INTRODUCTION

Environmental policies are crafted and implemented through a wide variety of policy-making processes in the public, private and nonprofit sectors. This great diversity of policy processes is a relatively new phenomenon. Prior to the 1990s, two types of top-down processes predominated: centralized planning within the public sector and command-and-control regulation of the private sector. In the 1990s, new policy processes emerged, sometimes replacing top-down processes, other times layering over them. Some emerged from the bottom-up, such as collaborative partnerships. Others emerged in conjunction with top-down processes, such as permit trading. In this course, we will survey a wide variety of environmental policy processes. The goal is for students to develop the capacity to identify appropriate policy processes for addressing specific environmental problems.

The readings focus mostly on the U.S. experience, with some comparisons to other industrialized countries. The term paper will allow you to pursue interests elsewhere in the world, on any topic of interest, provided that your paper applies the analytic frameworks we cover in class. Most policy processes are generic, in that they could be used in many countries, under appropriate conditions. The key is to identify the conditions that allow particular types of processes to work well in practice. Hence, we will give considerable attention to analyzing how each type of policy process works in specific cases, and how well each might work in situations where they have not yet been attempted in the US or elsewhere.

Class time will involve a mix of lectures, full-class discussions, and break-out groups. Lectures will bridge weekly topics and supplement the readings, but will not repeat what is in the readings or serve as a substitute for the readings. The readings include general overviews of different policy processes, critiques of these processes, comparisons among them, and case studies of how these processes work in practice.

GRADE DISTRIBUTION

Participation 30%
Two memos (15% each) 30%
Term paper 40%
COURSE REQUIREMENTS

Participation

I expect active participation each week for an “A” (4.0) participation grade. This means you must read the assigned readings before class, think critically about what you have read, and offer insightful commentary during full-class and/or break-out group discussions. I will post a short list of discussion questions each week to help you focus on key themes in the readings. The questions are not meant to limit the range of things we can discuss. If you are typically quiet (but attentive) in class, the best participation grade you can expect is a “B” (3.0). If you miss a class (or a significant portion of a class) you must submit answers to the discussion questions. If you do not submit answers to these questions, your course participation grade will be reduced by .4. Each week, I enter participation grades on a spreadsheet. In doing so, I look for evidence that students have carefully considered the readings and are bringing a critical and engaged perspective to small-group and full-class discussions. While I encourage students to bring their own personal experiences to class, I expect personal experiences to be filtered through the analytic frameworks in the readings. Please avoid comments that begin “This reminds me of the time that I ….” Strive instead for comments like “This analytic framework predicts X, but I witnessed Y in my job; how can we explain that?” The former leads to story telling without analysis (appropriate for chatting in cafes and bars), while the latter leads to analytic rigor (the purpose of grad school).

Memos

You must submit two memos during Weeks 3-10. I will open an on-line poll for you to select in advance the weeks you will write memos. The number of memos each week will be capped so I receive roughly the same number of memos to grade each week. Your memos must be no more than two pages (12-point font, single-spaced, 1” margins), and must follow the memo template posted on Canvas. Memos must be submitted by noon the day of class on Canvas, and also submitted in hard copy at the start of class. I need them posted before class because I will be using parts of the memos in class. All late memos will receive a grade penalty, unless you receive an extension from me in advance. The grade penalty will be .3/week (which means a memo that receives a 4.0 (A) on the merits will be recorded as a 3.7 (A-) if up to 1 week late, and a 3.3 (B+) if 1-2 weeks late).

Term paper

For the term paper, you will begin by framing an environmental problem (per Week 2 on agenda setting) and use the governance frameworks in the assigned readings from Weeks 3-10 to design the most appropriate governance system for addressing that problem. The readings from Week 1 can help you sort through optional policy tools within your governance systems. Specifically, you should: (1) define a problem and describe its current place on various agendas; (2) describe the current governance system (which may be a mix of several types of governance systems) for addressing this problem; (3) discuss the strengths and weaknesses of this status quo; and (4) make recommendations for keeping or improving the status quo by adding or subtracting elements from it. Your argument should be deeply informed by the assigned readings. I will grade accordingly. For example, when you weigh the merits of the current governance system against alternatives, be sure to use the analytic frameworks (terms, definitions, and hypotheses) to justify your claims. You need not consider all the governance systems we cover in class in depth, but you must consider at least three in depth (some of which might already be part of the status quo). You should rule out other governance systems in a paragraph or two by quickly demonstrating that they are inappropriate for the problem you are analyzing. The main body of your paper must be in
12-point font, no more than 10 pages single-spaced. Please double-space between paragraphs. Additional parts of your paper (e.g., cover page, table of contents, figures, tables, references, or appendices) do not count towards the page limit. You need not include figures, tables, and/or appendices, but there must be a references section. Your entire argument must appear in the main text; do not bury any part of your argument in appendices, footnotes, or endnotes. Long-windedness is not a virtue; please be concise, make your argument crisply, and be sure that it is logically sound. Your argument must be well-supported by the assigned readings (using in-text citations or footnote citations). As with the memos, the late penalty will be .3/week. If you plagiarize any part of your term paper you will receive an “F” (0.0) for the paper.

Academic Integrity

As a student in this course, you acknowledge that you are a member of a learning community in the Evans School of Public Affairs that is committed to the highest academic standards. As a member of this community, you agree to uphold the fundamental standards of honesty, respect and integrity, and you accept the responsibility to encourage others to adhere to these standards. If you are uncertain about whether a particular action constitutes academic misconduct, please ask me for guidance before an assignment is due, or search the MPA Student Handbook regarding academic integrity. You must write your own memos, not copy or paraphrase memos others have written. Plagiarized memos and group projects will receive a grade of 0.0 and will be reported to school administrators. Claiming not to know something is dishonest is not an excuse. There will be no second chances. You may provide feedback to other students on their memos and term papers before they are due. I will discuss in class how to make appropriate attribution to the assigned readings in the memos and term paper.

Changes to the Syllabus

The instructor retains the authority to make changes to the syllabus during the quarter. Should any changes be made, students will be notified immediately by e-mail.

CROSS-CUTTING QUESTIONS

Several themes integrate the weekly topics. You need not focus on all of these themes, but you should pick a few of interest and follow them throughout the course. Doing so is a useful means to compare the governance systems. You may have other themes of interest, but these are the ones I commonly think about:

- What arguments justify the use of each governance system? (For example, under what conditions is bureaucracy a good thing, and why was the U.S. Forest Service organized this way? Or, why might emissions trading work better for SO2 in the L.A. basin than for CO2 at the regional, national, or international level?)
- What roles do government officials play? (For example, what role do public agencies play in collaborative governance or management-based governance?)
- What role do external stakeholders play? (For example, how does public participation differ in bureaucratic versus collaborative governance?)
- Which governance system(s) best address environmental justice issues? (For example, who are the winners and losers in permit-trading systems?)
- How is science incorporated in decision-making processes? (For example, does science play a more central role in bureaucratic versus collaborative systems?)
• What does each governance system produce? (For example, under what conditions do firms behave differently under voluntary compliance than command-and-control regulation?)
• How would we know if a particular governance system is a success or failure? (For example, what performance measures should we use to evaluate whether a transparency or voluntary compliance process is working well?)

REQUIRED READINGS

Books (available at the University Book Store)

Kirk Emerson and Tina Nabatchi, Collaborative Governance Regimes, Georgetown University Press, 2015.

Articles, Chapters, and Cases

All other readings that are not in the required books are posted on the course web site.

WEEKLY TOPICS AND READINGS

Part 1: Introduction

Week 1 (Jan 4)

Topic: Government, Governance, and Policy Tools

Key themes: Government represents only one type of governance system. Environmental policies are also made and implemented in the private and nonprofit sectors. Understanding environmental policy today requires examining each sector and interactions among the sectors. Environmental policy also encompasses much more than traditional regulatory approaches. The readings this week provide overviews of the different policy tools (or instruments) that have been used to improve environmental conditions. This course will review the ways in which many of these instruments have been used in making and implementing environmental policies. Please do not try to master everything in the readings. They are for introductory purposes only, so you can see where the course is headed. The readings are also sometimes redundant, but give different perspective on the policy tools we’ll be covering in the course.

Required reading:
**Part 2: Agenda Setting**

**Week 2 (Jan 11)**

**Topic:** Agenda-Setting Processes

**Key themes:** Agenda setting is the process by which problems are defined and receive attention. Interest groups play a central role in agenda setting in democratic systems because democracies allow many avenues for public participation. Activists must think carefully about how to frame problems if they want these problems to be addressed in the public, private, or nonprofit sectors. Agenda setting includes designing governance systems, which are substantially more important than the specific policies enacted within a governance system.

**Required readings:**
Pralle, *Branching Out and Digging In.* (Everyone reads pp. 1-31 and 220-231. I will assign one-half of the class to read Part 1 and the other half to read Part 2.)

**Web sites of interest:**
- Quincy Library Group
- Friends of Clayoquot Sound
- Clayoquot Sound protest video

**Week 3 (No Class – Martin Luther King Day observed by the UW)**

**Part 3: Environmental Governance Alternatives**

**Week 4 (Jan 25)**

**Topic:** Bureaucratic Management of Public Resources

**Key themes:** During the Progressive Era (~1890-1920), centralized public agencies were created to manage natural resource use. These were strong bureaucracies, touted for their ability to reduce corruption and favoritism, increase public-sector competency, distribute environmental benefits equitably, and achieve comprehensive solutions for the public good. The U.S. Forest Service was widely viewed as the successful embodiment of this bureaucratic model through the 1960s. In the 1970s, the popularity of the bureaucratic model eroded in the U.S., as the public increasingly viewed public agencies as tied to special interests that favored resource extraction rather than environmental protection. The National Environmental Policy Act (NEPA) is the most important federal policy limiting the bureaucratic power of public agencies.

**Required readings:**

**Optional reading for term paper:**
Optional video:

“The Greatest Good” (a history of the U.S. Forest Service).

Web sites of interest:
U.S. Forest Service
NEPA statute
Forest Service NEPA projects home page

Memo assignment: Follow the memo template posted on the course website. Focus on a key theme or question, as noted in the memo template, so your memo is concise and nuanced. For example, when is public participation a good thing? Who should participate on which problems? How should they participate? Are there problems for which there should be no public participation? Is environmental justice best addressed through bureaucratic or participatory processes, or is NEPA inherently elitist? And so on. Be sure to focus on the pros and cons of bureaucratic governance as required in the posted memo template.

Week 5 (Feb 1)

Topic: Command-and-Control Regulation of the Private Sector

Key themes: Command-and-control regulation is a blunt instrument appropriate for addressing some kinds of environmental problems, such as point-source pollution. It is adversarial, because it focuses on enforcement actions against specific sources, which leads to the politicization of rulemaking, monitoring, and enforcement. It also leads to significant oversight by the judicial branch. These conflicts may be lessened through negotiated rulemaking.

Required readings:

Web sites of interest:
EPA, Laws and Regulations
EPA, Enforcement and Compliance History Online

Memo assignment: Follow the memo template posted on the course website. Focus on a specific environmental problem when discussing the pros and cons of regulatory governance. Do not discuss the regulation of power plants using fossil fuels.

Week 6 (Feb 8)

Topic: Market-Based Regulation of the Private Sector

Key themes: Market-based regulations seek to alter private-sector behavior through market signals rather than through explicit directives, as in command-and-control regulations. There are many types of market-based policy tools, the most complex of which involve cap-and-trade systems. Economic theory predicts that government-sponsored markets for permit trading are an
efficient means for allocating the costs to firms of regulation by setting regional caps on pollution or resource use, allocating permits for pollution or resource use within the regional cap, and then allowing permit holders to sell their permits. Some cap-and-trade policies have worked relatively well, such as transferable fishing quotas and tradeable development rights. By contrast, carbon cap-and-trade policies have proven to be difficult to implement.

Required readings:

Web sites of interest:
EPA Clean Air Markets
Regional Greenhouse Gas Initiative
European Union Emissions Trading System

Memo assignment: Follow the memo template posted on the course website. Discuss the pros and cons of tradeable permit systems in general and use specific examples to illustrate some of those pros and cons.

Week 7 (No Class – Presidents Day observed by the UW)

Week 8 (Feb 22)

Topic: Transparency-Based Governance

Key themes: Transparency-based governance requires private firms and public agencies to disclose information; but stakeholders may not be able to use this information in ways that change individual and organizational behavior. Therefore, we must think about the conditions under which simply requiring organizations to disclose information can resolve environmental problems, and whether transparency should be used in conjunction with other governance systems.

Required Readings:

Optional Readings:

Web sites of interest:
Scorecard
GoodGuide
The Climate Registry
Transparency Policy Project
Memo assignment: Follow the memo template posted on the course website. Using the framework provided in the book, analyze a case study of transparency-based governance, such as those described in the links above or the optional readings. If you use one of the cases in the book, you should dig deeper by reviewing that case in the Transparency Policy Project link above and/or sleuthing on your own. Be sure to discuss the pros and cons of transparency-based governance in the context of the case.

Week 9 (Feb 29)

Topic: Management-Based Governance

Key themes: Environmental policy is increasingly made in the private sector, as firms create their own environmental management systems (EMSs). Sometimes these private-sector policies are encouraged by government agencies (as through the EPA’s numerous partnership programs); other times they are organized by nonprofit organizations that certify products (as through the Forest Stewardship Council); and sometimes firms seem to do it out of their own sense of corporate social responsibility in managing their supply chain (as Starbucks does by hiring Scientific Certification Systems as a third-party auditor). What are these firms actually doing, why are they doing it, and what impacts do their actions have on the environment?

Required readings:

Optional readings:

Web sites of interest:
EPA Partnership Programs
Marine Stewardship Council
Forest Stewardship Council (FSC)
Sustainable Forestry Initiative (SFI)
FSC and SFI certification of Forest Service plans

Memo assignment: Follow the memo template posted on the course website. Analyze a case of management-based (or voluntary) governance using the frameworks provided by either Coglianese and Nash or Prakash and Potoski. If you use a case in those readings, please do extra research on it. Be sure to discuss the pros and cons of management-based governance in the context of the case.

Week 10 (Mar 7)

Topic: Collaborative Governance

Key themes: Collaboration among public, nonprofit, and private organizations has been touted as a means for resolving problems with less government intrusion. On the surface, collaboration
may seem like an obvious and easy thing to do. Yet collaboration is surprisingly difficult in practice and evidence of the impacts of collaboration on environmental conditions has thus far been hard to demonstrate.

**Required readings:**
Emerson and Nabatchi, *Collaborative Governance Regimes*, Georgetown University Press, 2015. (Read pages 26-51; 57-86; and chapters 6, 7, and 9.)

**Web sites of interest:**
Puget Sound Partnership
Ecosystem Management Initiative – The Collaborative Dimension
Policy Consensus Initiative

**Memo assignment:** Follow the memo template posted on the course website. Using the government leads/follows/encourages framework in the book, analyze a case study of collaborative governance, such as those in the book or described in the links above. You may know of others currently being designed or already implemented in other parts of the world. Be sure to discuss the pros and cons of collaborative governance in the context of the case.

**Finals Week** (no exam)

Term papers due on March 11 at noon on Canvas. The grade penalty for a late submission will be .3/week (as with the memos).