

Alexander Blewett III

SCHOOL OF LAW

UNIVERSITY OF MONTANA

37th Biennial Public Land Law Conference

Bridging Divides: Energy, Environment, and Empowerment in a New Era



Thursday, October 12 - Friday October 13, 2017



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It is a great pleasure to welcome you to the 37th Public Land Law Conference, *Bridging Divides: Energy, Environment, and Empowerment in a New Era*. The Public Land and Resources Law Review was first published in 1980 under the direction of Professor Margery Hunter Brown and was the first law journal dedicated to the topic of public lands. Our mission is to encourage those interested in public land law, natural resources law, environmental law, and Indian law to express innovative ideas and tackle difficult questions in these areas.

The Public Land Law Conference began in 1978. Each conference focuses on a cutting edge public lands issue of current interest to practicing attorneys, professionals, scholars, and students. This year's Conference explores how we can bridge divides and find common vision to manage our energy and environmental resources in an evolving political climate. We are looking forward to working with you to present new scholarship, examine significant current events, foster collaboration, and inform future policy on this topic.

Thank you for being a part of this year's Conference,

Jonah Brown

Editor-In-Chief, Public Land and Resources Law Review

Emily Slike & Lillian Alvernaz, Conference Editors



**PUBLIC LAND & RESOURCES
LAW REVIEW**

37th Public Land Law Conference

**BRIDGING DIVIDES: ENERGY, ENVIRONMENT, AND
EMPOWERMENT IN A NEW ERA**

Alexander Blewett III School of Law

Thursday, October 12, 2017

7:30 – 8:30 am Registration, coffee, and pastries (ABIISL 2nd Floor)

8:30 am – 3:30 pm **FIELD TRIP: Old and New Legacies in the Upper Clark Fork Basin**

Featuring speakers from Northwestern Energy, Law School Faculty, and Montana State Parks. Stops include Northwest Energy Control Center tour in Butte, Microgrid tour in Deer Lodge, and Milltown State Park (“Home of the Big Bull Trout”). Transportation provided.

5:00 – 5:45 pm **OPENING KEYNOTE ADDRESS:** (ABIISL Room 201)

Regulatory Reform at the Department of the Interior

Daniel Jorjani, U.S. Department of Interior Principal Deputy Solicitor

5:45 – 7:30 pm Reception (ABIISL Atrium/Patio)

Friday, October 13, 2017

8:00 – 8:30 am Registration, coffee, and pastries

8:30 – 8:45 am Welcome from **Dean Paul Kirgis** (ABIISL Room 201)
Acknowledging Our First Peoples

8:45 – 10:00 am **WATER, WIND, AND WILDLIFE**

Sam Panarella, Assoc. Prof., ABIISL, Moderator

Travis Kavulla, Commissioner, Montana Public Service Commission – *A Regulatory Perspective on Alternative Energy Development in the West*

Reed Benson, Prof., University of New Mexico School of Law – *Federal Water Projects, Hydropower, and the Environment*

Robin Craig, Prof., Acting Director of the Wallace Stegner Center for Land, Resources, and Environment, S.J. Quinney College of Law, University of Utah – *It’s Not Just an Offshore Wind Farm: Combining Multiple Uses and Multiple Values on the Outer Continental Shelf*

10:00 – 10:15 am Networking Break

10:15 am – 11:45 am **ENERGY, INFRASTRUCTURE, AND CULTURE**

Monte Mills, Asst. Prof. & Co-Director, Margery Hunter Brown Indian Law Clinic, ABIISL, Moderator

Nikki Ducheneaux, Partner, Fredericks, Peebles & Morgan LLP – *Tribal Perspectives on the Dakota Access Pipeline*

Larry Roberts, Counsel, Kilpatrick Townsend, former Acting Assistant Secretary of Interior – *Federal Consultation and Collaboration as Bridge Building*

Greg Smith, Partner, Hobbs, Straus, Dean & Walker – *Weaving Bridges from Grass: Twining Native and Western Legal and Cultural Perspectives to Resolve Conflicts*

12:00 – 1:00 pm

LUNCH ADDRESS: *Building Bridges in the Management of Public Lands and National Monuments*

Charles F. Wilkinson, Distinguished Professor and Moses Lasky Professor of Law, University of Colorado School of Law: Author, *Blood Struggle: The Rise of Modern Indian Nations*

1:00 – 1:15 pm

Networking Break

1:15 – 2:45 pm

THE THEORY AND PRACTICE OF SUSTAINABLE ENERGY DEVELOPMENT

Sandra B. Zellmer, Distinguished Visiting Prof., ABIISL, Moderator

Jeff Cook, Energy Policy and Market Analyst, National Renewable Energy Laboratory – *Local and State Voices in Renewable Energy Development*

Todd Aagard, Vice Dean & Prof. Villanova Law School – *Using Cultural Cognition to Reframe the Energy Dialogue*

Steve Smutko, Prof. & Spicer Chair of Collaborative Practice, Haub School of Environment and Natural Resources, Department of Agriculture and Applied Economics, University of Wyoming – *A Social License to Operate for Energy Development: Is NEPA a Barrier or an Opportunity?*

Justin Pidot, Assoc. Prof. with tenure, University of Denver Sturm College of Law, former Deputy Solicitor for Land Resources, Department of the Interior – *Agency-Business Agreements in Energy Development*

2:45 – 3:30 pm

CLOSING ADDRESS:

Language Matters: Environmental Controversy and the Quest for Common Ground

Scott Slovic, Professor and Chair of English Department, University of Idaho; Editor of ISLE Interdisciplinary Studies of Literature and Environment

Saturday, October 14, 2017

LAW SCHOOL TAILGATE

Date: October 14, 2017

Time: 11:00 a.m.

Location: School of Law – Garlington, Lohn, and Robinson Plaza

HOMECOMING GAME

Date: October 14, 2017

University of Montana Grizzlies vs. North Dakota Kickoff: 1:00 p.m.

To purchase tickets in person, visit the UM Box Office in the Adams Center.

To purchase tickets over the phone call 406-243-4051.

PANEL DESCRIPTIONS

Panel 1

The **Water, Wind, and Wildlife panel** will feature unique perspectives on energy development, regulation, and conservation in the American West. Topics will include regulatory perspectives on alternative energy, the impacts of hydropower development on the environment, and multiple uses and values of offshore wind farm development. Speakers will include Travis Kavulla from the Montana Public Service Commission, Professor Reed Benson from the University of New Mexico School of Law, and Professor Robin Craig from the S.J. Quinney College of Law.

Panel 2

The **Energy, Infrastructure, & Culture panel** will encourage participants to look at the past, present, and future of the relationship between the federal government and tribes in various aspects. More specifically, attendees will gain an understanding of western vs. traditional dispute resolution, and the combination of such; tribal consultation practices in the past and where it could have been better; and finally, a recent analysis of tribal consultation regarding the Dakota Access Pipeline and what tribes have done as a response. Each panelist will challenge attendees to think critically and creatively in working toward collaboration, consultation, and tribal sovereignty. Our panelists are from across the nation and each currently work in firms dedicated primarily to the practice of Federal Indian Law.

Panel 3

The **Theory and Practice of Sustainable Energy Development** will be a discussion on how the theories of energy development work in the practice of the field. Panelists will delve into how collaborative approaches help to enhance sustainable energy development. More specifically topics will include the benefits of business community and state and federal government relationships, changing the framework to result in a more constructive dialogue of different views, the importance of social licensing which is the gaining community support and acceptance, and state and local approaches to energy development and policy.

SPEAKER AND MODERATOR BIOS

Todd Aagaard

Todd Aagaard is currently serving as professor and Vice Dean at Villanova Law School. His scholarship has a focus on environmental law, energy law, and administrative law. After receiving his M.S. from the University of Michigan School of Natural Resources and the Environment, and his J.D. magna cum laude from the University of Michigan, Mr. Aagaard clerked for Second Circuit Judge Guido Calabresi. After clerking, Mr. Aagaard joined the Environment and Natural Resources Division of the U.S. Department of Justice as an Appellate Section attorney.

Reed D. Benson

Reed D. Benson is Dickason Chair and Professor at the University of New Mexico School of Law, where he teaches courses relating to water law, natural resources, and administrative law, and chairs the school's Natural Resources and Environmental Law Program. Prof. Benson has published nearly thirty articles on western water law and policy, focusing largely on environmental issues and federal water project operations, and he is a co-author of the *Water Resource Management* casebook from Foundation Press. He spent four months in 2015 as a Fulbright Scholar, serving as Visiting Chair in Water and the Environment at the University of Lethbridge in Alberta, Canada, where he did research

on dam operations in southern Alberta. He served from 2002-08 on the University of Wyoming law faculty. Before he began teaching, Prof. Benson worked in Oregon for the nonprofit conservation group WaterWatch, including five years as executive director. He has also worked as an attorney for a Boulder, Colorado law firm, for the U.S. Environmental Protection Agency in Washington, DC, and for the Land and Water Fund of the Rockies (now Western Resource Advocates). He earned a B.S. with honors in economics and environmental studies from Iowa State, and a J.D. *magna cum laude* from Michigan.

Michelle Bryan

Professor Michelle Bryan teaches in the Natural Resources & Environmental Law Program at the University of Montana School of Law, and co-supervises the Public Lands & Resources Law Review. Growing up in farming, ranching, and energy development communities in the West, Professor Bryan was drawn to the fields of natural resources and environmental law. Prior to joining the law faculty, she worked in private practice representing a variety of clients including local governments, private landowners, non-profits, developers, and affected neighbors and community groups. She brings this diversity of perspective to her scholarship and teaching. Her current research interests include the protection of sacred waters, local-federal land use collaboration, the relationship between land and water use, modernizing water rights legal systems, planning in an age of climate change, the balancing of environmental and land use rights, the role of public trust in water use, and comparative natural resource law.

Jeff Cook

Jeff Cook is a research analyst at the National Renewable Energy Laboratory in Golden, Colorado. His focus areas include state and local policy, solar energy cost reduction, domestic electricity markets, and corporate level renewable energy. He is a member of the Markets & Policy Analysis Group in the Strategic Energy Analysis Center. Mr. Cook received his B.S. in political science, environmental politics and policy, and public administration from the University of Wisconsin; his M.S. in environmental science and policy from the University of Wisconsin, and his Ph.D in political science from Colorado State University.

Robin Craig

After earning a Ph.D. at U.C. Santa Barbara in English literature and an independent M.A. degree from the Johns Hopkins University's Writing Seminars in Writing About Science, Robin Craig attended the Lewis & Clark School of Law in Portland, Oregon, from which she graduated *summa cum laude* and first in her class. While in law school, she worked for the Natural Resources Section, General Counsel Division, of the Oregon Department of Justice, which allowed her to work on a variety of environmental law issues, from Clean Water Act litigation to CERCLA cleanups to salmon and tribal issues to the intersection of state tax law and environmental law. After graduation, she stayed in Portland to clerk for two years for U.S. District Judge Robert E. Jones.

Craig previously taught at the Lewis & Clark School of Law; Western New England College School of Law in Springfield, Massachusetts; Indiana University-Indianapolis School of Law; and the Florida State University College of Law in Tallahassee, Florida. Her areas of professional expertise include Environmental Law, Ocean & Coastal Law, Water Law, Toxic Torts, Administrative Law, Property, and Civil Procedure.

At the College of Law, Craig teaches Property to first-year students and Environmental Law, Water Law, Ocean & Coastal Law, and Toxic Torts to upper-division students. She is also affiliated faculty to the College of Law's Stegner Center for Land, Resources, and Environment and a faculty affiliate of the University's Global Change & Sustainability Center.

Craig's research focuses on "all things water," especially the impact of climate change on freshwater resources and the oceans, the Clean Water Act, and the intersection of water

and energy law. She also has written several articles and book chapters on constitutional environmental law, administrative law, and statutory interpretation. She is the author or co-author of seven books: *The End of Sustainability* (University of Kansas Press: forthcoming 2017, with Melinda Harm Benson); *Water Law: Concepts and Insights* (Foundation Press: forthcoming 2017, with Robert W. Adler and Noah D. Hall); *Modern Water Law: Private Property, Public Rights, and Environmental Protection* (Foundation Press: 2013, with Robert W. Adler and Noah D. Hall); *Comparative Ocean Governance: Place-Based Protections in an Era of Climate Change* (Edward Elgar: 2012), *Environmental Law in Context* (West: 3rd ed. 2011), *Toxic and Environmental Torts* (West: 2010, with Michael D. Green, Andrew R. Klein, and Joseph Sanders), and *The Clean Water Act and the Constitution* (Environmental Law Institute: 2nd ed. 2009). Her publications also include over 100 law review articles and book chapters.

Nikki Ducheneaux

Ms. Ducheneaux is a partner at Fredericks Peebles & Morgan in their Omaha office, a national law firm that focuses exclusively on federal Indian law. She is an enrolled member of the Cheyenne River Sioux Tribe and a descendant of the Confederated Salish & Kootenai Tribes. Ms. Ducheneaux received her B.A. with Summa Cum Laude honors in 2003 from Fort Lewis College. She received her Juris Doctorate from the University of Montana School of Law in 2007. Ms. Ducheneaux primarily practices in the areas of trial advocacy, appellate advocacy, tribal governmental affairs, tribal economic development, corporate law, gaming law, administrative law, and Indian Child Welfare Act. Most notably, she has worked as the lead litigation counsel for the Cheyenne River Sioux Tribe in that tribe's fight to stop the Dakota Access Pipeline in *Standing Rock Sioux Tribe, et al. v. US Army Corps of Engineers, et al.* No. 16-cv-1534 (D.C. Cir. filed July 27, 2016). She also currently represents the Gun Lake Tribe before the U.S. Supreme Court, *Patchak v. Zinke*, No. 16-498 (Sup. Ct. filed October 11, 2016), in that Tribe's fight to defend the status of its trust land.

Daniel H. Jorjani

Daniel H. Jorjani currently serves as the Acting Solicitor and Principal Deputy Solicitor of the U.S. Department of the Interior. He is a veteran Department of the Interior official who served as the Counselor to the Deputy Secretary and Counselor and Chief of Staff to the Assistant Secretary for Policy, Management and Budget in the George W. Bush Administration. He has over two decades of corporate, non-profit, and legal experience. He received his undergraduate degree from Vanderbilt University, his Master's degree from Columbia University, and his Juris Doctor from Cornell Law School. He is a member of the New York and District of Columbia bars.

Travis Kavulla

Travis Kavulla represents the Montana Public Service Commission's geographically largest district. In November 2010, he was elected by a 28-point margin, the largest of anyone facing an election contested by both major parties since the modern commission's inception in 1974. He was re-elected in 2014 in an uncontested race to a term concluding in 2018.

In addition to his role on the Commission, Mr. Kavulla is co-chairman of the Committee on Regional Electric Power Cooperation (CREPC), which leads West-wide discussions on energy policy, wholesale electric markets, and the reliability of the grid. He also serves as the co-chairman for the Northern Tier Transmission Group (NTTG) Steering Committee, which conducts regional transmission planning and cost allocation and whose footprint covers much of the intermountain region and the Pacific Northwest.

Mr. Kavulla was President of the National Association of Regulatory Utility Commissioners (NARUC) in 2015-2016, and continues to serve on the association's Board of Directors

and Executive Committee. He also represents on the Advisory Council of the Electric Power Research Institute (EPRI) and the FCC Joint Board on Jurisdictional Separations.

As a commissioner, Mr. Kavulla has made decisions on hundreds of matters and worked on several major initiatives, including the review of utility rates for several electric, natural gas, and water utilities; the calculation of power purchase rates and the design of a wind integration rate for renewable projects for Montana's largest utility; the governance model and by-laws for the California ISO's regional real-time energy market, the Energy Imbalance Market (EIM); the elimination of entry barriers for passenger motor carriers in Montana; the introduction of performance incentives to a utility's procurement and energy-supply function; and major legislation relating to energy and transportation policy reforms in the State of Montana.

He has also testified before FERC on the reform of the Public Utilities Regulatory Policies Act (PURPA) and before Congressional committees on the clean air regulations of the Environmental Protection Agency (EPA).

Prior to his election to the Public Service Commission, Mr. Kavulla worked as a journalist, writing on political economy, culture, and development. His by-line has appeared in publications as diverse as the Wall Street Journal, Catholic World Report, the Dallas Morning News, and the Journal of Eastern African Studies, among many others. Mr. Kavulla has also served as associate editor for National Review, the biweekly magazine founded by William F. Buckley, Jr., and has worked as a professional editor of media ranging from blogs to books. Mr. Kavulla has received a number of honors, including being awarded a year-long, full-time writing fellowship in 2008 from the Phillips Foundation.

Mr. Kavulla received his bachelor's in History at Harvard University, and holds a graduate degree from the University of Cambridge, England, where he was a Gates Scholar. Mr. Kavulla is a fourth-generation Montanan.

Monte Mills

Monte Mills is an Assistant Professor and Co-Director of the Margery Hunter Brown Indian Law Clinic at the Alexander Blewett III School of Law at the University of Montana. He teaches a variety of Indian law courses and works with clinical students on a range of legal matters in the Indian Law Clinic. Prior to joining the faculty at the Alexander Blewett III School of Law at the University of Montana, Monte was the Director of the Legal Department for the Southern Ute Indian Tribe in Colorado, an in-house counsel department that he helped organize and implement in 2005 following completion of a unique two-year in-house attorney training program. As Director of the Tribe's Legal Department, Monte represented and counseled the Tribe on a broad array of issues, including litigation in tribal, state and federal courts, legislative matters before the Colorado General Assembly and the United States Congress, and internal tribal matters such as contracting, code-drafting, and gaming issues.

Sam Panarella

Before joining the law school faculty, Professor Panarella was the CEO of Crux Consulting, LLC, a legal process and management consulting firm whose clients include the legal departments of several Fortune 500 companies. Prior to that, Professor Panarella was a partner at Stoel Rives LLP, a leading western law firm, where he focused his legal practice on energy law, with a specialty in renewable energy development, and representing public and private companies in large-scale industrial and commercial project development.

Professor Panarella clerked for United States 9th Circuit Court of Appeals Judge Otto R. Skopil, Jr. before entering private practice. Professor Panarella was selected for inclusion in the 2007 edition of The Best Lawyers in America.

Professor Panarella earned a B.A. degree, with honors, in Liberal Studies from the

University of Montana. He earned his J.D. degree, cum laude, from Lewis & Clark Law School, where he was a member of the law review.

Justin Pidot

Justin Pidot is an Associate Professor with Tenure at the University of Denver. Mr. Pidot also served during the Obama Administration as the Deputy Solicitor for Land Resources for the Department of Interior and previously as an appellate litigator for the U.S. Department of Justice's Environment and Natural Resources Division. Mr. Pidot completed his fellowship at the Georgetown Environmental Law & Policy Institute after received his J.D. from Stanford Law School.

Larry Roberts

Mr. Roberts is a counsel at Kilpatrick Townsend in Washington D.C. representing Tribes in reaching solutions on Federal Indian law matters administratively or in the courts. Prior to joining Kilpatrick Townsend, he was appointed by President Obama to work at the Department of the Interior within the Office of the Assistant Secretary for Indian Affairs, including leading Indian Affairs from the previous Assistant Secretary's departure at the end of 2015 through January 20, 2017. During his tenure in Indian Affairs, Mr. Roberts also served as the Principal Deputy Assistant Secretary and the Deputy Assistant Secretary for Policy and Economic Development. Prior to his appointment to Interior, Mr. Roberts served as the General Counsel of the National Indian Gaming Commission. In serving as the chief legal officer, he advised the Chairwoman and Commissioners on all matters before the Commission, including: litigation, enforcement actions, Commission decisions, and the adoption of Commission rules and policies.

Mr. Roberts began his legal career as a trial attorney with the United States Department of Justice. His work within the Indian Resources Section included litigation concerning tribal reserved treaty rights, reservation boundaries, tribal water quality standards, fee-to-trust acquisitions, tribal land claims and other matters implicating tribal rights. Mr. Roberts' work with EPA was in the Office of General Counsel, where he provided legal advice regarding the implementation of federal environmental programs in Indian country.

Scott Slovic

Scott Slovic, Prof. of Literature and Environment/Natural Resources and Society, Chair of English Department at the University of Idaho, and Editor of ISLE: Interdisciplinary Studies in Literature and Environment will be giving a closing address titled: Language Matters: Environmental Controversy and the Quest for Common Ground. Scott Slovic is an eminent scholar in the field of environmental literary criticism (ecocriticism), is widely published, and has been invited to lecture at over 500 conferences across a wide variety of disciplines and professions.

Dr. Slovic will be attending the field trip and conference in its entirety, and his talk will summarize the experience and fit the theme of "Building Bridges," to address how language effects policy and legal decisions as we enter a new era of energy policy and law. His comments will be included in the upcoming publication of the Public Lands and Resources Law Review.

Gregory Smith

Gregory Smith is a partner in the DC office of Hobbs, Straus, Dean & Walker, LLP, a law firm dedicated to the representation of tribes and tribal interests. For nearly 30 years, Mr. Smith has provided a broad range of legal and legislative services to tribal governments and tribal organizations. He continues to represent a number of tribes and serves as general counsel to: United South and Eastern Tribes, Inc.; National Indian Education Association, National Council of Urban Indian Health; and the National Indian Head Start

Directors Association. A graduate of Yale College and Cornell Law School, Mr. Smith was named "Indian Child Advocate of the Year" in 2008. Among other positions, he is the co-chair of the National Council of the National Museum of the American Indian (Smithsonian Institution).

Steve Smutko

Steve Smutko is the Spicer Chair of Collaborative Practice and professor in the Haub School of Environment and Natural Resources and Department of Agricultural and Applied Economics. He has directed many public policy projects including the Western Governors Association Species Conservation and ESA Initiative, The Wyoming Governor's Task Force on Forests, and Public Participation in Forest Treatments in Teton Canyon, Wyoming. Mr. Smutko received his Masters of Community and Regional Planning from North Dakota State University, and his Ph.D. in Economics from Auburn University.

Charles F. Wilkinson

Charles Wilkinson, Moses Lasky Professor of Law and Distinguished Professor at the University of Colorado, has written 14 books on law, history, and society in the American West. Co-Founder of the Center of the American West at the University of Colorado, he has served on several boards, including the Northern Lights Institute, the Wilderness Society, and the Grand Canyon Trust. Over the years, he has taken on many special assignments for Indian Tribes, States, and the US Departments of Interior, Agriculture, and Justice, including service as special counsel to Interior Secretary Bruce Babbitt for the drafting of the Presidential Proclamation, signed by President Clinton in September 1996, establishing the Grand Staircase-Escalante National Monument in Utah. In December 1997.

Professor Wilkinson has received teaching awards from his students at all three law schools where he has taught, and the Universities of Colorado and Oregon have given him their highest awards for leadership, scholarship, and teaching. In its 10-year anniversary issue, Outside Magazine named him one of 15 "People to Watch" calling him "the West's leading authority on natural resources law." His awards include the National Wildlife Federation's National Conservation Award; the Twanat Award, from the Warm Springs Tribal Museum, for dedication to Indian tribes and people; the Grand Canyon Trust's John Wesley Powell Award for extraordinary vision, passion and commitment to the Colorado Plateau; and the Federal Bar Association's Lawrence R. Baca Award for Lifetime Achievement in Indian Law.

Sandra B. Zellmer

Sandra Zellmer is a Distinguished Visiting Professor at the University of Montana Alexander Blewett III School of Law while on leave from her position as the Robert B. Daugherty Professor at the University of Nebraska College of Law (2017-18). She teaches public lands, natural resources, water law, environmental law, torts, and related courses. Zellmer has published dozens of law review articles as well as several books, including *Developing Skills in Environmental Law* (West 2016) (with Glicksman), *Water Law in a Nutshell* (West 2015) (with Getches and Amos), *Natural Resources Hornbook* (West 2015) (with Laitos), and *A Century of Unnatural Disasters: Mississippi River Stories* (NYU 2014) (with Klein). Zellmer is a board member of the Society for Wilderness Stewardship and of the Rocky Mountain Mineral Law Foundation, as well as a member scholar of the Center for Progressive Reform. She is active with the American Bar Association Section on Environment, Energy, and Resources Committees on Public Lands and on Water Resources, and she regularly teaches at an annual training course at the Carhart Wilderness Center. Zellmer recently served as a member of the National Academy of Sciences-National Research Council Committee on Missouri River Recovery. Before teaching, Zellmer was an attorney for the U.S. Department of Justice Environment and Natural Resources Division,

litigating public lands issues for the National Park Service, Forest Service, and other federal agencies. She also practiced law at Faegre & Benson in Minneapolis, Minnesota, and clerked for the Honorable William W. Justice, U.S. District Court, Eastern District of Texas.

KEYNOTE ADDRESS DESCRIPTIONS

Lunch Address

The Bears Ears proposal has generated national support of a really rare kind. It has been broad and it has been deep, and it comes from all parts of the country and it captures the imagination because this is glory country. Wallace Stegner, speaking of this very landscape says, "That this is an area that fills up the eye and overflows the soul." And now we have a chance to protect it forever.

And this is the first time that Indian Tribes have ever brought forth a proposal under the Antiquities Act of 1906, one of the foundation stones of American conservation policy. And in addition, the Tribes have asked that this Monument be managed collaboratively between the five tribes and the federal agencies—it's never been done before and it is such a great opportunity.

What it does is to recognize that nationally, globally, there are many knowledge systems among different societies. Traditional land management is a knowledge system. Tribal traditional knowledge is a knowledge system.

The way that federal lands are administered, is through science; good science. And those scientific concepts and practices are of great value, and you can see it through the work of ecologists, biologists, and other scientists. It is an important and valuable knowledge system.

But American Indian Tribes have a knowledge system too. And in regard to the natural world, it is different. It isn't a romantic construct of some kind. The Tribal approach toward these lands, mixed collaboratively with the federal lands agencies, will result in more sensitive environmental management.

Closing Address

One of the world's central scholars in the field of ecocriticism (ecological literary criticism), Scott Slovic became Professor of Literature and Environment at the University of Idaho in July 2012 after teaching for seventeen years in the English Department at the University of Nevada. A graduate of Stanford University (B.A., English, 1983) and Brown University (M.A. and Ph.D., English, 1986 and 1990), he has been a Fulbright Scholar in Germany (University of Bonn, 1986-87), Japan (University of Tokyo, 1993-94), and China (Guangdong University of Foreign Studies, 2006). Slovic served as the founding president of the Association for the Study of Literature and Environment in the United States (ASLE), and since 1995 he has edited ISLE: Interdisciplinary Studies in Literature and Environment, the major journal in the field of ecocriticism. Slovic has also written, edited, or co-edited twenty-two books. His latest books include *Currents of the Universal Being: Explorations in the Literature of Energy* (2015, co-edited with James E. Bishop and Kyhl Lyndgaard), *Ecocriticism of the Global South* (2015, co-edited with Swarnalatha Rangarajan and Vidya Sarveswaran), and *Numbers and Nerves: Information, Emotion, and Meaning in a World of Data* (2015, co-authored and co-edited with Paul Slovic). Slovic has given more than 500 invited lectures at conferences and universities throughout the world.

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