fashion—to gain a “real-world” sense of how law and policy are actually made.

The subject matter, which changes annually, is not defined by legal doctrine (Water Law, Public Land Law, Pollution Law, etc.) in the traditional fashion. Rather, coverage is based upon some specific geographical area where numerous resource issues converge. The course begins with a study of historical, literary, economic, and scientific materials. Students then move to analysis of current legal problems relating to matters such as federal public lands, wildlife habitat, water quantity, Indian law, land use planning, pollution control, and state-federal authority as they implicate the topic of the seminar.

The past subjects of study have been:

- The Upper Rio Grande Basin of Colorado and New Mexico
- The Deschutes River Basin in Oregon
- The Greater Yellowstone Ecosystem of Montana, Wyoming, and Idaho
- The San Juan River Watershed of New Mexico, Colorado, and Utah
- The Salt-Verde River Watershed of Arizona
- The Truckee River Watershed of Nevada and California
- The Colorado Plateau of the Four Corners Area including parts of Utah, New Mexico, Arizona, and Colorado
- The Rio Chama Valley in New Mexico

This year the seminar will study the Olympic Peninsula and Puget Sound area of Northwest Washington State. The area’s forests, which are some of the nation’s most commercially valuable timber stands, are also green cathedrals for those who love wild country. Literally hundreds of Pacific salmon runs return to rivers flowing into the ocean and the Sound, one of the world’s great ports. The Peninsula is home to Olympic National Forest and Olympic National Park, one of America’s “Crown Jewels.” No fewer than 23 Indian tribes—co-managers with the federal and state governments in the cause of salmon restoration—have reservations in the area. Old growth timber stands, Pacific salmon runs, and magnificent rivers have generated historic controversies as well as equally historic efforts to achieve ecological, economic, and cultural sustainability in the region. The subject matter of the course will encompass these and other natural resource issues, so long as they involve the Peninsula or the Sound.
The seminar is divided into three basic parts. During the first half of the seminar, we study three sets of reading materials—assembled by the students—about the Olympic Peninsula and Puget Sound. The readings are varied and interesting, and will include such diverse sources as excerpts from history books, legal opinions, economic and sociological studies, agency documents, newspaper clippings on current controversies, and an occasional short story and poem. We divide the students into three groups, each of which is responsible for preparing a set of materials, each set to be not less than 175 pages or more than 225 pages. The first group, which begins work on its reading materials over the Christmas break, prepares materials on the history, economy, cultures, and natural resources of the region. The second two groups focus on specific contemporary resource issues that the class decides to address. Group Two, for example, might prepare materials on Pacific salmon and water: issues might include endangered species protection, hydropower production, the City of Seattle's progressive water conservation program, the upcoming decommissioning of the Elwha Dam, and Indian fishing rights. Group Three might treat federal and Indian lands: issues could include spotted owl management, national park management, national forest timber policy, tribal resource management, and wilderness.

The second part of the course involves a field trip. We will meet with land managers, lawyers, tribal representatives, environmentalists, political leaders, business people, and other informed people in the region, and conduct on-site visits. We are particularly interested in situations where people have crafted solutions to difficult problems. In 2007, the field trip will take place during our spring break, from Thursday, March 22nd through Thursday, March 30th.

The field trip is a critical part of this course, which is based on a different concept than other law school seminars. Field trips are accepted aspects of many courses in natural resources schools, but are used infrequently in legal education. In this course, the field trip adds an essential dimension.

For the third part of the course, each student must prepare a substantial research paper on some topic within the subject matter of the seminar.