

Chapter 3: Environmental Policy: Decision Making and Problem Solving

Know the following terms:

Policy	Customary law
Public policy	Conventional law
Environmental policy	United Nations (UN)
Free rider	United Nations Environmental Programme (UNEP)
Legislation	European Union
Legislative branch	World Trade Organization
Executive branch	World Bank
Regulations	Lobbying
Judicial branch	Revolving door
Regulatory taking National Environmental Policy Act (NEPA)	Command-and-control
Environmental impact statement (EIS)	Subsidy
Environmental Protection Agency (EPA)	Green taxes
Tort law	Permit trading

San Diego and Tijuana's Sewage Pollution Problems and Policy Solutions-

1. What happens when resources cross boundaries? Read about the problem in San Diego's beaches and the town of Tijuana. In a short paragraph summarize the problem.

Environmental Policy: An Introduction

2. To forge effective policies what three things must be taken into consideration?
3. What was the science aspect involved in decision making in the Tijuana sewage problem?
4. What was the economic aspect involved in decision making in the Tijuana sewage problem?
5. What was the ethical aspect involved in decision making in the Tijuana sewage problem?

Environmental policy addresses issues of equity and resource use –

6. What is the aim of environmental policy making?
7. Hardin in his Tragedy of the Commons argues that resources will be depleted if they are accessible to all and unregulated. What two concepts are central to the making of environmental policy today?
8. What has been the driving force behind much environmental policy?

9. We all know people who we can refer to as “free riders” ... you know the type! Why do you think public laws are better at preventing free rider problems than private voluntary efforts?
10. Remember those external costs? You make the mess and I deal with the mess is basically what that entails. What are examples of external costs in the case of the Tijuana sewage and waste?

Many factors hinder implementation of environmental policy –

11. Where does most environmental legislation come from in the United States?
12. How do developers and businesses view many regulations?
13. Do you think most businesses are interested in long-term effects on the environment or on the short-term economic gain? Is this right?
14. How do the media play a role in environmental awareness? Do you think they are very effective?

U.S Environmental Policy

15. What branch of government is responsible for legislative laws?
16. Who approves (enacts) or rejects (vetoes) new legislation?
17. What do administrative agencies do with laws?
18. What branch of government interprets the law?

State and local policy also affects environmental issues –

19. Which laws take precedence; those of the state or those of the federal government?
20. What did California state legislatures enact to help protect the beaches of San Diego?

Some constitutional amendments bear on environmental law -

21. We live in a country with many freedoms and rights. Our U.S. Constitution protects us in many ways. What does the Fourteenth Amendment protect?
22. How does this apply to environmental justice?
23. What does the Fifth Amendment protect?
24. How does this law protect a landowner who wants to build homes on land that may not be suitable in the eyes of the law?

25. How does a regulatory taking happen?

Early environmental policy addressed public land management –

26. What was the push for the first environmental policies in the 1780's?

27. What did these laws mainly promote?

28. Homestead Act of 1862 –

29. Minerals Land Act of 1866 –

30. Timber Culture Act of 1873 –

The second wave of US environmental policy addressed impacts of the first -

31. What was the catalyst for the second wave of acts?

32. Yellowstone 1872 –

33. Theodore Roosevelt 1903 –

The third wave of US environmental policy responded largely to pollution –

34. What was the driving force behind policies established in the mid 20th century?

35. What was the book *Silent Spring* about? Who was the author?

<http://www.nrdc.org/health/pesticides/hcarson.asp>

36. What happened to the Cuyahoga River in Cleveland, Ohio?

When was the first Earth Day? <http://earthday.envirolink.org/history.html>



NEPA gives citizens input into environmental decision policy decisions –

37. What is the NEPA and what president instituted this act?

38. What is the EIS and what did it protect?

Creation of the EPA marked a shift in environmental policy –

39. What does the EPA oversee?

Other prominent laws followed –

40. Clean Water Act of 1977 –

41. Rivers and Harbors Act of 1899 –

42. Federal Waters Pollution Control Act 1963/1972 –

The social context for environmental policy changes over time –

43. What 3 factors converged in the 1960-1970's to create major advances in environmental policies?

44. What has happened with enforcement of these laws since the 1980's?

45. What was the 1992 Earth Summit in Rio de Janeiro?

46. What is the new and fourth wave of environmental policy trying to address?

International law includes conventional and customary law –

47. What is the difference between a customary law and a conventional law (international)?

48. What is the Montreal Protocol of 1987 addressing?

49. The Kyoto Protocol? Later you will learn how the U.S. felt about this law!

Several organizations shape international environmental policy –

50. U.N. -

51. UNEP –

52. EU -

53. WTO -

54. World Bank –

The environmental policy process begins when a problem is identified –

55. What was the first step in the San Diego/Tijuana policy making process?

Identifying causes of the problem is the second step in the policy process –

56. What were the specific problems found in the Tijuana River watershed?

57. What does risk assessment have to do with this?

The third step is envisioning a solution –

58. What is risk management?
59. How did Tijuana start the process of the cleanup?

Getting organized is the fourth step –

60. How did one woman influence the movement to change procedures in waste water treatment and pollution in the Tijuana River?
61. Do you think this sort of activism is something you could do if you saw a problem that needed correcting? Would you be concerned to make corrections even if it did not affect you?

Subsidies are a widespread economic policy tool –

62. What is the benefit of a tax break?
63. What are subsidies and are many of them environmentally beneficial?
64. Who pays for these in the end?
65. Give a brief overview of the following:
 - General Mining Law of 1872 –
 - Coal subsidies –
 - Forest Service road-building subsidies -

Green taxes discourage undesirable activities –

66. What are green taxes?
67. What does the polluter pays principle state?
68. What incentives do these taxes produce for companies?
69. Markets in permits can save money and produce results –

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70. What is the basis for permit trading?
71. What is a cap-and-trade system?
72. Have these systems been successful? Explain