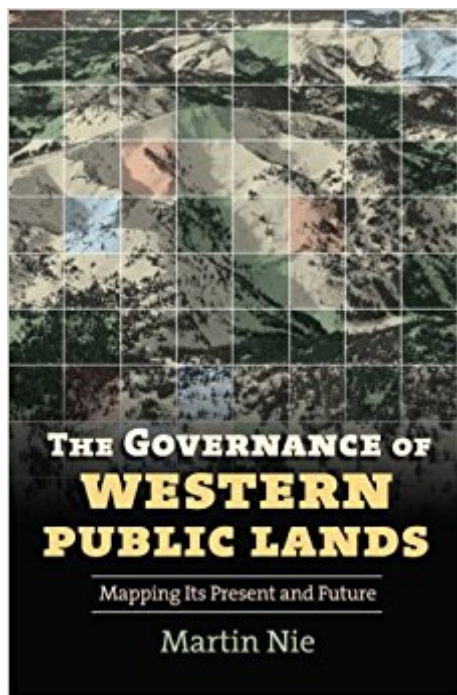




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# The Governance Of Western Public Lands: Mapping Its Present And Future



## Synopsis

Issues like clearcutting, wilderness preservation, and economic development have dominated debates over public lands for years, yet we seem no closer to resolving these matters than we ever were. Martin Nie now looks at why there continues to be so much conflict about public lands and resource management-and how we can break through these impasses. Showing that such conflicts have been driven by interrelated factors ranging from scarcity to mistrust and politics, he charts the present status and future prospects of public lands management in America. Nie looks closely at two of today's most intractable conflicts: the designation of U.S. Forest Service roadless areas and management of the Tongass National Forest in Alaska. He uses these cases to investigate more inclusive issues about governing federal lands in the West, such as the contested use of science and litigation, lengthy planning processes, and controversial practices of Congress and the president in managing environmental disputes. Along the way, he addresses such other conflict areas as snowmobiles in Yellowstone, bear and wolf protection, fire and forest health, drilling in Montana's Rocky Mountain Front, and federal grazing policy. Nie emphasizes the complicated and often contentious interaction between the branches of the federal government as a major factor in misunderstandings. He particularly cites the problem of vague statutory language, which tells our public land agencies little about what they should be doing but lots about how they should be doing it. Nie reexamines this confusing body of law and policy, in which the rulemaking process wags the dog and agencies are caught in political quagmires, to show how the pieces fit—•but more often don't. Throughout the book, Nie considers the factors that make some public land conflicts so controversial, revisits how they have been dealt with in the past, and proposes ways they might be better managed in the future. Eschewing the single-policy approach to public lands management—•such as encouraging free markets—•he instead surveys a diverse array of other available options. His big-picture outlook for the twenty-first century is a bold call for reshaping ongoing conflicts—•and for reinvesting in our public lands.

## Book Information

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## Customer Reviews

"Nie's provocative new book exposes the underbelly of the prevailing legal-political framework--its strengths and weaknesses--and then offers a constructive vision for reforming the system. The result is a masterful and sure-handed treatment of contemporary public land policy."--Robert B. Keiter, author of *Keeping Faith with Nature: Ecosystems, Democracy, and America's Public Lands* and Wallace Stegner Professor of Law, University of Utah "Should be required reading for all students of public policy and land management as well as those who depend upon and care for our public lands."--Mike Dombeck, former chief of the U.S. Forest Service and director of the Bureau of Land Management

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This is an academic book on public lands management, so its audience will be rather limited. If you're in that audience, however, it's a great book. It would also be good for advanced undergraduates studying public lands. I can easily imagine setting up debates in seminars using this book as a major reference. Nie gives us a very careful, balanced review of public land governance issues. He gives attention to congressional (in)action, administrative law, and national forest plans, focusing on two issues: the Forest Service's roadless rule and management of Tongass National Forest (Alaska). While some public policy studies believe that a better management process will

cure all ills, Nie takes the underlying conflicts of values seriously even as he advocates incremental reforms in the policy process. One of the book's strengths is also one of its weaknesses. Nie doesn't stake out a strong or novel position, and he doesn't have a strong stake in advocating a particular process. Instead, he wants to make relatively small-scale changes to many policy stages and types of processes (he does consider more far-reaching reforms as well). This is a reasonable intellectual position but it tends to weaken the main thread of the book by not having a "big think" idea always in mind.

Had to read it for class, don't remember much of it.

Martin Nie (associate professor of natural resource policy in the College of Forestry and Conservation, University of Montana) presents *The Governance of Western Public Lands: Mapping Its Present and Future*, a big-picture survey of the history and future of America's public lands, with especial attention paid to the contentious debate concerning how they should be used, and to what extent their wildlife should be protected. Examining both individual case studies (such as that of conflict over the forests in southeast Alaska) and broader general dilemmas of opposing viewpoints concerning national resource management, *The Governance of Western Public Lands* offers a balanced, serious-minded assessment of both present and future needs. "Experimentation could help ground some of the ideological debates discussed... We could use a few concrete cases to examine the virtues and drawbacks of trying something different on our public lands. Experimentation might thus give a strong shot of pragmatism to public land politics by rejecting sweeping generalities and abstract theorizing in favor of more practical experience and empirical knowledge. Instead of hypotheticals, we could focus our attention on the outcome of a particular project." Highly recommended.

No question that land use and resource policy in the Western lands is an important subject. A clear exposition that covered the history and balanced presentation of the heated controversies would be a welcome contribution. But I found this book's style so convoluted and discursive that it did not provide me what I hoped for in terms of clarification of history and issues. Case studies normally offer realistic detail. The book's case studies also failed to meet expectations. Normal practice for case studies is to begin with straightforward description. In the case of Nie's review of the Roadless Rule (restrictions or prohibitions on building roads, that might serve mining or logging activities) one might have expected a concise summary of areas involved, chronology of major developments,

citing the issues and actors. Readers would then have had hooks on which to hang later interpretation and discussion. In this case, however, the author opens by interpretive discussion about how vague many environmental laws are and that agencies are given much discretion in interpreting them. The next paragraph underscores this statement by asserting that Congress chose to delegate discretion to the U.S. Fish and Wildlife Service (USFWS). After more generalized discussion, including incidental reference to the author's recommendations of online rulemaking, "more inclusive ways of scoping public opinion", "embedding stakeholder-based collaborative groups in rulemaking", etc, the author establishes the contradictory point that President Clinton used his executive authority to issue stringent controls on mining through the Roadless Rule - and President Bush reversed course with 3800 new regulations. Not mentioned is the fact that the 1976 National Forest Management Act already constrained discretion of another key agency associated with Western land management: the Forest Service. Moreover, two other environmental laws mentioned in this section - The Endangered Species Act, and CERCLA (Superfund Act) are very detailed and put sharp limits on the discretion of the enforcing agency. The foregoing discussion, including other incidental subjects, precedes the section headed HISTORY OF THE FOREST SERVICE ROADLESS RULE. This again begins philosophic discussions (about conflict over roadbuilding). The one-page discursive treatment offers hardly a basic outline of history before a new section headed ADMINISTRATIVE RULE MAKING AND ROADS begins. The many excursions, incidental comments, and "on the other hands" might give an impression of an author concerned about objectivity. However the economic side of the controversies - or even use of forests for biomass through selective cutting in disease control, etc. are hardly mentioned. The weight appears to be on the preservationist perspective. To sum up, the above details offers samples of problems that characterize the book, suggesting that it did not get adequate stylistic and technical review before publication.

Product could have arrived a bit quicker, but the prices were a hell of lot better than the local book stores. The book was in great condition.

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