

## **Public Natural Resources Law -- Fall 2024**

R533 - 3 credits

Professor Rob Fischman

Mondays & Wednesdays

12:40 - 2:10 pm in Baier Hall (Maurer Law's main building) rm. 214

This course examines the tension between public control and private interests in resources on federal lands, such as national forests. It begins with a historical overview of the development of the patterns of resource ownership, policies toward resource development, and relevant legal doctrines. Building on this historical foundation, we will discuss federalism in resource regulation, proprietary management models, planning, separation of powers, and judicial review. We will study these issues in the context of the federal laws and policies governing mineral, energy, timber, recreation, and wildlife resources. Most of these issues involve the federal lands in the American West. We will address the fundamentals, such as environmental impact analysis and the Endangered Species Act, in the context of current controversies including state claims to control federal resources, energy permitting, and justice for dispossessed native peoples. Students seeking more detail on topics can [view an outline here](#).

Most class sessions will be discussion-oriented. Professor Fischman welcomes graduate students representing a wide variety of fields to bring a multi-disciplinary perspective to public natural resources law and policy reform. The graduate students typically compose one-third the enrollment. Lack of legal background does not prevent them from contributing to the class, especially to the policy and science dimensions. O'Neill graduate students may take this class without any prerequisite. Class grades are based primarily on take-home, essay-style assignments modeled on the problems students address in class. There are no exams. The law students will take the same class under a different, cross-listed number. All students will engage in small-group activities collaborating with a mix of both law and non-law students.

Most required reading will be from the casebook, *Federal Public Land and Resources Law* (8th ed. 2022) ISBN 978-1-68467-240-0

For further information, contact Professor Fischman, [rfischma@iu.edu](mailto:rfischma@iu.edu). He is happy to answer queries from the law-curious.