

# PROGRESS REPORT

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## A WATCHDOG FOR IOWA'S ENVIRONMENT

For nearly 45 years, the Clean Water Act has provided critical protections for the nation's waters. However, the Act is only as strong as its implementation and enforcement, and essential aspects are too often overlooked. Such was the case with parts of Iowa's anti-degradation standards – until recently.



Rick Dietz, one of the Council's members that provided testimony in the case, is an avid paddler. Photo credit: Diane Michaud Lowry.

Last month, an Iowa District Court sided with the Iowa Environmental Council and the Environmental Law & Policy Center (ELPC) when it ruled the Iowa Department of Natural Resources (DNR) failed to properly enforce the state's clean water anti-degradation standards when it approved a wastewater treatment project that would increase unnecessary pollution in the Des Moines River Watershed.

The Clean Water Act requires all states to include an anti-degradation policy and implementation procedure aimed at protecting existing water quality in their state's water quality standards. The purpose of anti-degradation is to create a framework and methodology for the state to use when deciding if, when, and how much water quality can be lowered by a proposed "regulated activity" such as discharging wastewater into a river or stream. This is the first legal case addressing the enforcement of Iowa's anti-degradation standards since the Iowa Supreme Court upheld the standards in 2014.

"This is a significant victory for clean water that extends beyond this individual case," said Executive Director Ralph Rosenberg, adding that this win would not have been possible without our members.

Several members who live in the Des Moines River Watershed and use its waters for drinking and recreation provided written testimony about how

they would be directly affected by this project, which allowed the Council to show it had legal standing in the case.

"This underscores how critical it is for the Council to have members across the state, and illustrates what we can accomplish together as a coalition of diverse individuals and organizations," added Rosenberg.

The Council was instrumental in shaping Iowa's strong but reasonable anti-degradation standards, and has regularly filed public comments and met with DNR officials about the proper consideration of the standards since 2013. DNR's lack of action on these concerns led to the Council's decision to have ELPC file a petition for judicial review on its behalf in the state District Court.

We look forward to working with DNR in the future to effectively implement the anti-degradation rules to protect all of Iowa's lakes, rivers and streams from unnecessary new pollution, and to building on this success to create a legacy of clean water. ✨

Our spring 2016 update for members and friends.

### WHY I SUPPORT THE IOWA ENVIRONMENTAL COUNCIL

Lorraine May

Board President  
Attorney at Law,  
Hopkins & Huebner, P.C.  
Des Moines, IA



Sometimes we are drawn to a cause. Other times, that cause finds us. In my case, it was a combination.

I've always had an interest in environmental issues and had just decided to get more involved when a friend and former Iowa Environmental Council board member reached out to me.

The Council's emphasis on collaboration, the commitment to accuracy and firm belief in science-based policies really resonated with me. But what motivates me is what drives many of our members: a desire to create a better Iowa for future generations.

I have three adult daughters; all three live out of state. I want them back here someday, and want them to be able to drink the water, appreciate the land and breathe the air. I don't know many parents who disagree with me.

As I begin my new role as board president and reflect on how to further our cause, I think back to my own introduction to the Council. The best way to grow this work is to actively engage in it and share it with others. The Council belongs to all of us, and when we participate and invite others to be a part of this community, it flourishes. Together, we can leave a lasting legacy of a healthy environment. ✨

## PROGRESS REPORT

### LEAVE A LEGACY

Help ensure a safe, healthy environment and sustainable future for Iowa. Make a tax-deductible gift to the Iowa Environmental Council today. Also consider including the Iowa Environmental Council in your estate plans.

To give, return the enclosed card or visit [iaenvironment.org](http://iaenvironment.org). You may also contact Development Director Jamie Burch Elliott at [burch@iaenvironment.org](mailto:burch@iaenvironment.org) or 515.244.1194 x202.

## WHAT WILL BE YOUR LEGACY?

As Iowa's landscape shifts from winter into spring, I am reminded of the rewards of past actions taken with tomorrow in mind. Bulbs planted in the fall are now in full bloom, trees that started as saplings fill in with new growth, and the soil in the farmers' fields protected by cover crops planted last fall lies refreshed and ready for new crops. This time of year, I think about our shared vision for Iowa's environment, and the legacy of clean water, healthy land and clean energy we are working together to create.

In this issue of the *Progress Report*, you'll read about the actions the Iowa Environmental Council and its members are taking today not only to create a better tomorrow, but also a healthier present. You'll learn about a recent clean water victory in the Iowa courts, the results of which will extend beyond this individual case. Lorraine May, the Council's new board president, will leave you thinking about the power each of us possesses

to grow this work simply by inviting others to be a part of it. You'll be motivated by the results of establishing strong clean energy policies backed by diverse stakeholders, and be encouraged by the growing sense of urgency to address Iowa's water quality challenges.

I think perhaps David Hurd, one of the Council's earliest leaders and a fixture in Iowa's environmental community, best exemplifies what it means to not only leave – but actively live – our legacy. Together, we can create a future we can be proud of. Thank you for your membership and support.



Ralph Rosenberg  
Executive Director  
[Rosenberg@iaenvironment.org](mailto:Rosenberg@iaenvironment.org)

## SAVE THE DATE



Pro H<sub>2</sub>O

*Thirsty for Change*

Thurs., June 16, 2016

6 – 9 p.m.

Noce

Des Moines, IA

## 2017 Annual Conference

Thurs., Oct. 6

DMACC Ankeny Campus –

FFA Enrichment Center

Ankeny, IA

## RECENT EVENTS

Approximately 200 Iowans attended Environmental Lobby Day & REAP Day at the Capitol 2016 on Tuesday, March 22. Visit our blog, the *Iowa Environmental Voice*, to read about the event: [iaenvironment.org/blog](http://iaenvironment.org/blog)

## HAPPENING AT THE STATEHOUSE

*The Capitol has seen a flurry of legislative proposals*

pertaining to clean water, healthy land and clean energy. We're pleased with the increased attention on issues pertaining to Iowa's environment – especially recognition of the need for significant, sustainable funding to support water quality and conserve Iowa's diverse natural resources that is immediate and accountable. But it is too early to tell whether we will see truly meaningful action. As this issue goes to print, the Legislature is still in session. We will provide a review of 2016 Iowa Legislative Session in our summer 2016 *Progress Report*. ✨

# AN IOWA VISIONARY

*David Hurd didn't just talk about his belief in having a 1,000 year vision.* He lived his life by those words. And Iowa's natural resources - and the state as a whole - are better for it.

"David took the long view," said Trudy Holman Hurd, his wife. "He challenged himself and others to think beyond what was immediately in front of them. That does not mean we wait to act, just the opposite. It means we start now."

David, who served as President, CEO and Chairman of Principal Financial Group, was one of the Iowa Environmental Council's earliest leaders. He served as president and in other roles on our board of directors during critical times, was a steadfast supporter, a powerful advocate, and an inspiration to many in Iowa's environmental community.

"Once David committed to something, he really stuck with it," said the Council's first Executive Director Linda Appelgate, who worked with David in those early Council years and later through other like-minded organizations. "He was genuine, loyal, generous, down-to-earth, and just steady. His life was a life of personal self-improvement, and he believed strongly in staying in this community and making it better. That included conserving our environment." ✨



David Hurd, one of the Council's early leaders.

"David understood how our natural resources are interconnected not just to each other, but also to our health, businesses and communities," added Executive Director Ralph Rosenberg. "He brought out that sense of appreciation in others."

David passed away this winter, but his legacy lives on in the people, causes, companies and the organizations – environmental and otherwise – on which he left a lasting impression. We thank David for his leadership, and we honor him by focusing on our 1,000 year vision for clean water, land stewardship, and a healthy climate, and continuing to stride toward it. David, you will be missed. ✨

## POWERING THE PRESENT TO EMPOWER THE FUTURE

*A diverse group of allies* have voiced support for the Clean Power Plan following the U.S. Supreme Court's decision to issue a stay on the plan.

In an amicus brief to the D.C. Court of Appeals this month, Amazon, Apple, Google and Microsoft stepped up to support the Clean Power Plan as legal challenges to the standard continue to play out in the courts.

By reducing carbon pollution from electric power plants in the U.S., the Clean Power Plan would help accelerate the country's transition to clean energy – a transition that the corporations declared both "good for the environment and good for business."

These technology giants would know. As significant consumers of energy with firsthand experience of using clean energy at data centers located across the U.S. – including Iowa – these industry leaders found renewable resources to be "affordable, reliable, and consistent with sound business practices."

Iowa's Attorney General Tom Miller has also expressed strong support for the Clean Power Plan, recently stating that "Iowa has an enormous

amount at stake." Along with a coalition of 17 other states and several municipalities, he has intervened to help defend the Clean Power Plan in court.

For the past two years, the Council has worked to build a broad base of support among diverse stakeholders, and we are committed to helping ensure the Clean Power Plan's success. We continue to attend state stakeholder meetings on the Clean Power Plan and participate in regional discussions surrounding its implementation.

"We were disappointed in the U.S. Supreme Court's order, but we are not deterred," said Energy Policy Specialist Cindy Lane. "We look forward to working with the state's leaders to maximize the state's potential for continued clean energy growth and development." ✨



The Clean Power Plan is drawing support from diverse stakeholders.

MW installed, a hefty lead, but one that isn't out of Iowa's reach.

"Iowa has the technical potential to build more than 570,000 MW of wind," said Energy Program Director Nathaniel Baer. "Abundant wind resources, a strong history of public and private support, and the policy work of the Iowa Environmental Council and its partners have made Iowa the state to beat."

And Iowa's clean energy leadership is not limited to wind. Solar energy has been gaining rapid momentum in Iowa as well. In March, the Central Iowa Power Cooperative announced the launch of the single largest solar PV project in the state to date. Totalling 5.5 MW, the project will increase the amount of solar installed in the state at the end of 2015 by as much as 14-16 percent. Several other large-scale solar projects across the state, including a 1.5 MW community solar project led by Cedar Falls

Utilities, will drive Iowa's solar share even higher.

"By continuing to advance strong policies that expand the incentives available to own or invest in clean energy, and ensuring high voltage infrastructure exists to allow for continued development, we can maintain this momentum and expand access to clean energy for all Iowans," said Baer. Nathaniel will advocate for these and other clean energy policies as a member of the team developing the Iowa Energy Plan, a new initiative led by Lt. Gov. Reynolds, the Iowa Economic Development Authority and the Iowa Department of Transportation to shape Iowa's energy future.

"Iowans have seen the benefits of clean energy – for our economy, environment and communities – firsthand. It's a source of bipartisan pride in the state," added Baer. "We look forward to continuing to build on that legacy." ✨

# THE ONE TO BEAT



Solar and wind energy are gaining rapid momentum in the Hawkeye State.

*When states look for guidance on growing clean energy, they look to Iowa.* The state has emerged as a national clean energy leader in recent years, and recent data and announcements show Iowa is on track to continue that leadership.

In 2015, wind energy accounted for 31.3 percent of Iowa's electricity mix, placing it first in the nation in the percentage of electricity produced with wind according to the American Wind Energy Association (AWEA). Iowa is also gaining ground on its total wind energy capacity. National rankings released by AWEA in January revealed that Iowa had surpassed California – a state nearly three times its size – in 2015 to claim second in the amount wind energy installed within its borders at 6,212 megawatts (MW). The Lone Star State currently has 17,713



Council releases policy paper.

## HEALTHY LANDS, HEALTHY WATERS

*Prior to the start of the 2016 Iowa Legislative Session*, the Council released a new white paper "Healthy Lands, Healthy Waters: A Watershed Framework for Iowa," that advocates for a coordinated watershed approach to tackle the state's water quality challenges.

To implement such an approach, the policy paper calls for a dedicated, long-term sustainable source of funding to support implementation, and elevation of the role of Watershed Management Authorities.

Adopting a more coordinated watershed approach is not a new idea. Iowa has a number of plans and programs that recognize the importance of a watershed approach, including the Iowa Nonpoint Source Management Plan and the Iowa Nutrient Reduction Strategy. However, neither has been fully implemented.

The policy paper's release was followed by a series of Watershed Wednesday blog posts in January that feature watershed-based models in Iowa and Minnesota. These posts, as well as the white paper, are available in the News & Resources category on the Council's website, [iaenvironment.org](http://iaenvironment.org). ✨