WELCOME
Legal Issues in the Age of Climate Adaptation
Goals for today

- Establish the context for continuing discussions and actions
- Identify potential legislative/regulatory needs/proposals
- Identify continuing legal uncertainties ripe for
  - Academic research
  - AG opinions
  - Requests for clarification of federal rules
  - Partnerships with CT real estate bar, insurance bar
Attack of the Chicago climate change maggots
The cost of climate change

Attack of the Chicago climate change maggots

The effects of climate change are creeping into Chicago's low-income neighborhoods.
The Washington Post

In May, a year after sewage swamped Burns’s basement, an insurance giant took to an Illinois courtroom for what might have been a publicity stunt, or what might be a preview of a nationwide battle over who foots the bill for extreme weather events linked to climate change. Farmer’s Insurance Co. sued the city of Chicago for failing to prepare for the effects of global warming.

The city “should have known,” the lawsuit alleged, “that climate change in Cook County has resulted in greater rainfall volume ... than pre-1970 rainfall history evidenced.” The storms are not an act of God, the suit claimed, but a carbon-driven reality outlined in Chicago’s own Climate Action Plan, published in 2010.
Who is going to pay?
State Representative
JAMES M. ALBIS
Serving the 99th Assembly District - East Haven

- Co-Chair, House Environment Committee
- Chair of the Shoreline Preservation Task Force
- Finance, Revenue, & Bonding Committee
- Executive & Legislative Nominations Committee
- Connecticut League of Conservation Voters legislative champion
Legal Issues in the Age of Climate Adaptation

James Albis
Nov. 6, 2015
Old Saybrook, CT
Agenda

1. Science/Impacts
2. State Responses
3. Political Challenges
1. Science/Impacts
Global mean sea level rise relative to the 1900-1905 average.
Source: IPCC AR5 Summary for Policymakers.
Flood Damages by Year

Source: NOAA National Weather Service
Costliest Disasters, U.S. History

Source: Insurance Information Institute
Avg Annual Federal Disaster Declarations

Source: FEMA
2050, Medium SLR Scenario

Source: www.coastalresilience.org
2050, Medium SLR, Category 2

Source: www.coastalresilience.org
2. State Responses
Legislative Response

- Shoreline Preservation Task Force
- Public Act 12-101
  - Sea Level Rise incorporated into CT Coastal Management Act
  - Sea Level Rise incorporated into State Plan of Conservation and Development
- Public Act 13-15
  - Clean Water Fund projects must plan for sea level rise
- Special Act 13-9
  - Establish a CT Center for Coasts
Executive Response

• Shore Up CT
  • Low-interest loan fund for floodproofing measures such as raising homes
• CT Institute for Resilience and Climate Adaptation (CIRCA)
  • Product of Special Act 13-9
  • Assisting municipalities adapt to climate change
• Governor’s Council on Climate Change (GC3)
3. Political Challenges
Municipal Land Use
Legislative Barriers
Communication

Estimated % of adults who think global warming is already harming people in the US now or within 10 years, 2014

Source: Yale Project on Climate Change Communication
### Attitudes

% who believe that the following probably or definitely would happen…

<table>
<thead>
<tr>
<th>Event</th>
<th>Total (n=1,130)</th>
<th>Zone A (n=684)</th>
<th>Zone B (n=446)</th>
</tr>
</thead>
<tbody>
<tr>
<td>My home or property would be damaged by high winds</td>
<td>35%</td>
<td>34%</td>
<td>35%</td>
</tr>
<tr>
<td>My home or property would be damaged by flooding</td>
<td>25%***</td>
<td>27%***</td>
<td>19%</td>
</tr>
<tr>
<td>My home would be isolated due to flooding or debris from high winds</td>
<td>23%**</td>
<td>25%**</td>
<td>18%</td>
</tr>
<tr>
<td>I/Someone in household would be in danger from storm surge</td>
<td>18%</td>
<td>20%***</td>
<td>13%</td>
</tr>
<tr>
<td>I/Someone in household would be injured or killed</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
</tr>
</tbody>
</table>

*** $p<0.001$

Source: Yale Project on Climate Change Communication
## Attitudes

**Was the damage from recent storms more or less than you expected?**

<table>
<thead>
<tr>
<th></th>
<th>Total (n=996)</th>
<th>Zone A (n=622)</th>
<th>Zone B (n=374)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The damage was much more than I expected</td>
<td>23%</td>
<td>27%***</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A little more than I expected</td>
<td>29%</td>
<td>30%***</td>
<td></td>
</tr>
<tr>
<td></td>
<td>27%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>About what I expected</td>
<td>27%</td>
<td></td>
<td>32%***</td>
</tr>
<tr>
<td></td>
<td>25%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A little less than I expected</td>
<td>12%</td>
<td>11%</td>
<td>14%***</td>
</tr>
<tr>
<td></td>
<td>6%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Much less than I expected</td>
<td>7%</td>
<td></td>
<td>10%***</td>
</tr>
</tbody>
</table>

*** $p<0.001$ Source: Yale Project on Climate Change Communication
Thank You

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