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Iowa Supreme Court 2 – Racoon River 0: Allan Gates (Mitchell Williams) American College of Environmental Lawyers Blog Post

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My law firm colleague Allan Gates authored a recent blog post for the American College of Environmental Lawyers (“ACOEL”) titled:

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Iowa Citizens for Community Improvement v. State of Iowa

Allan is a Past-President of ACOEL.

Allan’s post discusses litigation targeting agricultural nutrient pollution affecting the Racoon River in Iowa. The post notes by way of background:

The Racoon River rises in central Iowa, an area of exceptional agricultural productivity, especially corn, soybeans, and hogs. The agricultural activity contributes large quantities of nutrient pollution to the river. This agricultural nutrient pollution has long been the focus of controversy, particularly because the city of Des Moines uses the Racoon River as a source of drinking water.

The post addresses two Iowa Supreme Court decisions involving the Des Moines Water Works and two public interest groups, respectively, that have attempted to target through litigation discharges of nutrients into the Racoon River. The litigation has involved a Clean Water Act citizen suit and subsequently an attempt to invoke the public trust doctrine.

The post describes the results in each instance.

A link to the post can be found [here](#).