

**Vermont Law School Public Lands Field Seminar  
Missoula, Montana 2021 Summer Session  
Professor Chelsea Colwyn**

Students should read the opening assignment in the Coggins, Wilkinson and Leshy text book sent via TWEN in June. I have been unable to obtain copyright clearance for the text book from the publisher; otherwise I would post the chapter on TWEN. *The Big Burn*, by Timothy Egan, is optional (highly engaging) background reading.

**Assigned Readings:**

1. Multiple Use Sustained Yield Act (TWEN)
2. NFMA - 16 U.S.C. 1601-1604 (TWEN)
3. *Ohio Forestry* (TWEN)
4. Selected NFMA Forest Planning Regulations - comparison of 1982 Regulations, 2005/2008 Bush Administration Regulations and the 2012 Obama Administration Regulations (TWEN).
5. Wildlife Conservation Planning Under the United States Forest Service's 2012 Planning Rule pgs. 1-2; 5-8; 11-15 (TWEN) (feel free to read the entire article, but it is not required).
6. Making Forest Planning Great Again? Early Implementation of the Forest Service's 2012 National Forest Planning Rule, Susan Jane M. Brown and Martin Nie, [https://www.cfc.umt.edu/bolle/files/Brown\\_Nie\\_NR\\_E\\_2019.pdf](https://www.cfc.umt.edu/bolle/files/Brown_Nie_NR_E_2019.pdf) and TWEN.

Additional optional:

1. Lives Under the Canopy: Spotted Owls and Loggers in Western Forests; pgs. 1-8, 14-16 (TWEN)

Note 1. The reading from the Coggins textbook serves as important background for this lecture and the entire first week of the course. Make sure you have finished it before this class!

Note 2. We may not get to numbers 4, 5, and 6 on day one, so you can read those last. But there is considerable reading for day 2, so if you can read them for today, you will be in better shape for Day 2.

**Study Questions:**

1. Can you summarize the trends in the management of public lands over the 20<sup>th</sup> and 21<sup>st</sup> centuries?
2. What are the procedural and substantive aspects of NFMA?
3. Be prepared to explain the significance of *Ohio Forestry* in terms of the binding nature of Forest Plans before and after the decision.
4. Under which statutory mandate would the Forest Service prefer to manage National Forests, MUSY or NFMA? Why?