



IOWA CHAPTER

MAKING GOVERNMENT WORK FOR THE PEOPLE

State Environmental Quality Act

In the search for economic development opportunities and the race to increase the tax base, environmental concerns are often tossed to the side or considered as an afterthought. Iowa has already lost significant numbers of acres of native prairie and forest; Iowa's waters are threatened with pollution; and Iowa's air quality needs to be protected.

Federal projects require an environmental review under the National Environmental Policy Act (NEPA) and Section 4(f) of the Federal Highway Act. But Iowa does not have an environmental policy act that requires environmental review of actions taken by state and local governmental entities. This gap needs a remedy. State law currently requires an analysis of economic impacts for projects and legislation. It is only fitting that state law requires an analysis of environmental effects in its decision making process.

Sierra Club proposes a State Environmental Quality Act that would require that every governmental action to have a statement on:

- the environmental impact of the proposed action;
- adverse environmental effects that cannot be avoided should the proposal be implemented;
- alternatives to the proposed action;
- the relationship between local, short-term uses of the natural environment and the maintenance and enhancement of long-term productivity; and
- any irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented.



Photo by Mike "Augie" Augspurger

Additionally, the proposal would be implemented so that the environmental impacts identified in the environmental impact statement will be avoided.

PROPOSED LEGISLATION FOR THE IOWA ENVIRONMENTAL QUALITY ACT

Section 1. **Purpose.** The purposes of this Act are: (1) To declare a state policy that will ensure productive and enjoyable harmony between people and their environment; (2) to ensure efforts that will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of the natural environment and all species within it; and (3) to enrich the understanding of the ecological systems and natural resources important to the State and Nation.

Section 2. Legislative Recognitions – Declaration – Responsibility.

(1) The legislature, recognizing that people depend on their biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound impact of human activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource utilization and exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of people, declares that it is the continuing policy of the State of Iowa, in cooperation with federal and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to: (a) Foster and promote the general welfare; (b) to create and maintain conditions under which people and nature can exist in productive harmony; and (c) fulfill the social, economic, and other requirements of present and future generations of Iowa citizens.

(2) In order to carry out the policy set forth in this chapter, it is the continuing responsibility of the State of Iowa and its political subdivisions to use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- (a) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (b) Assure for all people of Iowa safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (c) Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences;
- (d) Preserve important historic, cultural, and natural aspects of our national heritage;
- (e) Maintain an environment that supports diversity and variety of individual choice;
- (f) Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and
- (g) Enhance the quality of renewable resources and approach the maximum attainable recycling of resources.

(3) The legislature recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and restoration of the natural environment.

Section 3. Requirements for State Agencies, Local Governments – Statements – Avoiding Impacts.

The legislature authorizes and directs that: (1) The policies, regulations, and laws of the State of Iowa shall be interpreted and administered in accordance with the policies set forth in this chapter, and (2) all branches of government of this state, including state agencies, municipal and public corporations, and counties shall:

- (a) Utilize a systematic, interdisciplinary approach that will ensure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making that may have an impact on the natural environment;
- (b) Identify and develop methods and procedures that will ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations;
- (c) Include in every recommendation or report on proposals for legislation and other major actions significantly affecting the quality of the environment, a detailed statement by the responsible official on:
 - (i) the environmental impact of the proposed action;
 - (ii) any adverse environmental effects that cannot be avoided should the proposal be implemented;
 - (iii) alternatives to the proposed action;
 - (iv) the relationship between local short-term uses of the natural environment and the maintenance and enhancement of long-term productivity; and
 - (v) any irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented;
- (d) Implement the proposal so that the environmental impacts identified in the environmental impact statement will be avoided.

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