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Natural Resources Journal, Annual Report 2000 - 2001

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Natural Resources Journal (NRJ)
Annual Report
2000–2001

The four issues published by the NRJ during this year represent both the old and the new format for the *Journal*. Volume 40, #3, the Summer 2000 issue, included an eclectic mix of articles on topics such as forest trusts, water management in the Mekong River basin, middle Rio Grande resource planning, utilities regulation in the Mariana Islands, wildlife management in Africa, emission markets, WTO species protection, and governing New Mexico's acequias.

Volume 40, #4, the Fall 2000 issue, was a special issue of the *Journal* on water issues. This issue, guest edited by Kate Berry, a geographer from the University of Nevada, Reno, presented issues of water use and management on the U.S./Mexico border from Nogales, Arizona, and Nogales, Mexico, to the border area of Baja California and has elicited a response in the form of letters to the editor, a response we hope to see more of in the future.

Beginning with its Winter 2001 issue, Volume 41, #1, Professor Em Hall became the editor-in-chief of the NRJ. His goal for the *Journal* is to strengthen its content and change its format to include an introduction, an opening essay, and a revitalized book review section. Each issue now opens with an essay by a leading current writer in different natural resource areas. As freewheeling as they are scholarly, these opening essays generally set the stage for the more specialized and academic articles that follow in each issue. Thus far, writers as diverse as Arizona State's Stephen Pyne, whose essay on rethinking prescribed burns appeared in this first issue of Volume 41, and Chicago-Kent's Dan Tarlock, whose essay will appear in an upcoming issue of the *Journal*, among others, have contributed opening essays on subjects as far ranging and basic as the role of fire and water in the twenty-first century. Each issue will also contain at least two reviews of the many books published in the natural resources area. Volume 41, #1, also contained articles on scrap tire disposal, the prudent operator standard for oil and gas leases, regulating the land application of sewage sludges and septage, Russian federation law on protecting natural areas, and regulatory schemes for balancing alternative interests in areas such as Grand Canyon National Park.

The opening essay for Volume 41, #2, the Spring 2001 issue, is by William deBuys, and in the words of Professor Hall in his introduction to this issue, "deBuys brings a breadth and depth to his subject that is matched by the grace of his writing. His essay [in Volume 41, #2] encompasses the past, present, and future of the Rio Grande in as few words as the river has water." This essay caught the attention of Rio Grande Restoration, an NGO in the Albuquerque area, and they have ordered 100 reprints of the essay to share with New Mexico legislators at the 2002 session of the legislature. Along with the opening essay and several book reviews, Volume 41, #2, also includes articles on water management in large basins such as the Colorado River basin; the use of a GIS for determining water allocations; conservation easements (this article is accompanied by a shorter piece on another method of land conservation – transfer of development rights); United States and Canadian fisheries conflicts; and the silvery minnow, the endangered species act, and the waters of the middle Rio Grande.

The next issue of the *Journal* will again present a lead article and accompanying shorter pieces that provide commentary and insights into the topic covered in the larger piece. The *Journal* hopes to continue utilizing this format in the future to present differing points of view on a given topic. In his introduction for this upcoming issue, Professor Hall has also encouraged

our readers to contribute letters to the editor that further this essential point and counter-point dialogue.

In November of 2000 the *Natural Resources Journal* celebrated its fortieth anniversary with a boisterous gathering that brought together past, present, and future contributors to the *Journal* at the home of our late editor-in-chief, Al Utton. This celebration provided a time to pay homage to the *Journal's* long inter-disciplinary tradition, to recall past accomplishments, and to rededicate the *Journal* to its mission of serving both the legal and the natural resources communities.

In honor of the *Journal's* forty years, an annual textbook scholarship fund was established. Generous contributions from many people involved with the *Journal* during its first forty years were greatly appreciated and helped to build the fund. The NRJ Textbook Scholarship will be awarded to an NRJ member who has exhibited outstanding dedication to the *Journal*. The first recipient of this scholarship will be announced in the fall of 2001.

During the forty years that the *Journal* has been in existence, we have gone from being a rather unique publication to "one of the pack." In order to boost sales and promote the *Journal*, the *Journal's* Business Manager is in the process of developing a direct-mail list consisting of organizations and persons who deal directly with natural resources issues. Business reply cards have been printed and are included in any individual copies of the *Journal* that are ordered. During the spring semester of 2001, an NRJ student attended a national water conference in order to promote both sales of the *Journal* and interest in writing for the *Journal*. It is our plan to continue these efforts to maintain our visibility in the national and international natural resources arena.

With the fall semester of 2001, Professor Hall will also be taking over the reins of the course work closely tied to the *Natural Resources Journal*, the Advanced Writing in Natural Resources class. Professor Hall envisions this class, which will now be one semester of class work and one semester of independent study, as a training ground for both editors and writers for the *Journal*. Students will learn the fine art of editing and proofing while also working on research and groundwork for their own writing. During the next semester's independent study, Professor Hall will work with the students to aid them in producing a publishable piece of writing for the *Journal*.

With the publication of the Volume 41 of the *Natural Resources Journal*, the *Journal* has renewed its commitment to provide a cross-disciplinary approach to a wide range of resource issues. Each issue will begin with an introduction by the editor-in-chief in which he will invite the reader to consider the issues presented and provide feedback to the editors of the *Journal*. Each issue will then contain an opening essay; a variety of articles drawn from different disciplines, each of which has sound technical content but is accessible to the non-specialist; and a book review section, providing *Journal* readers with broadly focused assessments of recent publications in the many areas that touch on natural resources. The *Journal* will expand the number of book reviews as it assembles a cadre of reviewers over the next year. Beginning with the Winter 2002 issue of the *Journal*, the book review section will also include one expanded review of several books on a natural resource topic.

It is the hope of everyone associated with the *Journal* that the more open-ended essays, the traditional scholarly and carefully referenced articles, the book reviews, and the point-counter point dialogues we are encouraging will continue to make the *Natural Resources Journal* a valuable experience for our students and a valuable resource for our readers.

Of the approximate 1200 Natural Resources Journal subscriptions over 600 are generated by 10 journal agencies. The NRJ mails the journal to over 200 foreign addresses and over 900 domestic addresses. The long-term, Scandinavian, Northern European, Mediterranean, and Asian customers were generated almost solely by journal agents.

The remaining subscriptions, about 500, are billed directly from the journals office. Most of these subscriptions are held by out-of-state organizations and persons. About 20 subscriptions are billed to addresses within New Mexico.

In early 2000, the subscription list was entered into a new database that generates the mailing labels. Since July 1, 2000, some duplicate addresses were deleted and some entries were deleted due to attrition. Recovery of these lost numbers lies in the design of a marketing plan.

The NRJ hopes to generate 200 new subscriptions by September 2002. About 10 subscriptions per year are generated from on order form on the NRJ website.

In March 2001, the NRJ designed and printed several hundred Business Reply Cards that can be distributed at national meetings. Locally, each time a sale is made to a non-subscriber for back issues, a card is inserted along with the journal.

The NRJ is developing a direct-mail list consisting of organizations and persons who deal directly with natural resources issues. Other addresses can be taken from the New Mexico Law Review subscription list of university law libraries. The current subscription list includes most of universities in the United States and Canada. The NRJ is developing a list of departments within those schools that focus on natural resources studies.

The next step in marketing and promotions is the design of a flyer or two-sided brochure that can be inserted in a standard #10 envelope. Free samples would require a large envelope.

Subscriptions begin with the calendar year, January 1 through December 31. Currently the rate for the Natural Resources Journal is \$40 per volume year for domestic subscriptions and \$45 per volume year for foreign subscriptions.

The NRJ office keeps the previous 3 volumes of back issues for sale at \$15 per copy. Back issues prior to this are secured from W S Hein & Company.

NATURAL RESOURCES JOURNAL: ACTIVITIES FOR THE 2000-2001 SCHOOL YEAR

In November of 2000 the *Natural Resources Journal* celebrated its fortieth anniversary with a boisterous gathering that brought together past, present, and future contributors to the *Journal* at the home of our late editor-in-chief, Al Utton. This celebration provided a time to pay homage to the *Journal's* long interdisciplinary tradition, to recall past accomplishments, and to rededicate the *Journal* to its mission of serving both the legal and the natural resources communities.

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In keeping with a strong tradition of interest in issues involving the United States and Mexico and the borders they share, the NRJ published two special issues in Volume 40. The first, published as our Spring 2000 issue, resulted from and was titled "The La Paz Symposium on Transboundary Groundwater Management on the U.S.-Mexico Border." This issue focused on groundwater issues in areas such as the Upper San Pedro Basin, El Paso and Juárez, and the Imperial Valley. The guest editor for this issue was Professor Stephen Mumme, of Colorado State University. The second, published as our Fall 2000 issue, was titled "Water Issues in the U.S.-Mexico Borderlands," and focused on the sharing of water between the United States and Mexico in areas such as Nogales, the Colorado River Delta, and Tijuana-San Diego. The guest editor for this issue was Kate Berry, of the University of Nevada, Reno.

With the publication of the Winter 2001 issue of the *Natural Resources Journal*, the *Journal* has renewed its commitment to provide a cross-disciplinary approach to a wide range of resource issues. Each issue will contain a variety of articles drawn from different disciplines, each of which has sound technical content but is accessible to the non-specialist. Each issue will also have a book review section, providing *Journal* readers with broadly focused assessments of recent publications in the many areas that touch on natural resources. We also plan to open each issue with a more open-ended essay on a current broad natural resources topic. These essays will, we hope, set the tone for the more scholarly pieces to follow.

Tackman, Susan

From: G. Emlen Hall [hall@libra.unm.edu]
Sent: Wednesday, January 17, 2001 5:41 AM
To: tackman@law.unm.edu
Subject: Journal statement

Wednesday----

Susan, This is one of the two e-mails I'm sending you this morning. I've tried to tone this version down and boost the I&G and the Ingram references. I'll talk to you this afternoon about it. Em

January 17, 2001

To: Deans Robert Desiderio and Alfred Mathewson

From: Em Hall and Susan Tackman

Re: NRJ

Em began seriously working on the NRJ as interim editor in the summer of 2000 and is taking over formally as editor now. Susan has been the managing editor of the Journal for the last three years. During our respective tenures, we have come to know a little more about the Journal's history, the current state of its affairs and the prospects for its future.

The Journal has lost some of its unique position in the world of academic journals. It needs to create a new, purposeful direction in a new, clearly defined niche. As with most things, finding that place and that direction will require time and money, that is, faculty time and law school money. We write to you now to describe the current state of Journal affairs, to outline where it should go and to plead for the time and money that the Journal needs to get there.

Forty years ago, when its publication began, the Journal was one of the very few academic reviews dealing with all aspects of natural resource development and regulation. Since then, a number of specialized environmental law reviews---at Harvard, at Stanford and at UCLA, for example--- have occupied that portion of the Journal's space devoted to environmental regulation of natural resources. At the same time, a number of resource specific journals have emerged---forestry, conservation biology, mining, also to name a few---which have hemmed the Journal in on the resource specific sides. The Journal now competes for articles with both environmental law reviews and technical journals in an increasingly crowded field.

In this new squeeze, there is a niche for the Journal as a genuinely cross disciplinary publication, one that spans disciplines and subject matters. This was the Journal's original purpose. As Helen Ingram said at the Journal's 35th Anniversary, the periodical has succeeded because it presented material that has a sound technical content but is accessible to the non-specialist. Now the Journal's success will be measured by its ability to redefine more clearly and occupy more fully this still unoccupied niche.

To do that, Journal articles must be technically competent and accessible to intelligent general audiences interested in all aspects of natural resources. Each Journal issue must present a broad enough array of indispensable articles dealing with a variety of resources---water, forests, air, and land to name a few---in a variety of disciplines---law, economics, political science, and history, to name a few.

The Journal cannot rely on random, unsolicited articles to meet these goals. For one, there aren't enough of them. The Journal sporadically

receives perhaps thirty unsolicited articles a year on random subjects of widely varying quality. We cobble together issues out of what happens to come our way. The law review receives many more unsolicited manuscripts than does the Journal and has a much broader focus. For the Journal, the result is uneven, unfocussed and often uninteresting.

One alternative is for the editor to take a much more active role in soliciting good articles appropriate to the breadth and depth towards which the Journal should aspire. This will require the editor to stay abreast of developments in many resources areas and actively to encourage the submission of good articles dealing with them. Doing this well requires a little travel, many letters, more phone calls and a lot of time on the part of both the managing editor and the editor.

Over the last few months we've tried this more active role in a couple of areas and have found that it works well. We've beefed up the book review section by actively soliciting reviews, mostly among existing Journal supporters. We've started an editorial policy of opening each Journal issue with a free-standing, elegant 5,000 word general essay on a natural resources topic of current interest. (Steven Pyne, Bill deBuys, Sam Deloria and Dan Tarlock will write in the four issues of volume 41 on fire, the Rio Grande, Indian natural resources, and western water respectively.) And, thus far, we've tried to shape each issue so that specific short articles complement broader general ones. (A long article on conservation easements across the United States in the spring 2001 issue will be balanced by a much shorter one on transfer development rights ("tdrs") in La Cienega; another article on the Endangered Species Act will be complemented by two shorter and more focussed comments.) We think the Journal will be much better for these additions and will define itself more clearly with them.

However, under the current structure it will be hard to keep the changes up. For one, the long range planning and the development of contacts and commitments necessary for real editorial control can't be further developed without more time. We've managed to make the editorial changes that we have by depending on personal contacts made over the years. They will be quickly exhausted unless we have time and the resources to extend their range in the name of the Journal. In addition we will probably exhaust quite quickly the range of writers willing to contribute absolutely free to the Journal. A small honorarium (\$500) would help entice contributions, especially by non-academic writers to the introductory essays.

It's impossible to say at this juncture exactly how these proposals should play out in the life of the Journal at the law school. Let us set the outer limits here. First, we'd like a Journal budget that would include money for honorariums and travel and that would be under Journal control. We think that with a small investment up front we could increase the pool of writers interested in the Journal. We also think that with some savvy promotion, we could increase subscriptions and hence return, perhaps significantly. But at this point neither of us has any real sense of the Journal's budget and constraints. We periodically receive the I and G account statement for the Journal. But that formal statement has no relationship to how the Journal operates in fact.

Second, we'd like the editorship of the Journal to carry with it a twelve month law school contract, half of the time of which would be allocated to teaching. This allocation of half the time of a full year contract would reflect the attention that needs to be paid to actively assembling the breadth and depth of articles that each issue of the Journal should contain. Specifically, we publish a summer issue and all year round there is a steady flow of editorial work for both of us.

Third, we'd like one-half of the editor's teaching load to go to the Advanced Writing in Natural Resources fall course. This course should be more directly linked to the Journal than it has been in the recent past. (It's not now formally connected.) It should yield more published student comments in the Journal than it currently does.

This third proposal is directly connected to the relationship between the Law School's educational mission and the Journal's scholarly one. The Natural Resources Program, like the Journal, is in disarray and ought to be coordinated with re-restructuring the Journal. We'd like to see the educational program more clearly linked to the Journal than it currently is. We think that the students' training in writing and the students' contributions to the Journal would both improve as a result. A lot of this connection depends on the connections between the Utton Center and the law school and the Journal. At the least these three institutions ought to be better coordinated than they are now.

Please take these modest proposals as the first step in some discussions that we will need to have over the next six months. For the Journal at least, planning is critical so time is important.