



**The University of New Mexico**

---

School of Law Library  
MSC11 6080  
1 University of New Mexico  
Albuquerque, NM 87131-0001  
Telephone (505) 277-0939  
FAX (505) 277-0068

This document was scanned pursuant to the express permission of its author and rights holder.

The purpose of scanning this document was to make it available to University of New Mexico law students to assist them in their preparation and study for Law School exams.

This document is the property of the University of New Mexico School of Law. Downloading and printing is restricted to UNM Law School students. Printing and file sharing outside of the UNM Law School is strictly prohibited.

**NOTICE: WARNING CONCERNING COPYRIGHT RESTRICTIONS**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is no to be "used for any purpose other that private study, scholarship, or research." If the user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

Examination No. \_\_\_\_\_

## **Natural Resources**

UNM School of Law  
Final Examination 2007  
Three Credits

Professor Denise Fort

### **INSTRUCTIONS**

A. This is a take-home, open-book examination. You may use:

1. All materials supplied in connection with the course in Federal Public Lands, including postings on the class page on TWEN;

2. materials prepared by you, including class notes, any outlines or notes you have prepared as a study aid; and

3. the assigned casebook.

4. You may use any resource sources, including Westlaw, Lexis, or any other internet source (since you will do so in real life!) Question I explicitly calls for statutory research.

You may not discuss any of these questions with any person, ask any person's assistance in research, nor discuss these questions until the end of the exam period.

B. Be sure to answer every question, and every subpart of every question. Be complete, but not verbose. Do provide (informal) citations to authority (cases, statutes, etc.) and discuss relevant authorities.

**Have a great summer; enjoy the environment!**

## I. Forest Service in the 21<sup>st</sup> century

A small group of citizens is protesting the Forest Service's plans to remove trees in an area near an urban area. They contend that the stated rationale, fire protection, is actually an excuse to harvest old growth trees.

Their first question to you is: can the forest service do this?

Then they want to know, can you stop them?

What do you need to know? What regulations or statutes might govern the F.S. actions?

## II. Policies for the West.

Colorado is in a period of intense change, as service and technology industries supplant traditional land based economies. Populations have increased, especially on the Front Range, where Denver sprawl reaches north and south. The region is full of public lands conflicts, including disputes over grazing, logging, mining, off-road vehicles, management of Native-American spiritual sites, recreational access in national parks, and the protection of water for wilderness areas.

Your boss is the popular Governor, who is angling for a job as Secretary of the Interior Department (after the requisite run for President). He has charged you, an experienced natural resources attorney, with developing bold ideas for federal public lands in the West, that he can put forward both as Governor and as Interior Secretary. Indeed, he wants you to ghost write an op-ed for the New York Times, which thankfully has a 700 word limit.

Good luck! If you succeed, you get to move from your house in Boulder adjoining the Flatirons to a suburb of Washington, D.C. Of course, you won't be home much, so you're unlikely to notice the miles of suburban sprawl outside your house.