

Law 354 - FOREST LAW AND POLICY

Spring 2012

Course Description and Syllabus

<u>Course Names:</u>	Law 354 - Forest Law and Policy
<u>Prerequisites/ Corequisites :</u>	none
<u>Unit Value:</u>	1.5
<u>Hours per Week:</u>	3.0; Wednesdays at 5:00 to 7:50 PM; room 142
<u>Term Offered:</u>	Spring 2012
<u>Instructor:</u>	Chris Tollefson: ctollef@uvic.ca ; 250.721.8170

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 tenure 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 FSC model and its implications for the BC forest sector
7. to consider the interplay between forest law and Aboriginal rights and title, and the potential for Aboriginal forestry initiatives
8. to consider the implications of forest law and policy for forest workers and forest dependent communities
9. to consider the implications of forest law and policy reform in terms of compensation for adverse impacts on holders of resource interests
10. to compare selected aspects of BC forest law and policy with analogous provisions in the FSC-BC forest certification standard

Materials

A. Texts:

- Tollefson (ed.) *The Wealth of Forests: Markets, Regulation and Sustainable Forestry* (UBC Press, 1998) [cited below as “**WOF**”]
- Tollefson, Gale and Haley, *Setting the Standard: Certification, Governance and the Forest Stewardship Council* [cited below as “**STS**”]

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B. Supplementary Materials:

- Supplementary materials will be made available electronically on Moodle.

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.

Evaluation:

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. The papers should be between 5000 and 7000 words. Topics must be selected and approved by me **by noon on Friday, January 20, 2012** and a comprehensive outline and bibliography must be provided **by noon on Friday February 10, 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 **at noon on Wednesday April 4, 2012**. 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 between 2500 and 3000 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.

READINGS

WOF = *The Wealth of Forests: Markets, Regulation and Sustainable Forestry* (UBC Press, 1998)

STS = *Setting the Standard: Certification, Governance and the Forest Stewardship Council* (UBC Press, 2009)

Moodle = Supplementary materials available electronically