



Chesapeake Rising

Innovative Law and Policy
Solutions for Climate Adaptation
in Coastal Communities

Symposium Report



Proceedings prepared by Kerry McClaughry
Editors: Jenna Clark, Nicole Cook, Fredrika Moser, and Annalise Kenney
Graphic design and layout by Jill Gallagher

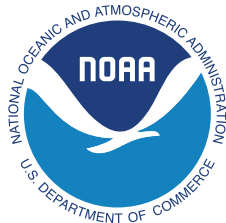
This report summarizes presentations, discussions, and results from the *Chesapeake Rising: Innovative Law and Policy Solutions for Climate Adaptation in Coastal Communities* on April 2, 2025 at the Georgetown Climate Center in Washington, DC. The statements, findings, conclusions, and recommendations in this report are those of the author(s) and do not necessarily reflect the views of the National Oceanic and Atmospheric Administration or the Department of Commerce.

This publication was made possible by a grant to Maryland Sea Grant from the National Oceanic and Atmospheric Administration, Department of Commerce through the National Sea Grant Law Center, award number NA24OARX417C0025-T1-01 SA#24-06-66. Additional support was provided from the State of Maryland through the University of Maryland Center for Environmental Science. Support was also provided by the Environmental Law Institute, the Georgetown Climate Center, and University System of Maryland's Agriculture Law Education Initiative. Papers generated by this project were published in the National Sea Grant Law Center's *Sea Grant Law & Policy Journal*.

A PDF of the report can be downloaded at mdsg.umd.edu.

Preferred citation:

McClaughry, K., Moser, F., Clark, J., Cook, N., & Kenney, A. (eds). 2026. *Chesapeake Rising: Innovative Law and Policy Solutions for Climate Adaptation in Coastal Communities Symposium Report*. Maryland Sea Grant Publication UM-SG-TS-2026-04.



Maryland Sea Grant College
University System of Maryland
5825 University Research Court, Suite 1350
College Park, Maryland 20740
T 301.405.7500 | F 301.314.5780
www.mdsg.umd.edu

Table of Contents

Executive Summary.....4

Introduction 4

Symposium Background 5

Summary of Discussion Sessions 6

Next Steps.....11

Acknowledgments.....11

References 12

Appendix I: Breakout Discussions Summary.....13

Appendix II: Symposium Briefing Book 16

Executive Summary

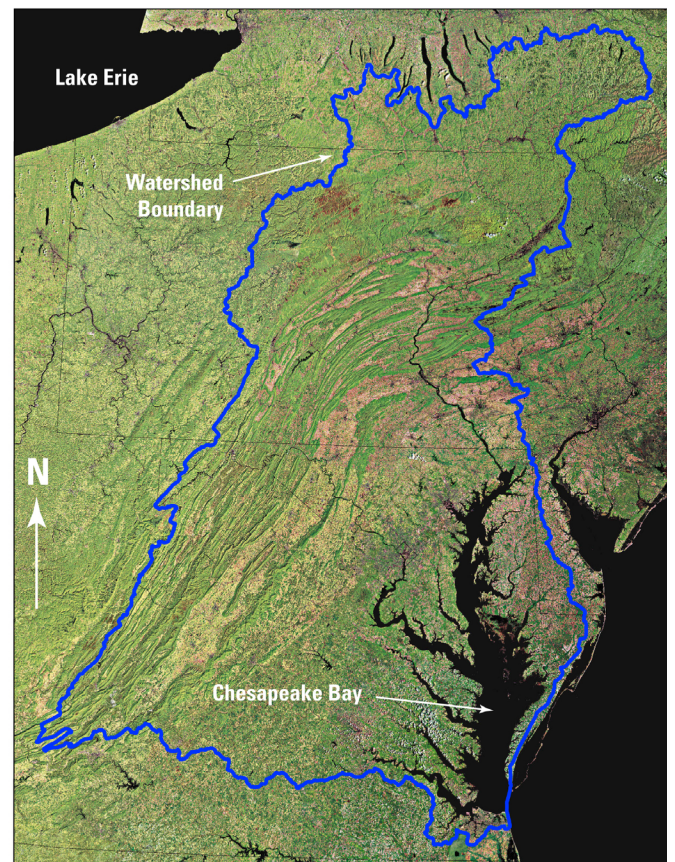
Maryland Sea Grant, the Georgetown University Law Center's Georgetown Climate Center, and the Environmental Law Institute led the *Chesapeake Rising: Innovative Law & Policy Solutions for Climate Adaptation in Coastal Communities* symposium on April 2, 2025, at the Georgetown Climate Center in Washington, DC. Attendees from academia, government, non-governmental organizations, and the private sector convened to explore pressing coastal adaptation issues through the lens of law, science, and policy, specifically focusing on identifying gaps in legal scholarship.

The symposium was split into two sessions: (1) Governance Frameworks in the Chesapeake Bay Region and (2) Place-Based Adaptation in the Chesapeake Bay Region. Each session featured a keynote speaker, a panel of experts, lightning talks by researchers, and breakout table discussions. Participants identified some key gaps in connecting, educating, and engaging with communities; land use and planning; consistent and creatively sourced funding; working across different levels of governance; and connecting to private landowners.

Introduction

The Chesapeake Bay is the largest estuary in the United States, encompassing 64,000 miles of watershed and 18 million people across seven different jurisdictions: Maryland, Virginia, Connecticut, Washington, DC, New York, Pennsylvania, and West Virginia (Chesapeake Bay Program, n.d.). Communities in the Chesapeake Bay region face a myriad of challenges stemming from the effects of climate change, including accelerated sea level rise, extreme adverse weather events, chronic flooding, increasing heat, and rapid shoreline erosion (Chesapeake Bay Foundation, n.d.). While significant efforts have been made to address these challenges, the key is to work collaboratively throughout the Chesapeake Bay region. This can be challenging; governance structures and regulations vary among the different states and across a range of communities from small hamlets to major metropolitan areas. To address these challenges of a changing environment and community vulnerability, Maryland Sea Grant (MDSG) proposed and was awarded support by the National Sea Grant Law Center to consider legal and policy deliberations concerning the Chesapeake Bay region's coastal adaptation strategies, existing scholarship, and current legal and policy gaps.

Maryland Sea Grant, in collaboration with the Georgetown Climate Center and the Environmental Law Institute, led the *Chesapeake Rising: Innovative Law & Policy Solutions for Climate Adaptation in Coastal Communities* symposium on April 2, 2025, at the Georgetown Climate Center in Washington, DC. The purpose of the symposium was to advance the understanding of current legal issues, barriers, and strategies for climate adaptation in the Chesapeake Bay region.



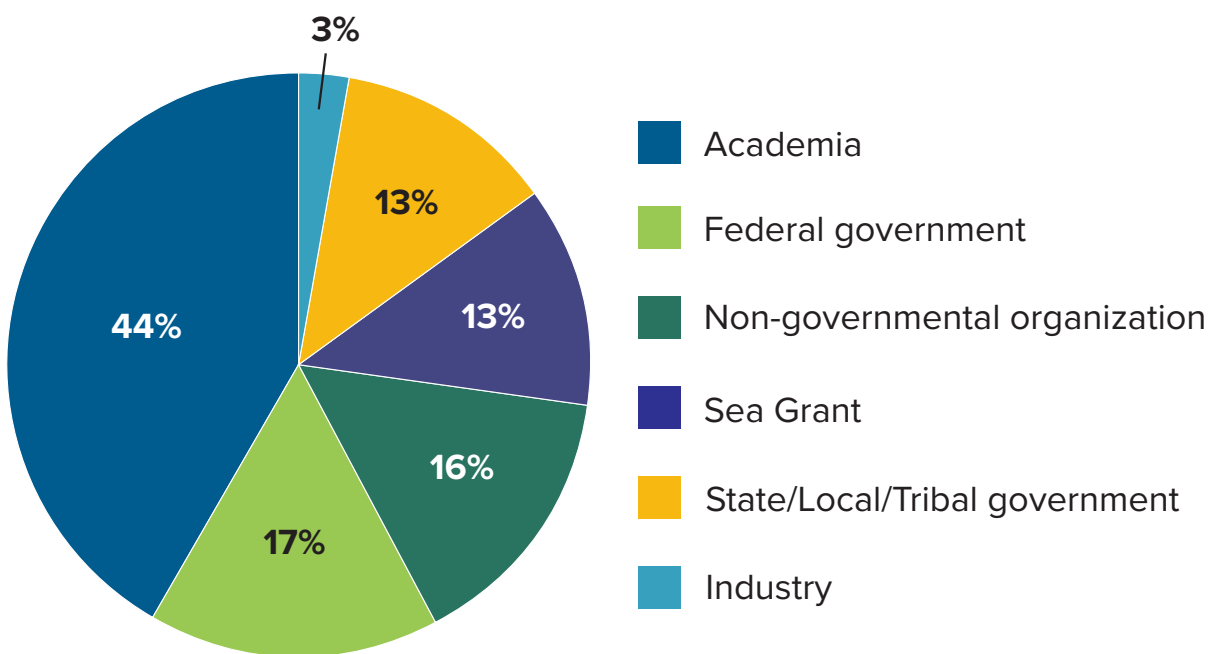
Chesapeake Bay Watershed. Photo, USGS/Public Domain

Symposium Background

The goals of the symposium were to:

1. Explore pressing coastal adaptation issues through the lens of law, science, and policy, focusing on identifying gaps in legal scholarship;
2. Engage early career lawyers and advanced law students through their participation in a symposium and in researching and writing law journal articles; and
3. Facilitate cross-cutting collaboration and legal scholarship in coastal adaptation by bringing together law and policy experts, scientists, early career lawyers, and students to engage in discussions, network, and form partnerships to advance innovative approaches.

The symposium brought together 84 participants from diverse affiliations—including government, academia, private industry, student groups, and non-governmental organizations (NGOs)—and disciplines, including science, engineering, law, community engagement, and policy.



Prior to the symposium, researchers who were either advanced law students or early career professionals were invited to submit paper ideas for the symposium and subsequent publication in the *Sea Grant Law & Policy Journal*. Six papers were selected and the authors presented during the symposium, covering a variety of topics including litigation, water quality, wetland migration, small community relocation, disaster preparedness, and resilience officers. For ease in discussions, two groupings were formed from these topics and guided the overarching themes of the symposium.

The symposium consisted of two sessions: (1) Governance Frameworks in the Chesapeake Bay Region, which focused on different levels of governments and their agencies' policies concerning the Chesapeake Bay, and how multiple levels of government affect coastal communities' abilities to adapt to climate change; (2) Place-Based Adaptation in the Chesapeake Bay Region, which focused on climate adaptation challenges at local and ecosystem levels, and the role of private land ownership in the region.

Each session began with a keynote address outlining the session's theme and highlighting the major challenges facing coastal communities. Small panel discussions on the panelists' topics followed, connecting the keynotes' broad themes to specialized research. Then, researchers delivered brief "lightning" presentations summarizing their research topics. Breakout groups following the researchers' presentations allowed participants to have in-depth discussions about the session. This format allowed participants to hear from experts and engage in action-oriented small group discussions focused on the session topics. The themes from these discussions are shown in Appendix I.

Summary of Discussion Sessions

Rich conversation and innovative thinking bolstered the symposium. Participants were intentionally distributed across ten breakout groups to ensure a balanced mix of affiliations and expertise, promoting meaningful multidisciplinary collaboration. The steering committee and management group emphasized these discussions should reflect a multidisciplinary perspective to foster cross-cutting collaboration and enrich the researchers' legal scholarship. Each of the 10 breakout groups discussed the theme and provided input on the researchers' ideas, including potential resources and alternative issues or questions researchers should consider for their topic. Discussions were used to guide researchers into the next stage of their article development and to more broadly identify gaps hindering community climate adaptation. To facilitate knowledge sharing, each table's discussion notes were provided to the researchers after the symposium. In April, these early-stage professionals and/or students developed their work into law review articles, which were published in the [Sea Grant Law & Policy Journal](#) (National Sea Grant Law Center, 2026). A more detailed description of the breakout discussion topics can be found in Appendix II.

Identified Gaps and Innovative Approaches Summary

SESSION 1: Governance Frameworks in the Chesapeake Bay Region

The morning session asked participants to identify federal, state, and county coastal adaptation and resilience law and policy gaps, and to brainstorm approaches to address these gaps. Breakout groups considered a range of topics including adaptive zoning, public-private partnerships, insurance pricing, community-led resilience planning, scientific innovation, cooperative federalism, multi-jurisdictional synergies, and the burden of financial responsibility.

The below list of 10 topic categories was shaped from symposium breakout session notes. Following the topic list, this report introduces the identified gap as well as suggested approaches brainstormed by participants. Beside each topic title is a number denoting how many breakout tables discussed the topic.

- Community Participation
- Financial Constraints and Instability
- Fragmented Governance and Coordination
- Science Data and Gaps
- Policy Framing, Effectiveness, and Enforcement
- Permitting and Regulatory Barriers
- Sovereignty, Inclusion, and Equity
- Implementation and Integration at Local Levels
- Ecosystem Adaptation Strategies
- Legal Barriers and Risk

COMMUNITY PARTICIPATION (10/10 TABLES)

Gap: A lack of community voices in regulatory and legislative decision-making processes, and a need for communities to have specific behavior changes to move the needle forward on resilience planning.

Approach: To build working relationships with local communities and outreach organizations or individuals, trust and understanding need to be established. To establish a trusted relationship, it is recommended that organizations establish a baseline understanding of the communities' priorities and culture, and incentivize community members' participation in resilience planning. In all steps of the process, participants emphasized that communities must have a voice in regulatory and legislative decision-making processes. Participants also voiced the need for inclusion of Tribal knowledge and Tribal governance systems in environmental outreach. Additionally, participants suggested that investment in education and collaboration with communities about ecosystem services and other environmental benefits may help enhance environmental literacy. A best practice could be to target outreach to specific sectors of community groups.

FINANCIAL CONSTRAINTS AND INSTABILITY (8/10 TABLES)

Gap: Challenges in funding, including absence, longevity, awareness, and disbursement of funding.

Approach: Participants suggested increasing awareness of funding eligibility and opportunities, sourcing funding from a variety of different spaces, including different agencies and grants in funding discussions, conducting economic valuations of resiliency measures, creating large-scale funding sources from results of litigations, and creating state- and regional-scale support for climate adaptation measures.

FRAGMENTED GOVERNANCE AND COORDINATION (8/10 TABLES)

Gap: Barriers of cross-governance coordination where policies and procedures may differ across regions.

Approach: Participants suggested bridging the barriers between local, state, regional, Tribal, and federal governments by increasing state and regional support in response to changes in federal priorities, and promulgating clear, enforceable guidance from state and federal governments.

SCIENCE AND DATA GAPS (6/10 TABLES)

Gap: Lack of access to scientific data for communities. Specifically, participants expressed concern that public datasets, which could guide lawyers and policymakers on emerging environmental issues or existing trends, may become privatized.

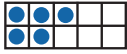
Approach: A suggestion was to create an assessment of what science is being done and where there still exists a lack of knowledge. For example, additional research on current flooding concerns and statistical complexities, incorporating storm frequency, sea level rise, and other climate related conditions, would help create better guidance on environmental degradation and ecological uplift.

POLICY FRAMING, EFFECTIVENESS, AND ENFORCEMENT (6/10 TABLES)

Gap: Outreach to policymakers is needed to effectively translate community priorities—especially ones affected by climate change—into policy change.

Approach: One suggested method of engagement was to create bipartisan “adopt-a-politician” programs where people are encouraged to meet with their representatives. The goal of this proposed program is to establish relationships between environmental scientists, community members, and policymakers; and keep policymakers informed on emerging environmental issues. Participants advocated for proactive, rather than reactive, environmental policies and assessments of risks associated with climate change.

PERMITTING AND REGULATORY BARRIERS (5/10 TABLES)



Gap: Procedural barriers, gaps in permitting tracks, and need for a balance between granting waivers and strong adaptation policies as challenges to progressing climate resiliency measures.

Approach: Participants suggested widespread guidance on different levels of permitting; a “fast-track” permitting route for climate resilience issues; integrating state stormwater regulations and flood protection measures; and updating wetlands protection policies.



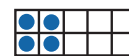
SOVEREIGNTY, INCLUSION, AND EQUITY (4/10 TABLES)



Gap: Need to recognize Tribal sovereignty, identify fears that hinder Tribal inclusion, and promote representation.

Approach: Participants suggested creating platforms to showcase, share, and incorporate Tribal ecological knowledge into policies. Participants noted that some Tribes have amended their constitutions to include the Rights of Nature, a movement that promotes and protects the intrinsic right of nature to exist as a legal right, which could be mimicked by states to build climate resiliency.

IMPLEMENTATION AND INTEGRATION AT LOCAL LEVELS (4/10 TABLES)



Gap: Lack of clear and communicable guidance from the state and federal governments for local governments and communities.

Approach: Participants suggested implementing a standard state training or certification program in resiliency measures and issues, which would be available to planning commissioners and others at local government levels. Other suggestions included statewide adaptation standards that can be broken down into regions or watersheds, tailoring state resiliency and adaptation plans to communities’ specific needs, and creating studies or resources focused on efficacy and feasibility of different climate resiliency strategies that are commonly considered by communities.

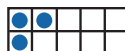
ECOSYSTEM ADAPTATION STRATEGIES (3/10 TABLES)



Gap: Need for implementation of conservation techniques and strategies that utilize transformational adaptation.

Approach: Participants suggested innovatively engineered solutions that are nature-based, such as promoting restoration of front-line wetlands with nearby communities, crafting rolling easements on waterfronts with severable lots that become triggered as sea level rises and utilizing rolling and conservation easements as a tool for adapting to changing states of the land (i.e. wetland migration, saltwater intrusion, sea level rise).

LEGAL BARRIERS & RISK (3/10 TABLES)



Gap: Lack of accessible legal resources to build confidence in community policymaking.

Approach: Participants suggested conducting a study of how some communities who are experiencing takings litigation—which can be triggered by some conservation methods such as managed retreat—have used their resources and where legal resources were lacking.

SESSION 2: Place-Based Adaptation in the Chesapeake Bay Region

In the afternoon session, participants considered local and individual place-based (e.g., municipalities, unincorporated areas, private properties) adaptation and resilience law and policy gaps, and innovative approaches to address those gaps. Tables considered topics such as nature-based solutions, wetlands law, insurance, individuals' property rights, pre- and post-extreme weather events, living shorelines, water quality and quantity, community health, access to healthy environment, sea level rise, and climate change.

The below list of 10 topic categories was shaped from symposium breakout session notes. Following the topic list, this report introduces the identified gap as well as suggested approaches brainstormed by participants. Beside each topic title is a number denoting how many breakout tables discussed the topic.

- Governmental Responsibility and Municipal Response
- Land Management
- Community Power and Participation
- Financing and Economics
- Disaster Preparedness, Recovery, and Insurance
- Resilient Infrastructure Permitting
- Legal Barriers
- Balancing Priorities
- Agriculture Policy and Coastal Farming
- Innovation and Research

GOVERNMENTAL RESPONSIBILITY AND MUNICIPAL RESPONSE (9/10 TABLES)

Gap: Need for transparency and trust-building for governmental structures and programs.

Approach: Participants stressed the importance of local communities speaking to legislators and testifying on bills to build trust in governmental policies.

LAND MANAGEMENT (9/10 TABLES)

Gap: Need to manage land effectively in a changing climate.

Approach: Participants gave the following ideas: integrating community feedback and preserving cultural identity in cases of managed retreat; exploring jurisdictional, enforcement, and mapping challenges in a critical area analysis; increasing the number of living shorelines by incentivizing the removal of hard infrastructure (e.g. bulkheads); employing a variety of proactive and reactive natural disaster management and response tactics; and examining challenges facing the agriculture and fishing industries, such as marsh migration and saltwater intrusion.

COMMUNITY POWER AND PARTICIPATION (8/10 TABLES)

Gap: Need to help further align private landowners with projects that reduce climate impacts.

Approach: Some examples of suggested approaches included: educating landowners and farmers about potential impacts to their land and mitigation approaches, incorporating landowners' perspectives when initiating new policies, and encouraging private landowners' participation in pilot projects. Participants also suggested reaching out to watermen, as this group has a strong connection to the water and a vested interest in adapting to changing climate impacts, and connecting beyond local communities to tourists, Tribes, and transient communities to engage these groups in resiliency best practices.

FINANCING AND ECONOMICS (8/10 TABLES)

Gap: Similarly to the morning session, the ideas shared in the afternoon require creative financing and funding, but instead focused on how to target private landowners, farmers, watermen, and local governments. One specific gap participants discussed is the need for economic incentives to promote resilience practices at local levels.

Approach: Some approaches included passing tax breaks for those private landowners who participate in resilience projects, focusing resources on ways to keep private insurance companies invested in coastal communities, creating community resilience standards, and continuing carbon credit programs.

DISASTER PREPAREDNESS, RECOVERY, AND INSURANCE (7/10 TABLES)

Gap: One consequence of climate change is the increase in frequency and intensity of natural disasters, such as flooding events and hurricanes. Participants discussed the post-disaster tension between rebuilding as quickly as possible, including programs encouraging the re-habitation of disaster-prone areas, versus promoting resiliency-focused building methods.

Approach: Participants discussed how insurance companies can become a part of the solution by changing their policies to help de-incentivize moving back to a disaster-prone location after a disaster hits. However, participants also noted that any relocation of communities needed to be viewed under the same context of managed retreat with a focus on working with the community and ensuring that their voices are heard.

RESILIENT INFRASTRUCTURE PERMITTING (7/10 TABLES)

Gap: Need to better protect existing and new structures in areas likely to be impacted by extreme weather events and sea level rise through building standards and permitting changes.

Approach: Participants noted how innovation should drive the environmental sector and expanded upon some new ideas or areas where research and development would be beneficial. Examples included creating or refining permitting structures for nature-based solutions, focusing on up-to-date building standards that can withstand natural disasters and promote expedited rebuilding after a disaster, and sewage infrastructure at both large and small scales.

LEGAL BARRIERS (6/10 TABLES)

Gap: How can litigation and laws be used to drive adaptive measures to combat climate challenges? How can existing litigation be used to help areas where new climate conditions are emerging?

Approach: Participants suggested increasing accessibility to legal resources, especially in coastal areas facing new and changing conditions, as well as promoting citizen engagement. Additionally, similar to the morning discussions, participants discussed increasing flexibility in laws to help communities adapt to changing conditions.



BALANCING PRIORITIES (5/10 TABLES)

Gap: Need for dynamic, flexible policies in landscapes that are transitioning due to climate impacts.

Approach: Participants suggested creating policies that can balance priorities and tradeoffs between different interests. These include the environmental tradeoffs between (1) renewable energy and agricultural/conservation interests; (2) invasive species removal and buy-in on resilience measures; (3) field fire impacts; (4) climate adaptation and land use; (5) need for affordable housing and increased in at-risk geographical areas; and (6) resiliency/climate adaptation policies and preserving private landownership rights.

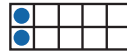
AGRICULTURE POLICY AND COASTAL FARMING (5/10 TABLES)



Gap: Need to adapt agricultural practices to rising sea levels and increasingly salty soils. Concerns included the current economic measures that prevent the incorporation of salt-tolerant crops.

Approach: Suggestions included incentivizing the use of salt-tolerant crops by making changes to the Farm Bill to broaden the category of specialty crops that receive greater protections and add more salt-tolerant crops to the list of those which can be subsidized under the Farm Bill, increasing flexibility for coastal farmers; and using high-resolution imagery for mapping and predicting sea level rise in the critical area to help predict where salt-water intrusion will impact agricultural land.

INNOVATION AND RESEARCH (2/10 TABLES)



Gap: Participants noted a need for more affordable avenues to promote research and development and additional research into understanding ecosystem benefits. *Note: tables did not discuss an approach to this gap.*

Next Steps

During the symposium, breakout discussions fostered conversations and connections between groups at different tables. Additional themes from these discussions are included in Appendix I, and more data can be obtained by reaching out to Maryland Sea Grant.

In April 2026, researchers from the symposium published their research in the *Sea Grant Law & Policy Journal*. Their final papers incorporated input from the symposium. Their articles are available at nsglc.olemiss.edu/sglpj.

Acknowledgements

The symposium organizers and collaborators extend our thanks to the members of our Steering Committee and symposium organizing committees, who dedicated their time to help guide this event: Elizabeth Andrews, Annie Bennett, Caldonia Carmello, Jenna Clark, Nicole Cook, Denise Dunkley, Caren Fitzgerald, Lauren Fremin, Kai Hardy, Cathy Janasie, Rebecca Kihslinger, Frank Lopez, Kerry McClaughry, Fredrika Moser, Peter Raffle, Joshua Saks, and Kate Zyla.

We would like to thank the additional members of the Maryland Sea Grant team who were instrumental in putting this together: Mike Allen, Jeannette Connors, Kim Cox, Natasha de la Cruz, Jill Gallagher, Annalise Kenney, and Julissa Murrietta.

We would also like to thank our keynote speakers, Secretary Serena McIlwain and Professor Vicki Arroyo, for providing valuable remarks, and our esteemed panelists and moderators: John Doherty, Anna Killius, Steve Klein, Molly Mitchell, Jon Mueller, Joshua Saks, and Emily Steinhilber. Additionally, we extend our thanks to our researchers: Kim Wood, Elisabeth Jefferson, Kai Hardy, Kathleen Gagnon, Bill Shultz, and Sydney Schuster.

We greatly appreciate the help from all of our facilitators and notetakers during this symposium: Mike Allen, Elizabeth Andrews, Annie Bennett, Marisa Borregine, Cally Carmello, Samantha Capaldo, Natasha De La Cruz, Denise Dunkley, Lisa Eddy, Rebecca Epanchin-Niell, Jesse Ferraioli, Bill Hubbard, Cathy Janasie, Sharon Kniss, Journey Lipscomb, Lauren Mariolis, Fredrika Moser, Julissa Murrieta, Andrea Pedemonte, Allison Coffey Reilly, Taryn Sudol, Ryland Taylor, Vanessa Vargas-Nguyen, and Spenser Whipperfurth.

References

Chesapeake Bay Foundation. n.d. Climate Change. <https://www.cbf.org/issues/climate-change/>

Chesapeake Bay Program. n.d. The Watershed. <https://www.chesapeakebay.net/discover/watershed>

National Sea Grant Law Center. (2026). Special Symposium Issue. *Sea Grant Law & Policy Journal*, 14(2). <https://nsglc.olemiss.edu/sglpj/vol14no2/sglpj14.2.pdf>

Appendix I: Breakout Discussions Summary

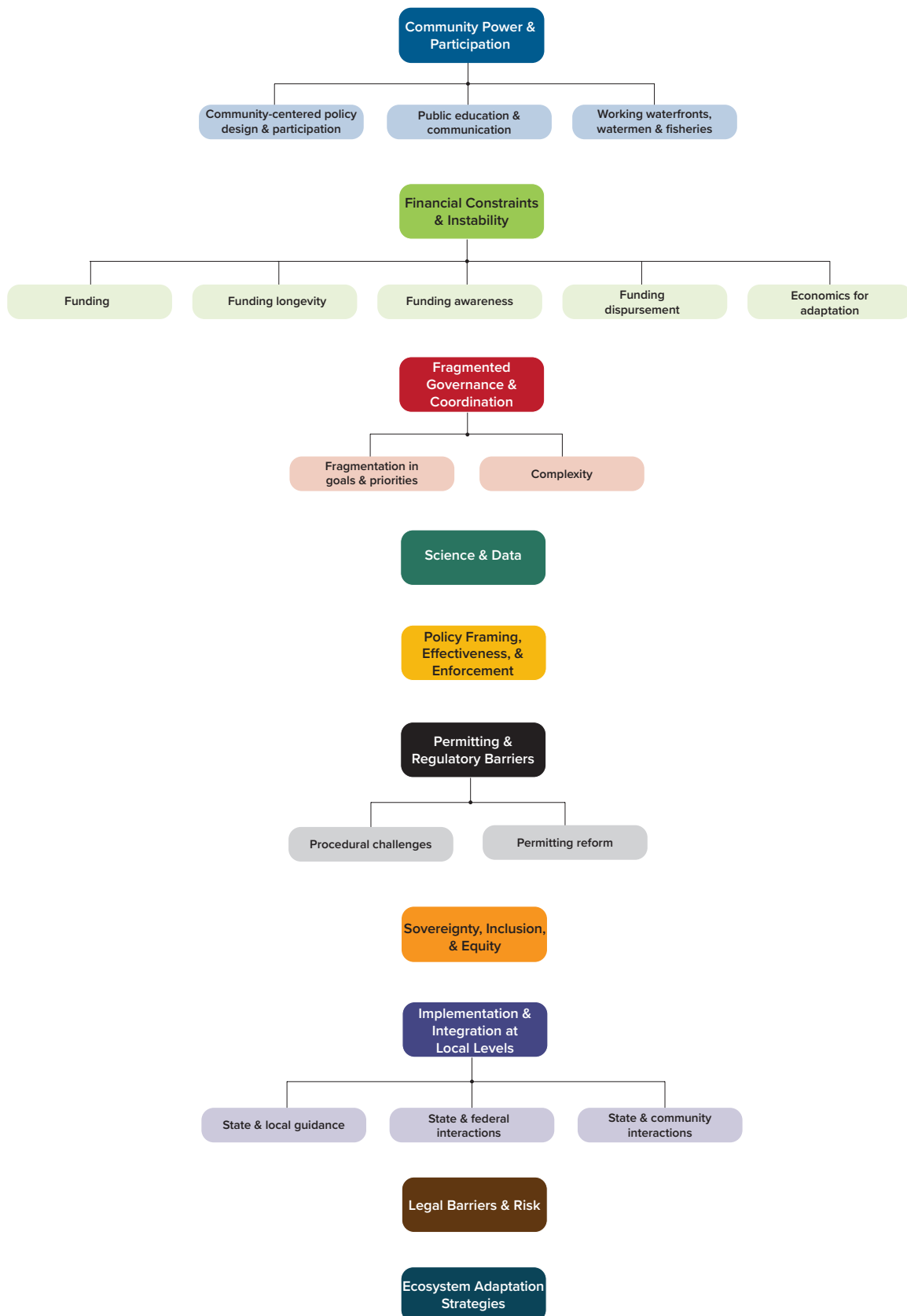
During each session, after the presentations from the researchers, participants were asked to reflect on the session's themes by considering written questions (Appendix II). The purpose of the Breakout Discussions was to fulfill the symposium's goal of facilitating cross-cutting collaboration across people from different sectors, engaging them in discussions, and potentially forming partnerships that could help advance innovative approaches to challenges faced by coastal communities.

The themes from these discussions are shown on the following pages.



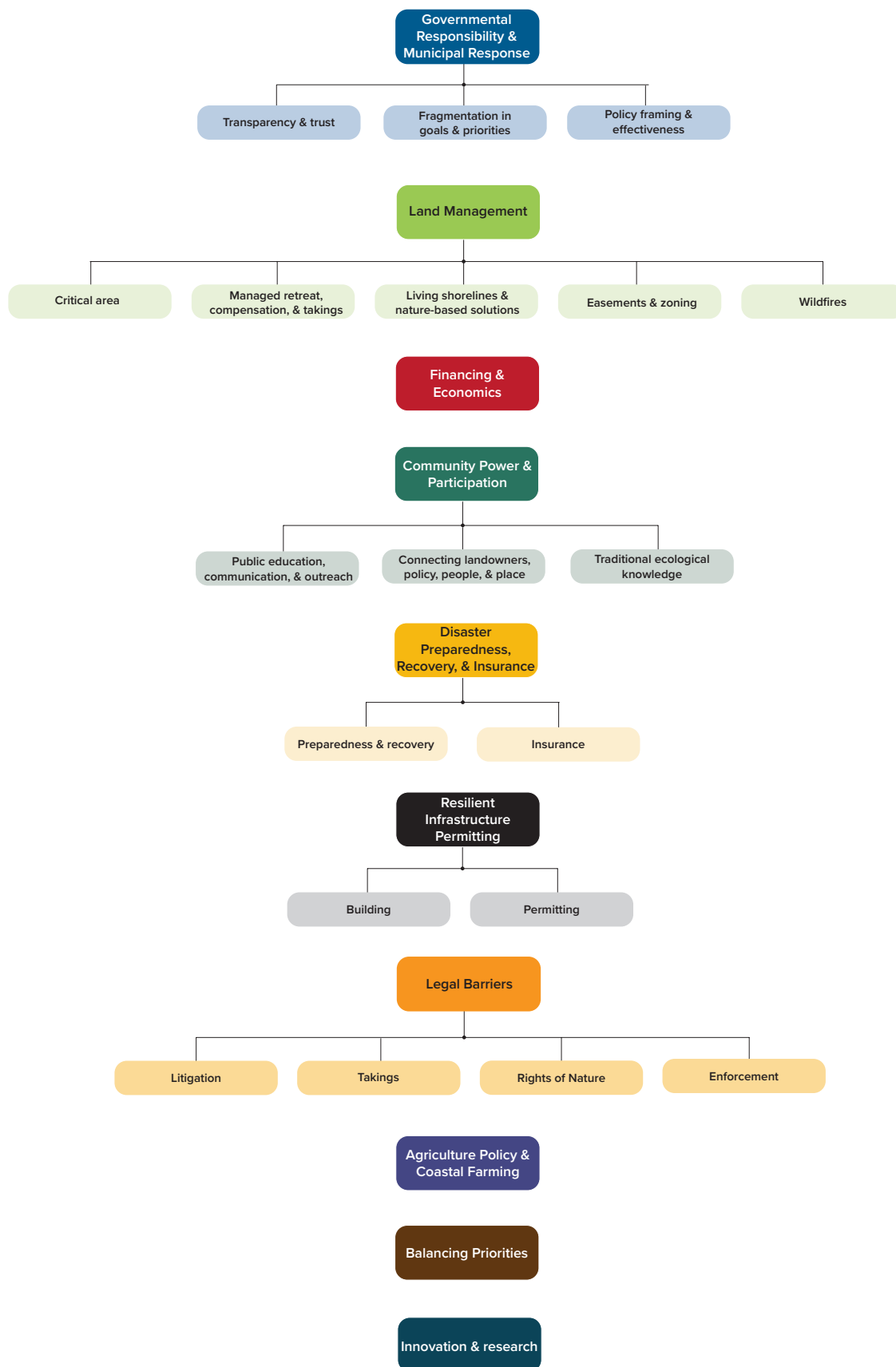
SESSION 1: Governance Framework in the Chesapeake Bay

These breakout discussions explored interactions between federal, state, and local governments. This included their funding for resiliency measures, planning laws, apportionment and rules for disbursing compensatory funds, and more.



SESSION 2: Place-Based Adaptation in the Chesapeake Bay Breakout Discussion Structure

These breakout discussions explored how adaptation is implemented on an individual or localized scale. This includes individual property rights, implementation of living shorelines at a site, impacts on water quality and quantity, and more.

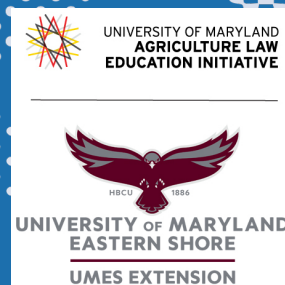




Chesapeake Rising

Innovative Law and Policy
Solutions for Climate Adaptation
in Coastal Communities

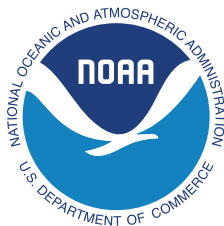
Georgetown Climate Center
Washington, DC | April 2, 2025



Chesapeake Rising: Innovative Law and Policy Solutions for Climate Adaptation in Coastal Communities

April 2, 2025 | Georgetown Climate Center

This project was made possible by a grant to Maryland Sea Grant from the National Oceanic and Atmospheric Administration, Department of Commerce through the National Sea Grant Law Center, award number NA24OARX417C0025-T1-01 SA#24-06-66. Additional support was provided from the State of Maryland through the University of Maryland Center for Environmental Science. Support was also provided by the Environmental Law Institute, the Georgetown Climate Center, and University System of Maryland's Agriculture Law Education Initiative. Papers generated by this project will be submitted to the National Sea Grant Law Center's *Sea Grant Law & Policy Journal*.



Front cover design: Jill Gallagher, Maryland Sea Grant

Maryland Sea Grant College
University System of Maryland
5825 University Research Court, Suite 1350
College Park, Maryland 20740
T 301.405.7500 | F 301.314.5780
www.mdsg.umd.edu

Table of Contents

Symposium Background and Purpose.....4

Agenda 5

Breakout Discussions 8

Project Overview.....10

Symposium Guidelines 12

Keynote Speakers 13

Panelist Biographies 14

Appendix A: Law Article Abstracts 17

Appendix B: Project Partners.....19

Appendix C: Symposium Participants 20

Symposium Background and Purpose

The Chesapeake Bay region is facing a myriad of challenges brought on by changing climate conditions. Sea level rise, extreme storm events, flooding, erosion, and other effects of a variable climate are tightly linked to coastal community sustainability. This intersection of a changing environment and community cohesion prompted Maryland Sea Grant (MDSG) to consider legal and policy discussions surrounding the Chesapeake Bay region's coastal adaptation strategies, as well as scholarship and current legal and policy gaps identified in work supported by the National Sea Grant Law Center. To address these gaps, MDSG collaborated with the Georgetown Climate Center (GCC), the Environmental Law Institute (ELI), and the University System of Maryland's Agriculture Law Education Initiative (ALEI) to host a one-day symposium, *Chesapeake Rising: Innovative Law and Policy Solutions for Climate Adaptation in Coastal Communities*. The symposium provides a forum for participants to hear from experts and engage in action-oriented conversations focused on innovative approaches to coastal adaptation to increase community viability.

Symposium Goal

To advance the understanding of current legal issues, barriers, and strategies for climate adaptation in the Chesapeake Bay region.

Symposium Objectives

1. Explore pressing coastal adaptation issues through the lens of law, science, and policy, focusing on identifying gaps in legal scholarship.
2. Engage early career lawyers and advanced law students through their participation in a symposium and in researching and writing law articles.
3. Facilitate cross-cutting collaboration and legal scholarship in coastal adaptation by bringing together law and policy experts, scientists, early career lawyers, and students to engage in discussions, network, and form partnerships to advance innovative approaches.

Symposium Outcomes

1. Identify key adaptation law and policy issues in the Chesapeake Bay region and potential pathways to solutions.
2. Generate a series of law journal articles for the *Sea Grant Law & Policy Journal*.
3. Highlight project findings to advance innovation in laws and policies to facilitate community resilience in the Chesapeake Bay region.



Chesapeake Rising:

Innovative Law and Policy Solutions for Climate Adaptation in Coastal Communities

April 2, 2025

Georgetown Climate Center • 500 First St. NW, Washington, DC

SYMPOSIUM AGENDA

- 8:30 a.m.

CHECK-IN

Check in for nametag and table assignment. Network with fellow attendees. Light refreshments available.
- 9:00 a.m.

WELCOME REMARKS

Fredrika Moser, Director, *Maryland Sea Grant*

Kate Zyla, Executive Director, *Georgetown Climate Center*

Cathy Janasie, Research Counsel, *National Sea Grant Law Center*
- 9:15 a.m.

KEYNOTE ADDRESS

Serena McIlwain, Secretary, *Maryland Department of the Environment*

Introduction by: Kate Zyla, Executive Director, *Georgetown Climate Center*

SESSION 1: Governance Frameworks in the Chesapeake Bay Region

- 9:45 a.m.

EXPERT PANEL

Experts explore federal, state, and local governance in the context of how law and science shape regional coastal adaptation policy.

Panelists:

Jay Ford, Virginia Policy Director, *Chesapeake Bay Foundation*

Anna Killius, Executive Director, *Chesapeake Bay Commission*

Emily Steinhilber, Director, Climate Resilient Coasts and Watersheds, Virginia, *Environmental Defense Fund*

Moderator: Joshua Saks, Adaptation Program Director, *Georgetown Climate Center*
- 10:30 a.m.

Break

10:45 a.m.

RESEARCH PRESENTATIONS

State-Level Resilience Governance: The Evolution of Virginia's Chief Resilience Officer

Kim Wood, Fellow, *Georgetown Climate Center*

Empowering Tangier Island: A Community-Led Managed Retreat for Cultural Preservation and Climate Adaptation

Elisabeth Nguty Nkeng, Law Student, *Emory University School of Law*

An Overview of Coastal Climate Adaptation Litigation in the Chesapeake Bay Region

Kai Hardy, Deputy State's Attorney, Addison County, *Vermont Department of State's Attorneys and Sheriffs*

Moderator: Kerry McClaughry, Law and Policy Fellow, *Maryland Sea Grant*

11:15 a.m.

BREAKOUT DISCUSSION

Nicole Cook, Environmental and Agricultural Faculty Legal Specialist, *Agriculture Law Education Initiative, University of Maryland Eastern Shore*

See **Breakout Discussions** on p. 8 for more information.

12:00 p.m.

Networking Lunch

Lunch will be available until 1:30 p.m.

12:30 p.m.

KEYNOTE ADDRESS

Vicki Arroyo, Professor from Practice, *Georgetown Law*

Introduction by: Sandra Thiam, Vice President, Research & Policy, *Environmental Law Institute*

SESSION 2: Place-Based Adaptation in the Chesapeake Bay Region

1:30 p.m.

EXPERT PANEL

Experts explore water and wetlands law and science in the context of shaping coastal adaptation policy.

Panelists:

Steve Kline, President and CEO, *Eastern Shore Land Conservancy*

Molly Mitchell, Assistant Professor, *Center for Coastal Resources Management, Virginia Institute of Marine Science*

Jon Mueller, Director, *Environmental Law Clinic, University of Maryland Carey School of Law*

Moderator: John Doherty, Science and Policy Analyst, *Environmental Law Institute*

2:15 p.m.

Break

2:30 p.m.

RESEARCH PRESENTATIONS

The Role of Critical Areas in Preserving the Chesapeake Bay

Kathleen Gagnon, Juris Doctor, *University of Maryland Carey School of Law*

The Aftermath of Coastal Wildfires and the Revocation of Environmental Policies in Australia and the United States

Sydney Schuster, Student, *University of Maryland Carey School of Law*

Addressing the Dynamic Problem of Saltwater Intrusion in the Agricultural Region of Maryland's Lower Eastern Shore

Bill Shultz, Student, *Georgetown University Law Center*

Moderator: Kerry McClaughry, Law and Policy Fellow, *Maryland Sea Grant*

3:00 p.m.

BREAKOUT DISCUSSION

Nicole Cook, Environmental and Agricultural Faculty Legal Specialist, *Agriculture Law Education Initiative, University of Maryland Eastern Shore*

*See **Breakout Discussions** on p. 9 for more information.*

3:45 p.m.

EVALUATION AND CLOSING

Fredrika Moser, Director, *Maryland Sea Grant*

Nicole Cook, Environmental and Agricultural Faculty Legal Specialist, *Agriculture Law Education Initiative, University of Maryland Eastern Shore*

Sandy Thiam, Vice President, Research and Policy, *Environmental Law Institute*

Kate Zyla, Executive Director, *Georgetown Climate Center*

4:00 p.m.

WORKSHOP CONCLUDES

Breakout Discussions

In two breakout discussions, participants build upon the messages from the keynote speakers, panelists, and researcher presentations in the two sessions to help achieve the symposium's objectives and outcomes (p. 4). They may also provide input about the researchers' article ideas. Participants interested in submitting a law journal article to the symposium journal volume are encouraged to discuss this opportunity with symposium organizers.

Breakout Discussion 1: Governance Frameworks in the Chesapeake Bay Region

Breakout Discussion — 30 min.

- 1) Each participant individually takes 5 minutes to consider the question below and place their ideas on the Post-it notes provided at the table.
 - While listening to the morning session concerning governance frameworks in the Chesapeake Bay region, what federal, state, and county coastal adaptation and resilience law and policy gaps did you think of?
- 2) Each table will then select two to three critical gaps based on a short group discussion. Based on the selected gap, discuss the following question as a group.
 - What innovative approaches to coastal adaptation and resilience might address the identified gap(s)?
 - o Consider such things as: adaptive zoning, public-private partnerships, insurance pricing, community-led resilience planning, scientific innovation, cooperative federalism, multi-jurisdictional synergies, the burden of financial responsibility, etc.
- 3) Repeat as time allows with remaining identified gap(s).

Input on Presented Law Articles — 15 min.

Please refer to Appendix A for law article abstracts.

The last 15 minutes of the breakout discussion are available for constructive input on the research presented by law article researchers. These comments will be aggregated and given to the researchers post-symposium.

- Are there other legal/science/policy/community issues the researchers should take into consideration?
- What recommended resources might help researchers further develop their law articles?
- Is anyone willing to contribute to the development of one of these law articles in this session through further discussions and/or mentorship?

Please feel free to include any other comments for the researchers.

Breakout Discussion 2: Place-Based Adaptation in the Chesapeake Bay Region

Breakout Discussion — 30 min.

- 1) Each participant individually takes 5 minutes to consider the question below and place their ideas on the Post-it notes provided at the table.
 - While listening to the second afternoon session concerning place-based adaptation in the Chesapeake Bay region, what local and individual place-based (e.g., municipalities, unincorporated areas, private properties) adaptation and resilience law and policy gaps did you think of?
- 2) Each table will then select two to three critical gaps based on a short group discussion. Based on the selected gap, discuss the following question as a group.
 - What innovative approaches to coastal adaptation and resilience might address the identified gap(s)?
 - o Consider such things as: nature-based solutions, wetlands law, insurance, individuals' property rights, pre- and post-extreme weather events, living shorelines, water quality and quantity, community health, access to healthy environment, sea level rise, climate change, etc.
- 3) Repeat as time allows with remaining identified gap(s).

Input on Presented Law Articles — 15 min.

Please refer to Appendix A for law article abstracts.

The last 15 minutes of the breakout discussion are available for constructive input on the research presented by law article researchers. These comments will be aggregated and given to the researchers post-symposium.

- Are there other legal/science/policy/community issues the researchers should take into consideration?
- What recommended resources might help researchers further develop their law articles?
- Is anyone willing to contribute to the development of one of these law articles in this session through further discussions and/or mentorship?

Please feel free to include any other comments for the researchers.

Project Overview

Pre-Symposium

Advanced law students and early career professionals were invited to submit paper ideas for the symposium and ultimately publication in the *Sea Grant Law & Policy Journal*. In this process, six papers were selected and the authors were invited to present at this one-day symposium.

Symposium

Project leaders and a steering committee developed this one-day symposium to advance the understanding of legal issues, barriers, and strategies to coastal community adaptation in the Chesapeake Bay region. The event consists of keynotes, panels, researcher presentations, breakout discussions, and evaluation.

- **Keynote Addresses**

Distinguished experts on law and policy issues in the regional adaptation landscape present themes and ideas for consideration throughout the event.

- **Expert Panels**

A panel of experts discuss the session topic (Governance Frameworks in the Chesapeake Bay Region; Place-Based Adaptation in the Chesapeake Bay Region). Each panelist presents for 10 minutes. Time for questions for the panelists follows.

- **Research Presentations**

In two lightning talk sessions, researchers (early law professionals and advanced law students) present their ideas for law journal articles to be published in the *Sea Grant Law & Policy Journal*. Presenters have 8 minutes to introduce their ideas and 2 minutes to answer questions. The breakout discussions will provide additional time for questions and input. Abstracts of the law articles can be found in Appendix A.

- **Breakout Discussions**

In two breakout discussions, participants build upon the messages from the keynote speakers, panelists, and researcher presentations in the two sessions to help achieve the symposium's objectives and outcomes.

- **Evaluation**

Participants complete a short online survey at the event's conclusion to capture symposium takeaways. Evaluation data will inform future work and strategies to advance law and policy development around coastal adaptation.

Post-Symposium and Article Submissions

Following the workshop, Maryland Sea Grant will produce a summary report highlighting key gaps and capturing the discussion outcomes. The presenting researchers will develop and publish research papers in the *Sea Grant Law & Policy Journal*. Publication is expected in 2026. Attendees inspired by the symposium discussions are encouraged to inquire about having their own law review articles published in the *Sea Grant Law & Policy Journal*. For more information, reach out to Kerry McClaughry at kerrymcc@umd.edu.

Acknowledgements

The symposium organizers and collaborators extend our thanks to the members of our steering committee and symposium organizing committees, who dedicated their time to help guide this event: Elizabeth Andrews, Denise Bright Dove Ashton-Dunkley, Annie Bennett, Caldonia Carmello, Jenna Clark, Nicole Cook, Caren Fitzgerald, Lauren Fremin, Kai Hardy, Cathy Janasie, Rebecca Kihlslinger, Frank Lopez, Kerry McClaughry, Fredrika Moser, Pete Raffle, Joshua Saks, and Kate Zyla.

We would like to thank members of the Maryland Sea Grant team who were instrumental in putting this together: Mike Allen, Jeannette Connors, Kim Cox, Natasha de la Cruz, Jill Gallagher, Annalise Kenney, and Julissa Murrietta.

We would also like to thank our keynote speakers, Secretary Serena McIlwain and Professor Vicki Arroyo, for providing valuable remarks, and our esteemed panelists and moderators: John Doherty, Anna Killius, Steve Klein, Molly Mitchell, Jon Mueller, Joshua Saks, and Emily Steinhilber. We thank our researchers for their contributions to the discourse: Kathleen Gagnon, Kai Hardy, Elisabeth Nguty Nkeng, Sydney Schuster, Bill Shultz, and Kim Wood.

We greatly appreciate the help from all our facilitators and notetakers during this symposium.

Symposium Guidelines

Together, with the following guidelines, we can ensure that this workshop supports the free expression and exchange of ideas in environments that are positive and productive for all.

Treat all participants with respect, dignity, and consideration, in the spirit of valuing a diversity of views and opinions. We value all perspectives and encourage everyone to share. We are here to listen and understand. If you prefer not to answer, you can say “pass” or “pass for now.”

Discuss differences and constructive criticism in a non-confrontational manner with due regard for the viewpoints of others. Please note that disagreement is welcome for the purpose of understanding but not for convincing. Critique ideas, not individuals. Please actively listen to everyone. We ask that you avoid interrupting others when they are speaking. Please try to minimize distractions when possible.

Be considerate, respectful, and collaborative in your communication and actions. During this workshop we will be developing a shared language. It is always okay to ask what a word or phrase means or to ask for further clarification, as we will be asking the same of you. If you know you need to leave the meeting early, please let the project team, facilitator, or notetaker know ahead of time so we can allot your time first during breakout discussions.

Demeaning, discriminatory, or harassing behavior and speech will not be tolerated. If you believe you are being subjected to inappropriate conduct, believe someone else is being subjected to inappropriate conduct, or have any other concerns, please do not hesitate to contact MDSG event staff who can work with MDSG leadership to resolve the situation. If the project team determines any behavior is inappropriate or violates the above guidelines, participants will be reminded of these ethics and/or asked to leave the meeting.

Keynote Speakers



Serena McIlwain

Secretary, Maryland Department of the Environment

Secretary Serena McIlwain was confirmed as the Maryland Department of the Environment's (MDE) 11th Secretary in March 2023. Prior to this appointment, McIlwain was undersecretary of the California Environmental Protection Agency. A lifelong resident of the Washington, DC, area, McIlwain worked in the federal government for 30 years, spending the first half of her career as an operations administrator and leading large organizations with billion-dollar budgets. Midway through her career, she transitioned to managing policy issues in the energy and environmental sector, holding senior executive positions at both the US Department of Energy (DOE) and the US Environmental Protection Agency (EPA). McIlwain was Chief Operating Officer/Deputy Assistant Secretary at DOE in the Office of Fossil Energy. At the EPA, she served as Assistant Regional Administrator in Region 9, San Francisco. With a broad and diverse background in the public sector, working for six executive branches of government, the legislative branch of government, and serving as a Fellow for a United States Congressman, McIlwain uses her experience to lead MDE. McIlwain's priorities include ensuring that Maryland is positioned to meet its aggressive climate goals, strengthening environmental protection efforts by ending systemic environmental injustices, restoring and protecting the Chesapeake Bay, and leading with the purpose of achieving organizational excellence.



Vicki Arroyo

Professor from Practice, Georgetown Law

Vicki Arroyo is a Professor from Practice at Georgetown Law, teaching courses in environmental law and in policy. From January 2021 through November 2024, she was appointed by President Biden to serve as Associate Administrator for Policy at the US Environmental Protection Agency, taking leave from Georgetown's faculty. From December 2008 through January 2021, Professor Arroyo launched and served as Executive Director of the Georgetown Climate Center, leading its work at the nexus of climate and energy policy, supervising staff and student work on climate mitigation and adaptation at the state and federal level. Professor Arroyo also served as the Law Center's first Environmental Law Program Director, where she helped develop and launch a new Environmental Law LLM degree program. She has also taught courses on environmental policy and climate change at Catholic University, George Mason University's graduate public policy program, and Tulane Law School. Previously, she was Vice President for Domestic Policy and General Counsel at the Pew Center on Global Climate Change for over a decade. She practiced environmental law with Kilpatrick Stockton in Washington, DC, and other firms and served in the Office of Air and Radiation and the Office of Research and Development at the U.S. EPA. From 1988 to 1991, she created and directed the Louisiana Department of Environmental Quality's policy office, and also served during some of that period as Governor Buddy Roemer's environmental advisor. She holds a bachelor's degree in biology, high honors, from Emory; a master's of public administration from Harvard, and a juris doctor degree, *magna cum laude*, from Georgetown Law, where she was Editor-in-Chief of *The Georgetown International Environmental Law Review*.

Panelist Biographies



Jay Ford

Virginia Policy Manager, *Chesapeake Bay Foundation*

Jay Ford is the Virginia Policy Manager for the Chesapeake Bay Foundation, where he develops and advocates for legislative and regulatory actions to further environmental protection and enhancement around the Commonwealth. Additionally, Jay is a managing partner in the Resilient and Adaptable Communities Initiative between Chesapeake Bay Foundation and Old Dominion University's Institute for Coastal Adaption and Resilience. This General Assembly-created program helps communities all around Virginia plan for and adapt to climate change. Previously, Jay worked as the Executive Director for Virginia Eastern Shorekeeper, the Legislative Director for Virginia Voices for HealthCare, and as a Chief of Staff in the Virginia Senate to then-Senator Ralph Northam. He serves on the Virginia Land Conservation Foundation Board, and Virginia Coastal Lands Advisory Council. Previously, he served on Virginia's Environmental Justice Council, Virginia Soil and Water Conservation Board, and on Virginia's Climate Change and Resilience Commission. He studied at the College of William & Mary. Jay lives on Virginia's Eastern Shore, where he and his family own Shine and Rise, a regenerative farm.



Anna Killius

Executive Director, *Chesapeake Bay Commission*

Anna Killius joined the Chesapeake Bay Commission in 2023 as Executive Director. She previously served as Director of Advocacy for the James River Association and legislative counsel for Congressman John Sarbanes of Maryland, where she advanced his leadership as co-chair of the Congressional Chesapeake Bay Watershed Task Force. Anna has held appointments to the Chesapeake Bay Citizens Advisory Committee and the Virginia Soil and Water Conservation Board. She is a 2021 graduate of the Virginia Natural Resources Leadership Institute. She holds a juris doctor degree from William & Mary Law School, where she was a member of the first class of the Virginia Coastal Policy Center, and a bachelor's degree in history from the University of Dallas with a concentration in applied mathematics.



Emily Steinhilber

Director, Climate Resilient Coasts and Watersheds,
Environmental Defense Fund

Emily Steinhilber is a Director of Climate Resilient Coasts and Watersheds for the Environmental Defense Fund (EDF). She leads the Virginia program and works on the Atlantic and Gulf coasts to advance policies, programs, and projects that build with nature, realign markets, and adapt governance systems so that people and nature adapt and thrive together in the face of climate change. Prior to joining EDF, she led a university-wide initiative at Old Dominion University to advance applied adaptation research and education. She holds a juris doctor degree and master's degree in environmental law and policy from Vermont Law School, and a bachelor's degree in economics and history from the University of Virginia. Emily is a member of the Virginia State Bar, and active within the Hampton Roads community serving on multiple boards and committees including the local public media station. She is based in Virginia Beach and has seen the impacts of sea level rise in her own neighborhood over the last four decades.

Panelist Biographies



Joshua Saks, Moderator

Adaptation Program Director, *Georgetown Climate Center*

Joshua Saks is the Georgetown Climate Center's (GCC) Adaptation Program Director, overseeing its work in support of adaptation and resilience-based solutions for local, state, and federal government. Before joining the GCC staff, Joshua was the Natural Resources Director for the Pamunkey Indian Tribe. From 2018 to 2022, he served as the Deputy Secretary of Natural Resources for the Commonwealth of Virginia, where he played a pivotal role in establishing the state as a national leader in coastal resilience and climate adaptation. During his tenure, Joshua spearheaded the development of the Virginia Coastal Resilience Master Plan, and the creation of the Virginia Community

Flood Preparedness Fund. Joshua holds a master's degree in classics from St. John's College and a bachelor's degree in sociology from Ithaca College.



Steve Kline

President and CEO, *Eastern Shore Land Conservancy*

Steve Kline is the president and CEO of the Eastern Shore Land Conservancy (ESLC), Maryland's leading private land trust, with more than 66,000 acres of permanently protected lands across an iconic landscape. Under Steve's leadership, ESLC has become a thought leader on land conservation policy at the state and local level. Before coming to ESLC, Steve worked for nearly 20 years as a professional lobbyist in Washington, with a focus on fish and wildlife habitat conservation. During his time in the national capital, Steve was the principal architect of a variety of successful legislative campaigns, with a deep focus on bipartisanship. Steve has advised political candidates at all levels on issues

related to conservation and natural resources and served as an elected member of the town council in Centreville, Maryland, where he lives. He holds a master's degree in government from Johns Hopkins University and a bachelor's degree in political science from St. Mary's College of Maryland. Steve is a dad of twins, husband, and an avid reader and outdoor enthusiast.



Molly Mitchell

Research Assistant Professor and Director of the Professional MA program, *Virginia Institute of Marine Science*

Molly Mitchell is a Research Assistant Professor and Director of the Professional MA Program in Marine Science at the Virginia Institute of Marine Science (VIMS). Her research focuses on shifts in coastal resources due to the interaction of sea level rise and human-driven changes. She works at the intersection of multiple disciplines, including projects involving ecology (marsh changes and blue carbon), physical dynamics (sea level rise trend analysis, shoreline geology) and human decision making (sea level rise adaptation, adaptive management application). She works with representatives from many different

groups to help translate research and current scientific understanding into practical recommendations. Molly holds a PhD in marine science from the Virginia Institute of Marine Science, College of William & Mary. She also has a master's degree in marine science and bachelor's degrees in biology and environmental science from the College of William & Mary.

Panelist Biographies



Jon Mueller

Director, Environmental Law Clinic,
University of Maryland Carey School of Law

Jon Mueller taught the Clean Water Act as an adjunct professor for 10 years. He joined the law school as a visiting associate professor in July 2023 to manage the school's Environmental Law Clinic and continue teaching the Clean Water Act seminar. Jon was Vice President for Litigation at the Chesapeake Bay Foundation from 2004-2023, Senior Attorney at the US Department of Justice Environmental Enforcement Section from 1987-2004, and in private practice for 5 years. He has participated in environmental administrative and judicial matters before county Boards of Appeal, state courts, and US federal courts. Jon holds a juris doctor degree from the University of Richmond and a bachelor's degree in biology from the College of William & Mary.



John Doherty, Moderator

Science and Policy Analyst, *Environmental Law Institute*

John Doherty is the Environmental Law Institute's (ELI) Science and Policy Analyst, building bridges between science, law, and policy. His work aims to advance science-based governance solutions to today's most pressing environmental challenges, including climate change and the various threats to humans and ecosystems that it multiplies. John first joined ELI as a Science Fellow to provide scientific expertise to the Institute's Climate Judiciary Project, which he continues to support. He holds a PhD in earth sciences from the University of Hong Kong, a master's degree in environmental science from American University, and a bachelor's degree in political science from American University. In addition to his role at ELI, John is an Affiliate Researcher at Georgetown University's Earth Commons Institute.

Appendix A: Law Article Abstracts

This appendix includes draft abstracts submitted by the presenting researchers. Following researcher presentations, breakout discussions will include opportunities for symposium participants to help the authors to refine their paper topics. After the symposium, researchers will draft law journal articles, which will undergo a peer-review process led by the National Sea Grant Law Center. If you wish to submit your own article for publication or have any further questions or comments for the researchers, please email Kerry McClaughry, kerrymcc@umd.edu.

Session 1: Governance Frameworks in the Chesapeake Bay Region

Kimberly Wood

Fellow, Georgetown Climate Center

State-Level Resilience Governance: The Evolution of Virginia's Chief Resilience Officer

Virginia has refined its climate resilience governance framework since it was first introduced in 2014. Today, the state's Chief Resilience Officer (CRO) takes on an increasingly central role in statewide adaptation initiatives. A CRO is a government official responsible for adaptation measures like coordinating resilience and adaptation policies across agencies, securing funding for projects, and implementing long-term strategies to address climate risks. This article examines the Virginia CRO's origins, its legislative evolution, and the lessons learned regarding state adaptation governance.

Elisabeth Nguty Nkeng

Student, Emory University School of Law

Empowering Tangier Island: A Community-Led Managed Retreat for Cultural Preservation and Climate Adaptation

Tangier Island, a culturally rich community in the Chesapeake Bay, is at severe risk due to climate change-driven sea level rise and coastal erosion. This article examines the urgent need for innovative legal frameworks to facilitate solutions that maintain both the safety and heritage of the island's residents. Strategies including adopting managed retreat or voluntary buyouts can be a proactive adaptation strategy that affords Tangier Island a well-planned, phased approach that prioritizes public safety; however, they also present concerns regarding the preservation of its unique culture. Transparent planning and meaningful community engagement are essential to ensure that the voices and values of Tangier Island's residents guide any adapted resiliency efforts.

Kai Hardy

Deputy State's Attorney, Addison County, Vermont Department of State's Attorneys and Sheriffs

An Overview of Coastal Climate Adaptation Litigation in the Chesapeake Bay Region

The Chesapeake Bay is one of the most vulnerable regions to sea level rise in the United States. Therefore, it is crucial that communities along the Bay implement climate adaptation measures to mitigate the impact of sea level rise. As coastal communities adapt, their decisions will be challenged in the courts. An understanding of litigation risk is crucial for proactive planning for sea level rise and overall regional climate governance. Additionally, litigation can be used as a tool to advance climate jurisprudence in a way that either facilitates or hinders coastal climate adaptation in the Chesapeake Bay region. This article will analyze adaptation-related court decisions in the Bay region, particularly Maryland and Virginia, and explain how these decisions impact the ability of communities to effectively and equitably adapt to sea level rise.

Session 2: Place-Based Adaptation in the Chesapeake Bay Region

Kathleen Gagnon

Juris Doctor, *University of Maryland Carey School of Law*

The Role of Critical Area in Preserving the Chesapeake Bay

In 1984, following the signing of the Chesapeake Bay Agreement, the Maryland General Assembly enacted the Chesapeake Bay Critical Area Protection Act to guide development in shoreline areas. Although the Critical Area Protection Act was integral to Maryland's early enforcement efforts, some of its provisions are implemented with vague references to water quality and habitat protection, or protection or not implemented at all. This article will analyze the Critical Area Act's implementation in Maryland with a focus on Anne Arundel County, considering how to increase transparency and accountability in land-use and zoning decisions.

Sydney Schuster

Student, *University of Maryland Carey School of Law*

The Aftermath of Coastal Wildfires and the Revocation of Environmental Policies in Australia and the United States

Coastal wildfires, exacerbated by rising temperatures and climate change, pose severe threats to local water quality, availability, and ecosystem health. Post-fire conditions compound the challenges faced by affected communities and industries dependent on these water sources. The erosion or rollback of environmental policies complicate the situation. This article investigates the aftermath of coastal wildfires in the United States, focusing on their impact on water resources and the subsequent policy responses, with particular attention to the role of environmental regulations.

Bill Shultz

Student, *Georgetown University Law Center*

Addressing the Dynamic Problem of Saltwater Intrusion in the Agricultural Region of Maryland's Lower Eastern Shore

Saltwater intrusion into agricultural fields of the Lower Eastern Shore region of Maryland and the simultaneous inundation of coastal marshes are two related problems that call for a dynamic set of solutions. Agriculture in the region represents millions of dollars of economic production annually and has already begun to experience significant yield reductions due to saltwater intrusion. This article presents options to help agricultural land to remain productive in the short term and to incentivize uptake of conservation easement programs. The goal of this article is to spark creativity in crafting a region-specific set of programs to assist landowners experiencing saltwater intrusion while accounting for the public benefits provided by salt marshes.

Appendix B: Project Partners

Maryland Sea Grant • mdsg.umd.edu

Maryland Sea Grant (MDSG) is part of the University System of Maryland and is administered by the University of Maryland Center for Environmental Science. Maryland Sea Grant programs support research, education, extension, and outreach focused on the health and sustainability of the Chesapeake and coastal bays and their watersheds. Maryland Sea Grant is partially supported by the National Sea Grant College Program, a congressionally mandated program administered through the National Oceanic and Atmospheric Administration.

Agricultural Law Education Initiative • umaglaw.org

The University of Maryland Eastern Shore (UMES) is a historically Black research university in Princess Anne, Maryland. UMES collaborates with several other state universities to administer the Agricultural Law Education Initiative (ALEI).

Georgetown Climate Center • georgetownclimate.org

The Georgetown Climate Center (GCC) was established in 2009 to work at the interface between climate policies and policymakers at all levels of government and to help develop aligned strategies that work together to address climate change. It is part of Georgetown University Law Center, and its Adaptation Program is one of the nation's leading sources of practical strategies for responding to the impacts of climate change.

Environmental Law Institute • eli.org

The Environmental Law Institute (ELI) aims to create law and policy solutions that have practical applications in the environmental, economic, and social sectors. ELI was established in 1969 and receives support from a diverse group of stakeholders including individuals, foundations, government, corporations, and law firms.

Appendix C: Symposium Participants

Kahad Adamu National Sea Grant	Arnelda Broadway	Melissa Ann Ehrenreich Indigenous Conservation Council
Mike Allen Maryland Sea Grant	Cameron Bruce College of William & Mary	Jess Eliot Myhre Georgetown University Law Center
Majeed Alrefaie Knauss Fellowship	Samantha Capaldo University of Maryland Eastern Shore	Rebecca Epanchin-Niell University of Maryland
Katya Altman University of South Carolina	Caldonia Carmello Maryland Sea Grant	Jesse Ferraioli Environmental Law Institute
Elizabeth Andrews University of Virginia	Jenna Clark Maryland Sea Grant	Anikka Fife University of Maryland Center for Environmental Science
Camryn Arnstein Maryland Department of the Environment	Sara Coleman Maryland Department of Natural Resources	Jay Ford Chesapeake Bay Foundation
Vicki Arroyo Georgetown University Law Center	Mary Collins National Sea Grant Office	Kathleen Gagnon University of Maryland Carey School of Law
Denise Bright Dove Ashton-Dunkley Nanticoke Lenni-Lenape Nation	Nicole Cook Agriculture Law Education Initiative	Jillian Gallagher Maryland Sea Grant
Vidya Balasubramanyam CSO	Natalie Cross Georgetown University Law Center	Billy Grayson ICF
Alanna Belmont Georgetown University Law Center	Natasha De La Cruz Maryland Sea Grant	Eleanor Green Georgetown Climate Center
Annie Bennett Georgetown Climate Center	Ecem Dogan The George Washington University Law School	Asta Habtemichael Knauss Fellow
Marisa Borreggine Georgetown Climate Center	John Doherty Environmental Law Institute	Zak Handler Georgetown University Law Center
Hanne Borstlap University of Virginia	Lisa Eddy Virginia Sea Grant	

Symposium Participants, cont.

Kai Hardy Vermont Department of State's Attorneys and Sheriffs	Jose Martinez Knauss Fellow	Anna Reid Georgetown University Law Center
Kathryn Hayden Maryland Critical Area Commission	Peter Mattejat Watershed Stewards Academy	Allison Reilly University of Maryland
Bill Hubbard University of Maryland Extension	Kerry McClaughry Maryland Sea Grant	Ava Richardson Baltimore Office of Sustainability
Rafeed Hussain Knauss Fellow	Morgan McKenna Georgetown University Law Center	Mark Rupp Georgetown University Law Center
Catherine Janasie National Sea Grant Law Center	Molly Mitchell Virginia Institute of Marine Science	Chelsea Russ Knauss Fellow
Manasi Kalvit Georgetown University Law Center	Fredrika Moser Maryland Sea Grant	Joshua Saks Georgetown Climate Center
Anna Killius Chesapeake Bay Commission	Jon Mueller University of Maryland Carey School of Law	Sydney Schuster University of Maryland Baltimore School of Law
Steve Kline Eastern Shore Land Conservancy	Julissa Murrieta Maryland Sea Grant	Jillian Seagraves Maryland Department of Natural Resources
Sharon Kniss Independent Consultant	Elisabeth Nguty Nkeng Jefferson Emory University School of Law	Grace Seifert Georgetown University Law Center
Katie May Laumann University of Maryland Center for Environmental Science	Morgana Omaleki Chesapeake Legal Alliance	Humna Sharif The Nature Conservancy
Lauren Lees NOAA Office of Coastal Management	Dre Pedemonte The George Washington University	Madhura Shembekar Georgetown Climate Center
Paul Leoni The George Washington University	Jeff Peterson Environmental Law Institute	Bill Shultz Georgetown University Law Center
Journey Lipscomb Environmental Law Institute	William Piermattei University of Maryland Carey School of Law	Mike Smith Spotlight Delaware
Alyson Lowell Congressional Fellow	Julia Plotkin NOAA	Kayla Smith
Lauren A. Mariolis University of Maryland Sea Grant Extension	Peter Raffe Georgetown Climate Center	Jamileh Soueidan Maryland Critical Area Commission
	Jesse Reiblich University of Rhode Island	Emily Steinhilber Environmental Defense Fund

Symposium Participants, cont.

Taryn Sudol
Maryland Sea Grant

Ryland Taylor
Maryland Department of
Natural Resources

Alexandra Thompson
Resources for the Future

Katherine Tully
University of Maryland

Vanessa Vargas-Nguyen
University of Maryland Center for
Environmental Science

Akshay Verma
LLM Candidate

Spenser Wipperfurth
Knauss Fellow

Kimberly Wood
Georgetown Climate Center

Kate Zyla
Georgetown Climate Center