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## Front Matter

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Vol. 62	Winter 2022	No. 1
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*The isolation of scholars in various fields concerned with resources problems continues to be a principal impediment to progress . . . . [R]esources problems are so complex that traditional lines of approach prove inadequate . . . . Rarely do we find the work of the lawyer and the non-lawyer appearing side by side . . . . The primary function of the [new] Journal is to meet this need . . . .*

—from the Foreword of Vol. 1, No. 1, 1961

## ACKNOWLEDGEMENT

*Jacqueline Hoswell and Luis Leyva-Castillo* ix

## ARTICLES

- This Land is Your Land: The Dark Canon of the United States Supreme Court in Natural Resources Law  
*Oliver A. Houck* 1
- State Ballot Initiatives and Federal Preemption: How Colorado Voters Have Changed Cooperative Federalism in Wildlife Management  
*Lucas O'Brien* 49
- More Than a Rake: Toward a Statutory Solution for Wildfire Threats to Department of Defense Installations  
*Steven Luther "Luke" Spencer II, Maj, USAF* 79
- Borders and Water Conflicts: Mitigating Conflicts With Love and Cooperation  
*Peter J. Longo, Anthony Schutz, & James M. Scott* 125

## BOOK REVIEWS

- Rivers of Power: How a Natural Force Raised Kingdoms, Destroyed Civilizations, and Shapes Our World, by Laurence C. Smith  
*Stephen D. Earsom* 143
- Waste: One Woman's Fight Against America's Dirty Secret, by Catherine Coleman Flowers  
*Deanna Warren* 147

## PAINTINGS

- The Plight of Western Rivers  
*W.H. Brandenburg* 151



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Vol. 62

Winter 2022

No. 1

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## ACKNOWLEDGEMENT

The *Natural Resources Journal* editorial board and staff are proud to present issue 62.1. With the help of our dedicated staff, the editorial board worked devotedly to select and polish content that will provide innovative and far-reaching contributions to the field of environmental law. The conservation and allocation of natural resources are among the most consequential and complex tasks facing environmental decision-makers. Issue 62.1 presents articles that analyze the legal journey that has led to where we are today, along with providing thorough guidance and novel ideas to lead us into the future of natural resources and environmental law issues. We achieve this while maintaining our journal's tradition of providing an interdisciplinary platform for environmental professionals to discuss the most pressing issues in their field.

The first article is "This Land is Your Land: The Dark Canon of the United States Supreme Court in Natural Resource Law" by Oliver A. Houck. Oliver Houck delivers a fiery critique of several landmark Supreme Court cases that directly impact U.S. public lands and natural resources. The article identifies four cases that are damaging to environmental causes, offers criticism of the Court's analysis, then provides insights and clarity in how to navigate or circumvent the unfavorable case law. Each case discussion is worthy of being its own article, but instead, all four are conveniently captured into one.

In the second article, "More Than a Rake: Toward a Statutory Solution for Wildfire Threats to Department of Defense Installations", Steven "Luke" Spencer II raises the alarm on an overlooked national security threat: wildland fires that threaten Air Force bases. Over the last four decades, the number of acres burned has quadrupled. Spencer analyzes current statutes and their inadequacies, before proposing his own draft statute. The BURND Act would protect America's national security by allowing the military to better manage the natural resources surrounding U.S. military bases—including the precursors to wildfire. The military needs "more than a rake" to address this looming threat, and Spencer's comprehensive overview of legislative holes and proposed improvements show a way forward in this difficult, yet urgent, challenge.

The third article is "Ballot Initiatives and Federal Preemption: How Colorado Voters Have Changed Cooperative Federalism in Wildlife Management" by Lucas O'Brien. O'Brien cleverly pits the will of the people against federal preemption. In Colorado, the citizens voted by state ballot initiative to reintroduce wolves. Given the possibility of the wolf being relisted by the Endangered Species Act and the fact that wolves use federal lands, this creates a scenario where a state wildlife agency is mandated by the citizens to act in a field that may conflict with federal laws. O'Brien suggests that if Colorado's reintroduction of wolves conflicts with federal laws, then Colorado may have a novel opportunity to prevail because state ballot initiatives represent the will of the people and receive broader deference by judiciary.

In the fourth article, "Borders and Water Conflicts: Mitigating Conflicts with Love and Cooperation", Professors Peter J. Longo, Anthony Schutz, and James M. Scott meditate on the nature of neighborly love and analyze the legal structures that sustain peace, even when love breaks down and conflict results. Water law provides a respite from the typical conflicts that accompany international politics. The authors offer a view into a different kind of politics, a politics based on *philia*: the brotherly love between neighbors. When *philia* forms the basis for political agreements, the typical tribal identities soften, and a different narrative plays itself out. These new narratives of cooperation create new legal structures. The United

States Supreme Court provides a federalist presence in inter-state water law conflicts, and has often successfully mediated conflicts between states. Without these mediating structures, other countries struggle to maintain their commitments to cooperation.

Finally, issue 62.1 offers a series of paintings titled, “The Plight of Western Rivers” by Howard Brandenburg. Mr. Brandenburg worked as a fish biologist on the Rio Grande and Colorado River drainages for over twenty years and has credited those experiences for shaping the content of this piece. He is fascinated by what makes our species so successful and what that success means for the balance of nature. For the best viewing, the editors recommend viewing the paintings at <https://digitalrepository.unm.edu/nrj/>.

We would like to thank the staff and the editorial board for their hard work, and Cliff Villa and Dan Akenhead for their support. We hope you enjoy this issue!

*Jacqueline Hoswell & Luis Leyva*  
Co-Editors-In-Chief