

NAVIGATING THE WATERS OF FUTURE CLIMATE: LAW & POLICY

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Climate change and sea-level rise fundamentally alter the risks of flooding, rendering the “past is prologue to the future” approach to flood risk management obsolete. This fundamental change requires correlative changes in our approaches to developing and implementing plans and policies to avoid these changing, increasing risks.

Some of these flooding events are foreseeable—particularly sea-level rise—and can be modeled to predict the increasing extent of changes. As new information on climate change and its predicted impacts is reaching the public on an almost daily basis, the forecasts of existing models become less robust. But the science underpinning all modeling—existing and future—indicates that current projections upon which most models are based are increasingly optimistic.

Our presentation will begin with an overview of the global-scale implications of climate change-related physical impacts occurring today and the effect of these impacts on water and the water cycle. Next, we’ll examine overarching legal, policy, and social implications. This examination will be followed by a deeper dive into specifics of planning and law, including discussion of the No Adverse Impact (NAI) approach to floodplain stewardship and recent developments in Florida law and policy.

The presenters will conclude with lessons learned, including some tentative lessons emerging from the presenters’ on-going efforts with the Association of State Floodplain Managers (ASFPM) to build upon historical and contemporaneous water- and flood-related legal resources to develop a No Adverse Impact Legal Guide.

PRESENTER BIOS:

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