

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2011-12 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION¹

COURSE	Law 354 Forest Law and Policy
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Chris Tollefson
TERM OFFERED	Spring 2012
CLASS TIMES	See Schedule
PREREQUISITES/CO-REQUISIT	None

COURSE DESCRIPTION

This course provides an overview of current and emerging issues in forest law and policy. In British Columbia, this is an area in significant flux due to a confluence of diverse factors including: rapidly changing forest product markets and the emergence of forest certification, perennial environmental and land use concerns, challenges associated with recognizing and respecting Aboriginal rights and title and enhancing First Nations participation in forest sector management, forest health issues (including aftermath of the pine beetle epidemic), and the growing importance of forest carbon management and trading. The course seeks, among other things, to review and critique of the role of law and policy in this key sector, to stimulate creative and rigorous in-class discussion, to integrate the perspectives of leading experts and sector players into the classroom environment, and to facilitate real-world relevant student research.

COURSE OBJECTIVES

1. to gain a familiarity with the players and institutions involved in the development and implementation of forest law and policy in British Columbia
2. to introduce competing definitions of, and approaches to sustainable forestry
3. to acquire a familiarity with the development of forest tenures in B.C., and past and present reform proposals
4. to consider approaches to the promotion of responsible forest practices with particular attention to the debate over "performance versus prescriptive" regulation having regard to relevant provisions of the *Forest Practices Code* and the *Forest and Range Practices Act*
5. to examine forest land use planning processes and emerging alternatives including zonation
6. to acquire a familiarity with the theory and practice of forest certification, with particular attention to the Forest Stewardship Council (FSC) model and its implications for the BC forest sector
7. to consider the interplay between forest law and Aboriginal rights and title, and First Nations-led forestry initiatives
8. to consider the implications of forest law and policy for forest workers and forest dependent communities
9. to compare selected aspects of BC forest law and policy with analogous provisions in the FSC-BC forest certification standard
10. to explore the emerging implications of carbon management and offset/sequestration for the future of forest law and policy

TEACHING METHODOLOGY

The course will be taught seminar-style and, accordingly, depends heavily for its success on the participation of all class members. Each member of the class will be responsible for presenting an overview and critique of the readings for a designated topic at the outset of a class session. This presentation will be followed by a response and elaboration to be provided by the instructor and/or a guest practitioner and forestry expert. The latter half of each session will be devoted to discussion of the issues and questions identified by the student presenter.

EXPECTED EVALUATION METHODOLOGY

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).

Primary: The primary basis for evaluation in this course will be a **research paper** on a topic selected by the student and approved by the instructor. The paper will comprise 80% of the final mark. Topics must be selected and approved by me by **January 16, 2012** and a comprehensive outline and bibliography must be provided **February 13, 2012**. You may elect to do your major paper in this course at the time you select your paper topic. All students will be expected to present a summary of their research findings during the last class of term. The research paper will be due **on or before April 9, 2012 at 4:00 p.m.** Late papers will be docked one grade level per day (i.e. an "A" paper will be reduced to an "A-").

Secondary: Students will also be required to either do an in-class presentation or a short reflection paper that will account for 20% of their final grade.

- ***In Class Presentation:*** Students that opt for this form of evaluation will be responsible for presenting an analysis and critique of the readings assigned for one of our class sessions. Class assignments will be finalized during the first two weeks of term. Each student will distribute a short summary of their presentation by email to the class list serve by the Monday noon before their presentation is scheduled. The student will then speak to the key points of written summary for approximately 12-15 minutes during ensuing class session, and set out the key questions or issues that the readings suggest merit further discussion.
- ***Reflection piece:*** Alternatively, students may opt to do a reflection piece on a topic covered in class. This paper should be 10-12 pages and contain reflections on a topic(s) covered during one of our scheduled sessions. This paper should attempt to distill and synthesize themes covered in the session, and focus on the potential and options for applicable law and/or policy reform. It will be due at the start of the following week's class, and will be evaluated on three criteria: accuracy; clarity; and persuasiveness. It is not expected that the student will do research additional to the assigned readings in the course. Paper assignments will be finalized during the first two weeks of term.

Students may write their Major Paper in this course.

June 2, 2011