

ENR 5649, SPRING 2020

COURSE INFORMATION & LOCATION

Class Times: T/Th 11:10 AM to 12:30 PM

Location: Howlett Hall, 0164

INSTRUCTOR CONTACT & OFFICE HOURS

Telephone: Dr. Bruskotter: (614) 247-2118 | Cell: (614) 595-7036

E-mail: bruskotter.9@osu.edu | TA: (Anna Tutterow) tutterow.2@osu.edu

Office hours: Kottman 379D, By appointment, or please drop-in whenever my door is open

REQUIRED READINGS & OTHER RESOURCES

Required text: Freyfogle, E.T. & Goble, D.D. (2009) *Wildlife Law: A Primer*. Island Press, Washington D.C. (~\$40; either edition). Purchase at [Amazon.com \(Links to an external site.\)](https://www.amazon.com/dp/0739108880)

Online resources: All other materials for this course will either be made available via the course web page on Carmen: [https://carmen.osu.edu/ \(Links to an external site.\)](https://carmen.osu.edu/) or distributed in class. NOTE: Please check the course page regularly for updates!

COURSE OVERVIEW, GOALS & OBJECTIVES

Brief overview:

The course is divided into two parts: Part I details the conditions in the U.S. that brought about the regulation of trade in and the taking of fish and wildlife and discusses how federal statutes, case law and treaty-making powers have contributed to the conservation of fish and wildlife; and Part II explores contemporary issues in fish and wildlife conservation, including the protection of endangered species, the regulation of invasive and exotic species, the control of so-called “nuisance” species and—more generally—the controversial nature of wildlife management

Course goals:

This course will:

- provide students with an overview of fish and wildlife conservation policy under the North American Model of wildlife conservation,
- promote critical thinking concerning key, contemporary issues in fish and wildlife management, and
- promote critical thinking concerning how the social and biological sciences inform policy decisions.

Learning objectives:

Students will identify and/or describe:

- 1) the major federal statutes and international treaties involved in the conservation of fish and wildlife conservation in the United States,
- 2) provisions of the constitution that grant for government regulation of fish and wildlife,
- 3) key cases (case law) that have affected the course of fish and wildlife conservation AND how these cases have affected fish and wildlife conservation,
- 4) a minimum of 5 contemporary issues in fish and wildlife management AND articulate why these issues are important to ongoing conservation efforts,
- 4) the core components of the North American model of wildlife management,
- 5) the “public trust doctrine”, and its application to wildlife,
- 6) the process of listing and recovering threatened and endangered species under the Endangered Species Act (ESA) of 1973, and
- 7) the federal agencies involved in fish and wildlife management.

Finally, students will be able to

- 8) articulate a clear, well-reasoned position on a contemporary wildlife issue,
- 9) articulate a position on the appropriate role of biological and social sciences in wildlife management.

EXAMS, ASSIGNMENTS & GRADING

Examinations (~65% of total grade)

Three examinations will be given, two midterms and a final (see schedule for exam dates). Any information made available to you via class presentations, readings, or handouts could appear on exams. Each midterm exam will be worth 20% of your grade for the course, while the final exam is worth 25%. Note: The final examination will be cumulative.

In-Class Worksheets/Participation (~15% of total grade)

Throughout the semester we will distribute in-class worksheets designed to stimulate conversation about the content presented, and provide students with examples of likely test questions (Hint: A great way to review for course exams is to review these worksheets!). At the beginning of the semester, students will be divided into groups; students are expected to work on these worksheets in their groups. Periodically, we will collect worksheets from each group and students will be allotted points based upon the adequacy of their responses.

Writing Assignment—Position Paper (~20% of total grade)

Each student group (or graduate student) will develop a paper that takes a strong, authoritative stand on a wildlife-related issue. Whether you plan on working for a state or federal agency or an NGO/interest group, it is likely that you will be called upon at some point in your career to draft a formal position statement on a particular issue—the purpose of the position paper is to provide students with the opportunity to prepare such a document and gain an in-depth understanding of a contemporary fish or wildlife management issue. A successful position paper will (a) describe a contemporary issue in wildlife management, (b) discuss why the issue is important, (c) take a strong, authoritative stand on some aspects of this issue, and (c) make specific policy recommendations.

The position paper is divided into **three assignments** that will be turned in over the course of the semester:

Assignment 1 (25% of grade): Issue description. For assignment 1, each group must turn in the following items:

1. Turn in a proposed or existing rule, regulation, or law to which your group objects. Note: All state and federal policy related to wildlife is fair game (no pun intended), but you must turn in a document that describes the policy you plan to write about.
2. A brief, (~350 word) description of what your group finds objectionable about the policy. Specifically, you must point to some aspect of the policy that you disagree with, and briefly explain why. Note: You might disagree for a variety of reasons (e.g., policy conflicts with existing precedent, policy creates perverse incentives); the point of the assignment is to provide a clear rationale as to why the policy is inadequate/bad/problematic.

Assignment 2 (35% of grade): Outline of proposed statement. For assignment two, each group must turn in an outline of the position paper that delineates (a) A broad description of the issue/problem that the group is taking a position on; (b) A clear description of the policy that the group finds objectionable; (c) A statement concerning why the policy is objectionable (Note: (b) and (c) are assignment 1); and (d) A proposed remedy. Assignment two is to be in draft form only (short descriptions) and should not exceed 800 words (not including footnotes or references).

Assignment 3 (40% of grade): In assignment 3 students will 'flesh out' the outline they provided in assignment 2, ensuring that all components identified in assignment 2 (i.e., a-d, above) are in the final document. The final document should not exceed 1,800 words (not including footnotes or references).

Guidance on sources. Your final draft should also be accompanied by a bibliography identifying a minimum of 5 sources that relate to the policy your group is writing about. Sources can be laws, scientific papers, reports, books, or legal decisions. Each source must include a proper citation (we're flexible on style). Examples:

Scientific Paper: CARROLL, C., J. A. VUCETICH, M. P. NELSON, D. J. ROHLF, AND M. K. PHILLIPS. 2010. Geography and recovery under the US Endangered Species Act. *Conservation Biology* 24:395-403.

Government Report: U.S. FISH AND WILDLIFE SERVICE, ET AL. 2013. Northern Rocky Mountain Wolf Recovery Program 2012 Interagency Annual Report. (Jimenez M and Becker SA eds.), U.S. Fish and Wildlife Services, Ecological Services.

Law: Endangered Species Act of 1973. Pp. 1531-1544 in 50 CFR § 402.

Case: Proper case citations include three components (1) the case name which identifies the litigants (e.g., Defenders of Wildlife v. Norton), (2) the Volume Source and Page (e.g., case found in the Federal Supplement volume 627, on page 418 is reported as “627 F. Supp. 418”; a case found in the U.S. Reports, volume 347, page 483 is reported as “347 U.S. Rep. 483”), and (3) the court and date of decision (e.g. a case decided in the 10th Circuit Court of Appeals in 1988 can be abbreviated as “(10th Cir. 1988).

Format: Name v. Name, Volume Source Page (Court, Date).

Examples: (1) Defenders of Wildlife v. Norton, 239 F. Supp.2d 9 (U.S. District Court Columbia, 2002). (2) Sierra Club v. Norton, 313 F.Supp.2d 1291 (U.S. District S.D. Alabama, 2004).

Course Grading:

Grades are determined by the percentage of points students earn such that:

A = 93% or greater	B - = 80 – 82 %	D+ = 67 – 69 %
A- = 90 – 92 %	C+ = 77 – 79 %	D = 63 – 66 %
B+ = 87 – 89 %	C = 73 – 76 %	D- = 60 – 62%
B = 83 – 86 %	C- = 70 – 72 %	Fail = Less than 60%

ACADEMIC MISCONDUCT

The submission of plagiarized work to meet academic requirements shall be grounds for charges of academic misconduct. Plagiarism includes: (1) the representation of another’s works or ideas as your own; (2) the unacknowledged use and/or paraphrasing of another person’s work; or (3) falsification, fabrication, or dishonesty in reporting research results.

AVAILABILITY OF ACCOMMODATIONS

If you need an accommodation based on the impact of a disability, you should contact the instructor to arrange an appointment as soon as possible. At the appointment we can discuss the course format, anticipate your needs and explore potential accommodations. I will rely on the *Office For Disability Services* for assistance in verifying the need for accommodations and developing accommodation strategies. If you have not previously contacted the Office for Disability Services, I encourage you to do so as soon as possible.

CALENDAR OF EVENTS (PLEASE USE CARMEN/CANVAS FOR UPDATES)