Environmental Policy: The Right to Clean Air and Water



SETTING THE STANDARDS FOR CLEAN WATER AND AIR IN THE UNITED STATES

The right to clean air and clean water is recognized as a fundamental right in the United States to maintain public health, environmental sustainability, and overall quality of life. Clean air is essential for respiratory health and well-being, while access to clean water is vital for hydration, sanitation, and food production.

In Washington state, the constitution does not mention the right to clean air and clean water. However, Article I, Section 1 of the Washington Constitution establishes the inherent rights of individuals, which can be interpreted to include the right to a healthy environment.

The Clean Air Act has been instrumental in establishing stringent air quality standards and regulating harmful emissions. In addition to the Clean Air Act, the Clean Water Act and the Safe Drinking Water Act continue to protect surface waters and drinking water supplies from contaminants, including PFAS. They protect communities from waterborne diseases and give safe access to vital resources.

The Comprehensive Environmental Response, Compensation, and Liability Act addresses contaminated sites that pose risks to air and water quality.

Together, these laws safeguard our environment. The First Amendment of the U.S. Constitution guarantees freedoms concerning religion, expression, assembly, and the right to petition the government. It impacts individuals' rights to clean air and clean water by empowering them to advocate for environmental protection. Freedom of speech and expression allows for the mobilization of public support, influence on policy changes, and to ensure the voices of those affected by environmental degradation are heard.

As communities across the country continue to confront environmental challenges, enforcing these laws remains crucial for future generations to inherit a healthy and sustainable environment.

Cramer, K. (2022). Restoring states' rights adhering to cooperative federalism in environmental policy. *Harvard Journal of Law and Public Policy*, 45(2), 481–502.