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Climate Change and the Chesapeake Bay

By [Glenn L. Unterberger](#) and [Ronald M. Varnum](#) | [September 21, 2015](#)

The global debate about climate change and how to address it is taking center stage. In December, the United States and other parties to the United Nations Framework Convention on Climate Change will meet in France with the goal of developing a new international agreement that aims to keep global warming to less than 2° C above pre-industrial levels, a target some experts believe will help avoid the worst impacts from climate change. Prior to the talks, the U.S. Environmental Protection Agency has finalized regulations limiting carbon dioxide emissions from both new and existing power plants, among the leading sources of anthropogenic carbon dioxide emissions in the United States. Other regulatory developments are underway or kicking off. Earlier this year, for example, EPA proposed new greenhouse gas emissions and fuel efficiency standards for medium- and heavy-vehicles and initiated a separate process designed to result in regulation of greenhouse gas emissions from aircraft.

It would be easy, therefore, to think of climate change only in terms of controlling emissions to the atmosphere. However, regional and local officials are considering what legal and policy mechanisms exist to address the regional and local impacts of climate change—such as more severe storms, increased sea level rise, and shoreline erosion. In that context, regional and local officials and private parties are increasingly considering how climate change affects land use decisions and land use planning. For example, in the wake of devastation to its coastline after Superstorm Sandy in 2012, the State of New Jersey and some coastal towns have worked to develop dunes along the entire oceanfront coastline to mitigate the effect of future storms. Some private property owners have agreed to easements to allow construction or reconstruction of dunes designed to provide a storm barrier. Where beachfront owners have resisted those efforts, condemnation proceedings have been threatened or initiated.

Policymakers and regulators in the Chesapeake Bay watershed are also considering impacts from climate change, and their efforts could affect land use planning and business decisions in that region. In June 2014, the Chesapeake Bay Program—a regional partnership that includes the federal government and the States of the Bay's watershed—completed the Chesapeake Bay Watershed Agreement, which broadly seeks to

protect the ecological resources of the watershed and includes goals related to sustaining fisheries, protecting water habitat, improving water quality, reducing toxic contaminants, maintaining healthy watersheds, and conserving land. But the Agreement also includes an explicit goal of increasing the “resiliency” of the Chesapeake Bay watershed to withstand climate change impacts. Those impacts may include increased risks of coastal erosion, flooding, higher water temperatures, increased carbon dioxide concentration in water, and other threats to natural resources, aquatic life, and water quality in the Bay.

In July 2015, the Chesapeake Executive Council of the Chesapeake Bay Program approved a number of management strategies designed to attain the goals of the Agreement, including a management strategy for “climate resiliency.” The management strategy involves developing priorities and a range of plans for monitoring and assessing the likely impacts of climate change and sea level conditions on the Bay ecosystem, and identifying adaptation goals and strategies that enhance the Bay’s ability to withstand those impacts. In large measure, this suggests that the Chesapeake Bay Program members will take into account the impacts from climate change in designing other strategies and practices to achieve all of the goals of the Agreement. For example, strategies that rely on wetlands restoration or buffer zones to reduce nutrient loading to the Bay or to otherwise protect the watershed may need to account for potential impacts to those buffer zones or wetlands that may be linked to climate change.

The Chesapeake Bay Program has designated a Climate Change Workgroup comprised of representatives from watershed states, federal agencies, and regional universities and non-governmental organizations to lead this ongoing work on integrating climate change considerations into efforts to benefit the Bay and its environmental values. The management strategy on climate change “resiliency”, for example, calls for work plans that will implement the strategy to be developed by April 2016, and to be reassessed biennially regarding progress in achieving targeted outcomes. The strategy identifies increased public and stakeholder engagement as a prominent component of this initiative.

In the meantime, much uncertainty remains as to whether and how management strategies to restore and protect the Chesapeake Bay and its resources will be implemented, and how climate change will affect that process. Nonetheless, climate change is working its way into land use planning and decision-making, and it may be prudent for parties who could be affected to pursue opportunities to participate in those activities. In the coming years, one expects that the effects of climate change will more frequently be relevant to decisions that local officials, businesses, and private landowners are making about how they use and manage their land.

Glenn L. Unterberger is a partner and Ronald M. Varnum is of counsel at the law firm of Ballard Spahr LLP, and they are members of the firm’s Environment and Natural Resources Group.

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