



Climate Justice: Holding the Fossil Fuel Industry Accountable Through State Tort Law

March 24, 2020

Thank you for joining the webinar.



- ▶ We are a “think-and-do tank” with a network of more than 60 Member Scholars working to build thriving communities on a resilient planet. We drive policy reform with rigorous and accessible legal analysis designed for changemakers.
- ▶ We invite you to visit our website at www.progressivereform.org

Presenters



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All photos courtesy of PCFFA



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Harbor and Fells Point



Description:

Surge (Cat. 4)

This map illustrates the extent of projected hurricane storm surge in Baltimore's Inner Harbor and Fells Point communities. Preliminary analysis of storm surge levels suggest that flooding would occur within ground floor levels of most buildings within the high value commercial and residential neighborhoods. While the map indicates that there are no Toxic Release Inventory facilities within the Inner Harbor and Fells Point, there are several former industrial sites within the illustrated storm surge inundation zone that are contaminated by toxic and hazardous materials. These sites are subject to state and federal regulations, such as Maryland's Voluntary Cleanup Program.



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Photos, map from Blue Water Baltimore and Clean Water Action



Tweet



Baltimore Schools @BaltCitySchools · Sep 4, 2019

ALERT: Due to the forecast for high temperatures, schools without AC will dismiss 2 hours early today, Sept 4. This applies ONLY to schools without AC. All other schools will have a regular school day. For a list of schools without AC, please visit baltimorecityschools.org/AC

26

54

69



Replies



tyyladd_ @tyyladd · Sep 4, 2019

Replying to @BaltCitySchools

Bro what my school only has like 2 AC rooms

1



1

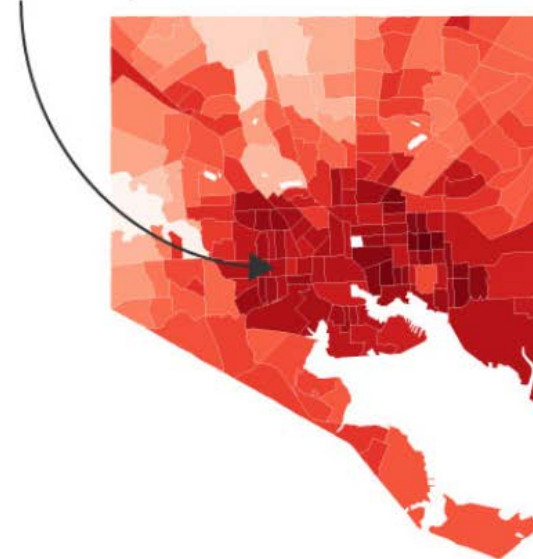


© Baltimore Sun

Heat And Income In Baltimore

SURFACE TEMP.

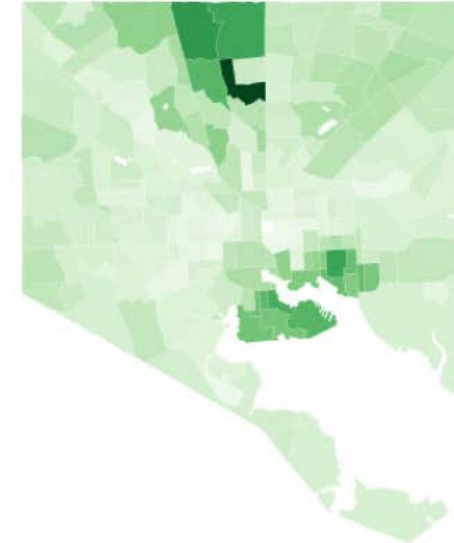
Franklin Sq.



Cooler

Hotter

INCOME



Minimum
\$14K

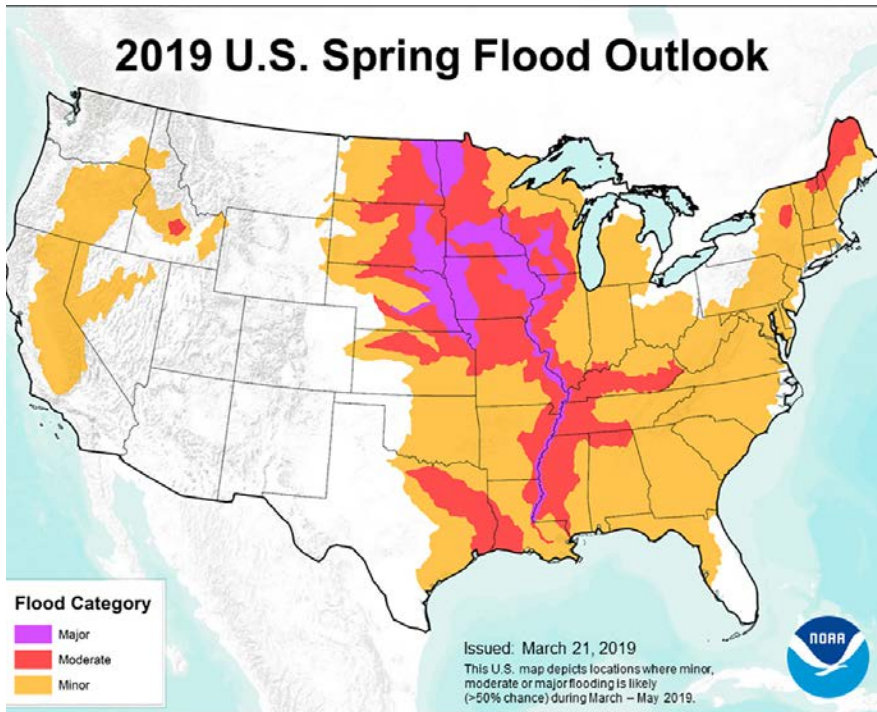
Median
\$41K

Maximum
\$209K

Note: Income measured as median household income per census tract

Source: NASA/U.S. Geological Survey, Census Bureau

Credit: Sean McMinn/NPR



U.N. Intergovernmental Panel on Climate Change (IPCC), 2007

Over a decade after the U.N. Framework Convention on Climate Change entered into force, and the Parties had yet to make meaningful commitments to curb the global threat presented by anthropogenic disruption of the climate system, the IPCC stated:

“[L]itigation is likely to be used increasingly as countries and citizens become dissatisfied with the pace of international and national decision-making on climate change.”

Grantham Research Institute on Climate Change and the Environment, *Global Trends in Climate Change Litigation*, 2019

“Holding government and businesses to account for failing to combat climate change has become a global phenomenon.”

“Climate change cases have been brought in at least 28 countries around the world, and of the recorded cases more than three quarters have been filed in the United States.”

San Mateo v. Chevron Corp.: Complaint filed July, 2017

“Extreme flooding events will more than double in frequency on California’s Pacific coast by 2050. Flooding and storms will become more frequent and more severe, and average sea level will rise substantially along California’s coast, and in the San Francisco Bay Area including San Mateo County. The County, bordered on two sides by water and among the most vulnerable counties to sea level rise in California, has already spent millions of dollars to study and mitigate the effects of global warming. Sea level rise already adversely affects the County and jeopardizes San Mateo’s sewer systems, beaches, parks, roads, civil infrastructure, and essential public services, and communities.”

Colorado v. Suncor Energy: Complaint filed April, 2018

“Colorado is experiencing and is extremely vulnerable to the impacts of climate change, including increases in extreme hot summer days and minimum nighttime temperatures, precipitation changes, larger and more frequent wildfires, increased concentrations of ground-level ozone, higher transmission of viruses and disease from insects, altered stream-flows, bark beetle outbreaks, ecosystem damage, forest die-off, reduced snowpack, and drought.”

“These impacts have already harmed Plaintiffs’ property and impacted the health, safety and welfare their residents. The damages will only multiply as climate change worsens. Plaintiffs are taking reasonable (and necessary) measures to address and abate these impacts within their respective jurisdictions. As the impacts of climate change grow more severe, they will do more harm to Plaintiffs and cause greater expense.”

San Mateo v. Chevron Corp.:

Complaint filed July, 2017

“Defendants’ production, promotion, marketing, and use of fossil fuel products, simultaneous concealment of the known hazards of those products, and their championing of anti-regulation and anti-science campaigns, actually and proximately caused Plaintiffs’ injuries.

Accordingly, the County brings claims against Defendants for Public Nuisance on behalf of the People of California as well as itself, Strict Liability for Failure to Warn, Strict Liability for Design Defect, Private Nuisance, Negligence, Negligent Failure to Warn, and Trespass.”

“Defendants are directly responsible for 227.6 gigatons of CO₂ emissions between 1965 and 2015, representing 20.3% of total emissions of the potent greenhouse gas during that period.

Accordingly, Defendants are *directly* responsible *for a substantial portion of committed sea level rise* (that is, sea level rise that will occur even in the absence of any future emissions) because of the consumption of their fossil fuel products.”

Suits Against Governments-Constitutions & International Laws

Belgium	Ireland
Canada	Netherlands*
Columbia*	New Zealand
EU	Pakistan*
France	Switzerland
Germany	UK
India	US (two)

Suits Against Fossil Fuel Companies-Common Law & Statutes

vast majority have been filed in the **U.S.**
(by state and local governments and one
fishing trade association)

Question & Answer



You may ask questions by typing them into the Q&A box.

Thank you!

- ▶ We encourage you to complete the survey on your screen after exiting.
- ▶ A link to the materials and the recording of today's event will be emailed shortly.

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