

PSCI 3206: Environment & Public Policy

Fall 2019 • Tue/Thu 12:30-1:45 pm • HUMN 250

Professor: Nancy Billica

Office: Ketchum 214 • Office Hours: Tue 2-3 pm; Thu 11 am-noon; and by appointment

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Course Description

This course examines the definition, formulation and implementation of public policy concerning the environment. Throughout, we will be focusing on the interplay between policy content (how we define the issues and what options we select for addressing those issues) and political processes (how we build support and develop compromise among divergent values and interests in order to forge agreement). Building knowledge of US environmental policy will be achieved through class discussion and readings as well as through development of a policy research topic of your choice and the writing of a policy brief designed to facilitate policy decision-making around this issue.

Class topics are organized around four basic themes. First, we will set the historic stage for interpreting contemporary environmental policies. Environmental policy is a dynamic field. The historic overview will focus on the objective rise of issues over time as well as how growing awareness of environmental concerns drives demands for policy responses. The policymaking process is the second key theme. We will explore how environmental issues develop through policy agenda setting, formulation, implementation and ongoing feedback phases, including how a wide array of government and non-government actors are involved in policymaking processes. Third, it turns out that people apply a widely divergent set of values in making environmental policy choices. What are some of these competing policy perspectives? Among others, we will consider regulatory imperatives, arguments for economic flexibility, the role of scientific information, environmental ethics positions, considerations of justice, and the limits and opportunities presented by the US system of federalism. Finally, the historic developments, policy processes and competing values and interests come together in our examination of specific policy cases, including issues related to pollution control, natural resource management, and emerging issues related to climate change and sustainability. How do these various factors influence policy design and the choice of policy tools adopted to address environmental issues? Our goal is to untangle the many elements of environmental policy to better understand our current environmental circumstances and future options moving forward.

Course Readings

Readings are drawn from one book and additional materials available as listed, either on the internet or on Canvas. Students should also plan to regularly read the news for current developments in environmental policy, which will be discussed in class on an ongoing basis.

James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy*, 4th or 5th ed. (Foundation Press, 2014). Note: A copy of the text is available on 2-hour reserve in Norlin Library.

Course Requirements

Date Due	Assignments	Grading
	Class attendance & active participation	10%
Tue, Oct 3	Midterm exam 1; review sheet posted to Canvas	20%
Thu, Oct 24	Environmental issue inquiry (review of research and developments on an environmental policy issue of your choice); details on Canvas	15%
Tue, Nov 12	Midterm exam 2, covering material following the first midterm; review sheet posted to Canvas	20%
Thu, Nov 21	Environmental policy brief (professional-level document providing focused discussion and recommendations on your selected environmental policy issue); details on Canvas	15%
Sun, Dec 15	Take-home Final exam; requirements posted to Canvas	20%

Class & University Policies & Expectations

- **Classroom etiquette:** The basic rule is one of respect. The goal is to create a community where all feel free to participate in classroom discussion and are open to the ideas and contributions of others. We should expect to disagree with each other on at least some issues of debate, but discussion and disagreement must be expressed in a manner that recognizes the dignity of all and is open to learning from other perspectives. Disrespectful language and/or behavior will not be tolerated.
- **Use of technology in the classroom:** Laptop computers and other electronic devices distract from the classroom learning environment and thus are not to be routinely used in class without the prior consent of the instructor.
- **Attendance & participation:** It is assumed that all students are enrolled with the goal of gaining maximum value from the course and will thus be in regular attendance and actively engaging with the material. Regular attendance means arriving on time, remaining for the entire class session, and avoiding unnecessary absences (more than 2 unexcused absences will negatively affect your grade). Active engagement means being attentive, asking and answering questions in the classroom and regularly participating in group discussions.
- **Assignments:** Students are responsible for ensuring that assignments are successfully submitted to Canvas on time and accessible for grading purposes (submitted in .doc, .docx or .pdf formats). If you're having trouble with Canvas, you may submit a back-up copy of assignments via email as well. Assignments are due on the due dates. Students with legitimate, documented reasons for missing an exam or assignment deadline should consult with the professor prior to the due date for alternative arrangements and exemption from late penalties. In the absence of a pre-approved exception or documented emergency, late penalties apply, with deductions, as follows: Same day, after class begins: -10%; next day: -20%; each day thereafter, an additional 10% deduction, with papers 4 or more days overdue accepted at 50% credit.

- **Accommodation for Disabilities:** If you qualify for accommodations because of a disability, please submit your accommodation letter from Disability Services to your faculty member in a timely manner so that your needs can be addressed. Disability Services determines accommodations based on documented disabilities in the academic environment. Information on requesting accommodations is located on the [Disability Services website](#). Contact Disability Services at 303-492-8671 or dsinfo@colorado.edu for further assistance. If you have a temporary medical condition or injury, see [Temporary Medical Conditions](#) under the Students tab on the Disability Services website.
- **Classroom Behavior:** Students and faculty each have responsibility for maintaining an appropriate learning environment. Those who fail to adhere to such behavioral standards may be subject to discipline. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation or political philosophy. Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. For more information, see the policies on [classroom behavior](#) and the [Student Code of Conduct](#).
- **Honor Code:** All students enrolled in a University of Colorado Boulder course are responsible for knowing and adhering to the Honor Code. Violations of the policy may include: plagiarism, cheating, fabrication, lying, bribery, threat, unauthorized access to academic materials, clicker fraud, submitting the same or similar work in more than one course without permission from all course instructors involved, and aiding academic dishonesty. All incidents of academic misconduct will be reported to the Honor Code (honor@colorado.edu); 303-492-5550). Students who are found responsible for violating the academic integrity policy will be subject to nonacademic sanctions from the Honor Code as well as academic sanctions from the faculty member. Additional information regarding the Honor Code academic integrity policy can be found at the [Honor Code Office website](#).
- **Sexual Misconduct, Discrimination, Harassment and/or Related Retaliation:** The University of Colorado Boulder (CU Boulder) is committed to fostering a positive and welcoming learning, working, and living environment. CU Boulder will not tolerate acts of sexual misconduct (including sexual assault, exploitation, harassment, dating or domestic violence, and stalking), discrimination, and harassment by members of our community. Individuals who believe they have been subject to misconduct or retaliatory actions for reporting a concern should contact the Office of Institutional Equity and Compliance (OIEC) at 303-492-2127 or cureport@colorado.edu. Information about the OIEC, university policies, [anonymous reporting](#), and the campus resources can be found on the [OIEC website](#).

Please know that faculty and instructors have a responsibility to inform OIEC when made aware of incidents of sexual misconduct, discrimination, harassment and/or related retaliation, to ensure that individuals impacted receive information about options for reporting and support resources.

- **Religious Holidays:** Campus policy regarding religious observances requires that faculty make every effort to deal reasonably and fairly with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. Please let me know as soon as possible of any schedule conflicts – before missing class or assignments. See [campus policy regarding religious observances](#) for full details.

PSCI 3206, Environment & Public Policy
CLASS SCHEDULE & ASSIGNMENTS

*** subject to change ***

Week 1, Aug 27 & 29: Introducing US environmental policy, both substance & process

Reading:

- Environmental Law & Policy, Chap 1

Recommended:

- “83 Environmental Rules Being Rolled Back Under Trump,” *New York Times*, by Nadja Popovich, Livia Albeck-Ripka and Kendra Pierre-Louis, updated June 7, 2019; available on Canvas and at <https://www.nytimes.com/interactive/2019/climate/trump-environment-rollbacks.html>

Week 2, Sept 3 & 5: Historic roots and developments in US environmental policy

Reading:

- Judith A. Layzer, “A Policymaking Framework: Defining Problems and Portraying Solutions in U.S. Environmental Politics,” pp. 1-21 in *The Environmental Case: Translating Values Into Policy*; on Canvas.

Recommended:

- David Bearden, et al, “Environmental Laws: Summaries of Major Statutes Administered by the Environmental Protection Agency,” Congressional Research Service, December 20, 2013; on Canvas.
- Jack Lewis, “Looking Backward: A Historical Perspective on Environmental Regulations,” *EPA Journal* (March 1988); on Canvas.

Week 3, Sept 10 & 12: Problem definition

Sept 10: Identifying and defining environmental policy issues

Sept 12: Guest speaker Martin Ogle, Founder, Entrepreneurial Earth, “A Deliberate Pause”

Reading:

- Environmental Law & Policy, Chap 2
- Pew Research Center, “Energy and Environment” available at <http://www.pewresearch.org/topics/energy-and-environment/>. Pew is a nonpartisan opinion polling and demographic research organization with regular analyses on issues of the environment. Take a look at some of their recent reports and findings.

Recommended:

- Anthony Downs, “Up and Down with Ecology: The ‘Issue-Attention Cycle’” (article originally published in *The Public Interest*, Volume 28 (Summer 1972), pp. 38-50; on Canvas.

Week 4, Sept 17 & 19: Policy agenda setting and legislative responses

- Deborah Lynn Guber and Christopher J. Bosso, “Issue Framing, Agenda-Setting, and Environmental Discourse.” Chapter 20 in *The Oxford Handbook of U.S. Environmental Policy* (2012); on Canvas.
- Environmental Law & Policy, Chap 3

Recommended:

- John Kingdon, “Wrapping Things Up,” Chap 9 (a summary of Kingdon’s agenda-setting model) in *Agendas, Alternatives and Public Policies* (Boston, Little, Brown & Co, 1984, 2010); on Canvas.
- Sarah B. Pralle, “Agenda-setting and climate change,” *Environmental Politics*, Volume 18 (2009), Issue 5 (“Climate Policy and Political Strategy” issue), pp. 781-799, on Canvas.

Week 5, Sept 24 & 26: Congress & environmental law, including enactment of the 1969 National Environmental Policy Act (NEPA)

Reading:

- Environmental Law & Policy, Chaps 4 & 12

Recommended:

- Robinson Meyer, “How the U.S. Protects the Environment, From Nixon to Trump: A curious person’s guide to the laws that keep the air clean and the water pure,” *The Atlantic* (March 29, 2017); on Canvas.
- Project Vote Smart, “Government 101: How a Bill Becomes Law,” available at http://www.votesmart.org/resource_govt101_02.php.

Week 6, Oct 1 & 3: Administration of environmental laws and midterm #1

Oct 1: Assessing the politics of environmental policymaking

Oct 3: MIDTERM EXAM #1

Reading:

- Familiarize yourself with the US Environmental Protection Agency and resources at <http://www.epa.gov/>.
- US Environmental Protection Agency (EPA), “The Basics of the Regulatory Process;” on Canvas.

Recommended:

- Brian Palmer, “Why We Need the EPA,” NRDC, February 14, 2017, available at [“Why We Need the EPA,” NRDC](#).

Week 7, Oct 8 & 10: Introducing policy design & the Clean Air Act of 1970

Reading:

- Judith A. Layzer, “The Nation Tackles Air and Water Pollution: The Environmental Protection Agency and the Clean Air and Clean Water Acts,” Chap. 2 in *The Environmental Case*; on Canvas.

Recommended:

- Anne Schneider and Helen Ingram, “Systematically Pinching Ideas: A Comparative Approach to Policy Design,” *Journal of Public Policy* 8 (Spring 1988): 61-80; on Canvas.

Week 8, Oct 15 & 17: Command & control regulatory framework and CAA amendments

Reading:

- Environmental Law & Policy, Chap 5
- Judith A. Layzer, “Market-Based Solutions: Acid Rain and the Clean Air Act Amendments of 1990,” Chap. 5 in *The Environmental Case: Translating Values Into Policy*; on Canvas.

Recommended:

- Winston Harrington and Richard D. Morgenstern, “Economic Incentives versus Command and Control: What’s the Best Approach for Solving Environmental Problems?” *Resources* (Fall/Winter 2004), a publication of Resources for the Future; on Canvas.

Week 9, Oct 22 & 24: Evaluating air quality policy; climate change

→ Thursday, Oct 24: Environmental policy issue inquiry, due to Canvas by 11:59 pm

Reading:

- Environmental Law & Policy, Chap 6
- Melamed, Schmale & von Schneidmessenger, “Sustainable Policy: Key considerations for air quality and climate change,” *Current Opinion in Environmental Sustainability*, 2016; on Canvas.

Recommended:

- David Kestenbaum, et al, “Episode 472: The One-Page Plan to Fix Global Warming... Revisited,” Planet Money podcast, July 18, 2018, <https://www.npr.org/sections/money/2018/07/18/630267782/episode-472-the-one-page-plan-to-fix-global-warming-revisited>.

Week 10, Oct 29 & 31: Water quality policies

Reading:

- Environmental Law & Policy, Chap 7
- Congressional Research Service, “‘Waters of the United States’ (WOTUS): Current Status of the 2015 Clean Water Rule,” updated December 12, 2018; on Canvas.

Recommended:

- US EPA, “Introduction to the Clean Water Act” (especially pp 1-13); on Canvas.
- US EPA, “Understanding the Safe Drinking Water Act;” on Canvas.

Week 11, Nov 5 & 7: Water rights: Riparian rights and prior appropriation systems

Reading:

- University of North Dakota, Energy & Environmental Research Center (UNDEERC), “Water Appropriation Systems;” on Canvas.

- Kait Schilling, “Addressing the Prior Appropriation Doctrine in the Shadow of Climate Change and the Paris Climate Agreement,” *Seattle Journal of Environmental Law*, 2018; on Canvas.

Week 6, Oct 1 & 3: Administration of environmental laws and midterm

Oct 1: Assessing the politics of environmental policymaking

Oct 3: MIDTERM EXAM #1

Reading:

Week 12, Nov 12 & 14: Midterm #2 and introducing issues related to toxic & risk management

Nov 12: MIDTERM EXAM #2

Nov 14: Toxics & managing risk

Week 13, Nov 19 & 21: Toxics & hazardous waste – science, uncertainty, risk assessment & precaution

Reading:

- Environmental Law & Policy, Chap 8
- Environmental Working Group, “Chemical Policy (TSCA).” Take a look at basic information and recent reports on US chemical policy under the Toxic Substances Control Act, available at <https://www.ewg.org/key-issues/toxics/chemical-policy>.

Recommended:

- Ann Campbell Keller, “Theories of Science in Policy Making,” Chap. 1 in *Science in Environmental Policy: the Politics of Objective Advice* (2009); on Canvas.
- Nancy J. Myers, *Precautionary Tools for Reshaping Environmental Policy*, Chapter 1 (Cambridge, MA: MIT Press, 2005); on Canvas.
- US EPA, Toxics Release Inventory (TRI) Program, <https://www.epa.gov/toxics-release-inventory-tri-program/toxic-chemical-risk-and-health-resources>

➔ Thursday, Nov 21: Environmental policy brief, due to Canvas by 11:59 pm

**** FALL BREAK ****

Week 14, Dec 3 & 5: Waste management

Reading:

- Environmental Law & Policy, Chap 9
- Eco-Cycle, “Zero Waste: The Choice for a Sustainable Community,” available at <http://www.ecocycle.org/zerowaste>.

Week 15, Dec 10 & 12: Ecological protection, endangered species & wilderness

Reading:

- Environmental Law & Policy, Chap 10
- M. Lynne Corn & Alexandra M. Wyatt, “The Endangered Species Act: A Primer,” Congressional Research Service, September 8, 2016; on Canvas.

Recommended:

- Stories about the Endangered Species Act, short National Public Radio podcasts, <https://www.npr.org/tags/533221527/endangered-species-act>.
- Charise Johnson, “The Endangered Species Act is Itself Endangered,” Union of Concerned Scientists Blog, 16 July 2018, <https://blog.ucsusa.org/charise-johnson/the-endangered-species-act-is-itself-endangered>.
- US Fish & Wildlife Service, “Endangered Species Act,” <https://www.fws.gov/endangered/laws-policies/>.

Sun, Dec 15: Take-home FINAL EXAM due to Canvas no later than 10:00 pm