



# Extreme Weather Events Are Changing Communities, and the Insurance Industry, as They Respond to the Ongoing and Costly Climate of Change

By John L. Parker

The annual legislative forum of the Environmental and Energy Law Section of the New York State Bar Association was held in person in Albany, New York, and virtually on May 7, 2025.<sup>1</sup> This year's event featured the New York State Legislature leaders from the Environmental Conservation committees of the Assembly and Senate to discuss legislative priorities and accomplishments. The 2025 panel discussion brought together experts to discuss the topic "The End of the World As We Knew It: What Is the Role for Government and Private Industry in How Insurance Markets Respond to Extreme Weather Events and a Changing Climate?" The event concluded with a keynote address from then-acting commissioner of the New York State Department of Environmental Conservation, Amanda Lefton. Commissioner Lefton was confirmed by the New York State Senate on May 28, 2025.

The forum demonstrated that extreme weather can dramatically change the future of many communities caught in these storms and natural disasters. While the private insurance industry is changing its approach due to costs of responding to and restoring property losses, there is a clear need for government to revisit its role in these processes. This is particularly true given the federal government's work to downsize agencies and shift financial burdens to states. The data shows that climate change disasters are increasing in severity and magnitude with no foreseeable respite from this trend. Further, scientific data – about weather and related analysis – will become increasingly relied upon by insurance decision makers, and likely, developers and homeowners, to aid their decisions of where and when to buy and develop places to live and work.

The event highlighted the need for a continued and robust discussion of all these developing issues to address extreme weather.

Special thanks to Howard Tollin, former chair of the Environmental and Energy Law Section of the New York State Bar Association, who remains active in the section. He is president of Sterling Environmental and Professional Services and serves as editor-in-chief of the Environmental Claims Journal. He has long been a trusted leader in this burgeoning field of environmental law.

## Background

The costs of extreme weather, in terms of losses in lives and the expenses of the losses and the costs of restoration are tragic and substantial.<sup>2</sup> The new reality presents many challenges and can upend families and communities. Changing weather patterns stress the traditional mechanisms to predict weather and place new burdens upon the public and private sectors to deal with the aftermath. The impacts of extreme weather are likely to worsen in the future. As recently as 2024, a substantial number of homeowners in the United States – approximately 7.4% or 6.1 million homes – remain uninsured, leaving \$1.6 trillion of their home values exposed to natural disasters.<sup>3</sup> Some insurers see the significant increase in temperatures driven by climate change as rendering entire areas uninsurable and question whether governments would have sufficient resources to bail out these communities – a result that can be avoided if climate impact reducing strategies are aggressively implemented.<sup>4</sup>

More and more energy is needed to power business and increase prosperity, further creating stress on climate systems. The increases in data centers and the power needs of artificial intelligence are driving a somewhat insatiable need for energy.<sup>5</sup> There are many efforts underway to develop ways to reduce the environmental impacts from these energy needs, including the State of New York formally seeking an advanced nuclear power plant to operate upstate to help stabilize the grid and meet energy needs.<sup>6</sup> The negative environmental impacts should be met head-on and reduced as much as possible. Indeed, resilience efforts have been advanced in New York and the prognosis among many is optimistic that proactive measures can help lessen or avoid some negative impacts in a cost-effective way that will also save lives.<sup>7</sup> Absent balanced and comprehensive action, we are hurtling forward on a collision course with a more unlivable world due to natural disasters that will be economically more costly to insure and more difficult to recover from.

While federal policy priorities can change, we need to continue to develop a growing body of data, including federally mandated climate assessments. The federal data, however, is becoming increasingly unavailable to the public.<sup>8</sup> So too is the need to reassess and to improve policies and incentives, not because it is easy and not because it is hard, but because it is necessary for our health, well-being, and the prosperity for our children.

In 1968, for the first time, the NASA photo “Earthrise” showed the world as the fragile place we call home in the vastness of space. As fragile as it is, the earth will be fine if we do nothing. We, however, will not be fine without action. Moving forward, efforts need to be made for businesses and government to work better together. We need certainty, predictability, fairness, and positive results.

In the final analysis, conserving and protecting the environment is more than an American tradition. It must be seen as a birthright, to be sensibly and cost efficiently addressed. If we do not act, rhetoric alone is not going to fix anything.

## Introduction

Over the past several years, previously predictable weather patterns have changed. The changes are significant, with more windy days, and sometimes very windy days becoming the norm. Extreme rains are also becoming more frequent and more intense.<sup>9</sup> It can be difficult to fully understand our predictive tools for extreme storms, which are often characterized in somewhat misleading ways. For instance, the term, “100 year storms” can add confusion to public understanding of weather and the likelihood of extreme weather events.<sup>10</sup> For New Yorkers, Hurricane Sandy was a seminal moment that foretold the future vulnerability of our communities to significant weather events.<sup>11</sup> It also demonstrated the need

to find new ways to rebuild to lessen the impacts of these weather events.<sup>12</sup> These lessons, unfortunately, are repeatedly being taught to different communities around the country, often at significant cost.

Atmospheric rivers bring substantial rain events, higher winds cause more damage, and flooding has become more prevalent as rainstorms are more frequent and intense, bringing up to 20%+ more rain per storm event than just a few years ago. Ironically, there are also areas of dry conditions and drought that, when combined with higher winds, have produced significant fires that have devastated communities. Hurricane damage and changing sea levels will likely serve to make the problem more intense in various parts of New York and the country. Indeed, in July 2025, there were at least four 1-in-a-1,000-year rainfall events in the United States – in North Carolina, Chicago, and New Mexico – that resulted in at least three deaths.<sup>13</sup> These issues are not limited just to other states. Given the varied and expansive landscape of New York State, they should be expected here as well.

The flooding in Texas brings an unfortunate focus to what can happen and what increasingly is likely to occur as changing extreme weather events increase in strength and strike areas – whether they are developed or not. The consequences of this tragic day highlight the need to better understand the many factors that exacerbate the impact of extreme weather – including building locations that may be in known floodplains and the need to incorporate resiliency practices into siting and construction when possible.<sup>14</sup> The ability to forecast and to understand the changing climate is directly related to the data collected by complex systems around the country.<sup>15</sup> The federal efforts needed to compile such climate data – enabling it to be analyzed and effectively communicated – are not a priority in the next federal budget.<sup>16</sup> These changing federal priorities, including the collection of weather data that enables accurate and comprehensive weather forecasting, are being scaled back across the federal government.<sup>17</sup> Further, agencies that do respond to the disasters, such as the Federal Emergency Management Agency (FEMA), have an uncertain future. FEMA, which has a significant role in responding to extreme weather events, is changing as federal priorities seek to shift the burden for managing these events to various impacted states, although the extent of these changes and the ability of states to replace missing federal oversight and funds is unknown.<sup>18</sup>

Private insurance is a vital component of American real estate – for both residential and business properties. The industry has responded to more volatile and extreme weather conditions by, in some cases, increasing premiums or even withdrawing from high-risk areas. The implications of these weather events is staggering – between 2018 and 2022, the annual number of disaster declarations from climate related

events almost doubled (over the previous 50-year period of 1960 – 2010).<sup>19</sup> The costs in 2023, alone, resulted in approximately \$114 billion in disaster costs, of which only \$80 million was insured.<sup>20</sup> The longer-term impacts of these extreme weather events is further demonstrated by the fact that researchers, looking at nationwide climate-related disaster events, have found decreasing health care resources availability after these events, which can last for years after the storm occurs and most significantly impact lower income communities.<sup>21</sup> The insurance markets are continually responding to these changing circumstances, particularly as more and more data becomes available and the costs dramatically increase.

One response with significant implications has been to increase insurance premiums in high-risk markets – where climate-related risk is expected to be higher.<sup>22</sup> There are some circumstances where particular extreme weather risks – including fire and flood damages – have resulted in insurance companies entirely withdrawing from these markets.<sup>23</sup> The changes are putting some homeowners and businesses in financial predicaments and impacting the costs of new homeownership. On average, over the past six years United States insurance premiums have risen 38% faster than homeowner income has risen – 22% – forcing some to rely upon state insurance programs previously considered as a last resort for such coverage.<sup>24</sup> While there are regional differences in these costs, the trajectory is clear – particularly in areas where whether events, such as hurricanes and related wind damage, have also become more extreme.<sup>25</sup> These events can leave some communities lacking sufficient or necessary insurance coverage when they are decimated by extreme weather and are forced to struggle to find ways to rebuild after disasters.

The panel discussion focused on a variety of key insurance issues impacted by these climate challenges, including: property exposure, claims, loss control, underwriting considerations, data driven policy risk decision making, and proposed changes to the public-private partnership. This discussion addressed how developing patterns of extreme weather can leave communities decimated as they struggle to find ways to rebuild after disasters.

## Panel Discussion

*The End of the World As We Knew It: What Is the Role for Government and Private Industry in How Insurance Markets Respond to Extreme Weather Events and a Changing Climate?*

The assessment of climate risk for the insurance industry is not new. These efforts have been undertaken by the federal government, which reviewed state regulatory efforts that would take into account the costs and risks associated with extreme weather, among other ongoing challenges being directly impacted by the climate.<sup>26</sup> The FIO was directed “to assess climate-related issues or gaps in the supervision

and regulation of insurers ... and to further assess, in consultation with States, the potential for major disruptions of private insurance coverage in regions of the country particularly vulnerable to climate change impacts.”<sup>27</sup>

In 2023, a Climate-Related Financial Risk Report was issued by the Federal Insurance Office (the FIO) of the U.S. Department of the Treasury pursuant to executive order.<sup>28</sup> The report acknowledged that climate-related risks were increasingly significant challenges for the insurance industry, but that state insurance oversight was only just beginning at that time.<sup>29</sup> In sum, and among its numerous recommendations, is that more work was needed by “state and federal regulators and policymakers, as well as by the private sector and the climate science and research communities,” to effectively understand the “nature of climate-related risks for the insurance industry, their implications for insurance regulation and supervision, and for the stability of the financial system – including for real estate markets and the banking sector.”<sup>30</sup>

The panel participants addressed the need for extreme weather to be acknowledged as a significant and a driving force changing the insurance coverage that is relied upon by most Americans – business and homeowners alike. The discussion focused on the increasing event frequency and billions of dollars each year needed to cover losses for each event, the implications for companies willing to issue coverage in these markets, and implications and challenges for claimants seeking coverage. The discussion also looked at the evolving dynamic between a changed view regarding the role of the federal government seeking to diminish, if not eliminate, its existing role to fund and to contribute substantial financial resources in the worst-case scenarios and the impact of these changes for the broader market that needs insurance policies. This variable – and how states could be able to find financial resources to fund efforts to address extreme weather if the federal government’s role is radically decreased – adds another significant unknown into the overall equation.

## Panelists

**Drew Howard, MEM**

**Technical Director, Economic and Complex Analytics  
Roux Associates**

Mr. Howard’s presentation focused on the role of government and private industry in response to extreme weather events. He discussed the data-intensive nature of the analysis, the evolution of environmental insurance in response to extreme weather, an increase in the frequency and magnitude of storms and related damages, an increase in premiums, and ongoing threats to the public share of resources needed to address these events as the federal government reassesses priorities and policies. Mr. Howard detailed the trend in these weather events and noted that in 2024, there were 27 individual weather and climate disasters with at least \$1 billion in



damages, trailing only the records of 28 such events in 2023. He reviewed the traditional role that the federal government has played in diversifying risk for states, citing a number of historic examples.

Mr. Howard noted the significant range of insurance industry losses in the past ten years due to extreme weather, although industry changes have been able to reduce or curtail such losses. He also set forth a number of ways to address extreme weather risk in the future, including investing in resilience and mitigation, improved climate related data, new funding sources including bonds and parametric insurance, and a revisiting of the public-private collaboration.<sup>31</sup>

*Mr. Howard has over a decade of experience in economic and financial analysis for mass tort and environmental litigation. He also specializes in risk management, focusing on climate change and greenhouse gas emissions, and helping clients navigate regulatory challenges and mitigate future risks. He provides data-driven insights and strategic support to clients in complex litigation and risk management matters.*

*Mr. Howard holds a Master of Environmental Management from Duke University, with a specialization in environmental economics and policy. He also graduated magna cum laude with honors with a bachelor of science in marine biology from the University of North Carolina at Wilmington.*

**Joshua Weisberg**  
**Chief Risk Officer**  
**Managing Director RMS**

Mr. Weisberg addressed a number of insurance underwriting issues. He provided an in-depth presentation of the challenges for the insurance industry as it responds to environmental claims and adjusts to provide products that can

address extreme weather and natural disasters and the costs of damages and restoration of property losses.

*Mr. Weisberg joined SterlingRisk in 2014 following more than a decade of outside legal practice representing insurers and policyholders in coverage disputes. Josh oversees all aspects of the agency's claims handling functionality and broader array of deliverables connected to contractual analysis, loss control and other affiliated operations. Josh also oversees strategies for facilitating underwriting negotiations with property and casualty carriers, particularly given the challenges in the New York marketplace.*

*As Chief Risk Officer, he is one of SterlingRisk's principal client advocates for coverage and claims issues. Along with his team of highly experienced attorneys, he has convinced carriers to withdraw declinations of coverage representing tens of millions of dollars in exposure to SterlingRisk's clients.*

*Earlier in his career, Mr. Weisberg served as claims and underwriting counsel to various liability insurers and seconded to a Lloyd's of London syndicate as in house counsel. In that capacity, Josh was responsible for drafting insurance forms and general oversight of risk portfolios covering engineers, real estate brokers, financial planners and other professionals. In addition to his work developing and interpreting insurance contracts, Josh also has extensive experience advising clients on general insurance regulatory matters and insurance transactional issues.*

*Mr. Weisberg graduated from Fordham Law School in May 2005 and obtained his B.A. from Yeshiva University in September 2002. While at Fordham, he served as an assistant to the General Counsel for the New York State Insurance Department (now the Department of Financial Services) where he drafted advisory opinions regarding New York State's insurance laws and regulations.*



**John O'Marra**  
**President**  
**RT Specialty New York**

Mr. O'Marra's presentation addressed a number of issues regarding the changing response of the insurance industry to extreme weather. He discussed the changing risks in the New York Metropolitan area, including the increase in the frequency and severity of coastal flooding. Mr. O'Marra noted how significant storm events have had substantial impacts far inland from the coast areas. He discussed the variables impacting the commercial property insurance market, from inflation to demand surge to labor shortages. Mr. O'Marra also noted how FEMA efforts to identify areas of projected flooding show that dramatically increased impacts may occur, including from the impacts of sea level rise. He also noted that the financial pressures on insurance companies are resulting in coverage restrictions and some companies no longer being willing to provide insurance in more hazardous areas.

*Mr. O'Marra is currently President of the RT Specialty New York office, representing more than one hundred fifty brokers placing over \$1.75B premium and \$130M revenue in 2024. He is a Property Broker and Team Leader. Since joining RT Specialty in May of 2011, his team has achieved double digit organic growth every year for 14 consecutive years. He specializes in first party coverage for Energy, Construction, Real Estate, Infrastructure and Public Entity business. John is a Practice Group Leader for the RT's Energy vertical.*

*In 2018, Mr. O'Marra and his team were awarded the Property Broker of the Year award from RT Specialty, and were the only Property team nominated by Business Insurance for the Wholesale Team of the Year award. In 2019, Mr. O'Marra and his team were awarded the Patrick G. Ryan Award. In 2020, Mr. O'Marra and his team won the RT President's Award for Property, and were also nominated for the Insurance Insider Honors Broking Team of the Year. In 2021, he was awarded the Patrick G. Ryan Award for a second time.*

*Prior to joining RT Specialty, he began his career at Marsh in New York as a property broker and has been working in the insurance industry for over 20 years.*

*Mr. O'Marra is a graduate of Loyola College in Baltimore, with a Bachelor of Arts, Majoring in History and Minor in Political Science. He lives on Long Island with his wife and two daughters. He serves on the Insurance Industry Charitable Foundation's Northeast Board of Directors.*

**Eve-Lynn Gisonni**  
**Partner**  
**Saxe, Doernberger & Vita**

Ms. Gisonni addressed a number of legal issues associated with climate-related insurance claims. The types of available

coverage include physical injury to property and related loss of use, including loss of use of undamaged property. Ms. Gisonni identified several concerns arising in climate related claims, including delays in addressing claims, and the number of costs that continue to accrue despite during processing claims, such as real estate and property taxes, interest on loans, and even reconstruction costs that include permits and re-inspection fees. She noted that the most common types of climate related property damage include water, wind, mold, and destruction of buildings and their contents. Ms. Gisonni also noted that there are a number of legislative ways to address issues with these claims, including prompt pay laws and fee-shifting statutes.

*Ms. Gisonni is an attorney who has practiced insurance coverage law in New York for more than twenty-eight years where she specializes in addressing national policyholder insurance coverage claims and litigation. Ms. Gisonni represents individuals and corporate policyholders in coverage disputes across a wide array of lines of insurance including property, builder's risk insurance, cyber insurance, life insurance, and private disability insurance. Ms. Gisonni is seasoned in all aspects of federal and state litigation and trial practice, and court decisions in her cases continue to be relied on as insurance law precedent.*

**Keynote Address**

**Amanda Lefton**  
**Commissioner**  
**New York State Department of Environmental Conservation**

Commissioner Amanda Lefton reflected on her views about how critical representing the New York State Department of Environmental Conservation (DEC) is at this time because of uncertainty for the environment, and for environmental law, and related funding and initiatives, due to changes in priorities at the federal level. This is particularly important, she noted, because the United States Environmental Protection Agency recently announced that it was rolling back significant regulatory programs, with the actual impacts uncertain to New York. She noted that many state and federal programs, and funding, are integral to state environmental programs.

Ms. Lefton stressed the need for New York to continue to take the lead, and for DEC, to protect the state's natural resources, protect green spaces, help redevelop industrial sites and put them into productive use, and to continue to safeguard New York's air, land, and water.

Commissioner Lefton noted a variety of areas of environmental improvement in the state. Notably, she discussed the success of New York's clean air efforts, resulting in a reduction of 90% in particular matter, 98% in sulfur dioxide, 84% in nitrogen oxides, 70% of VOCs, and 59% in carbon mon-

oxide. Importantly, she also noted the positive public health impacts of air quality achievements. She noted continuing efforts to further reduced climate impacting pollution such as regulations to reduce potent greenhouse gas emissions, from phasing out hydrocarbons, or HFCs in cooling and refrigeration equipment and chemicals in electric transmission systems and equipment

Ms. Lefton discussed how New York is making generational investments in resiliency and sustainability projects. These efforts including continuing to advance the implementation of the \$4.2 billion clean water, clean air, and green jobs Environmental Bond Act, the largest environmental Bond act in New York State history. Among other things, the Commissioner noted that these projects will improve communities resilient to climate change, improve water quality, conserve critical open spaces, enhance recreational opportunities, protect wildlife, and facilitate the transition to clean energy to the clean energy economy of the future. Additionally, she noted that at least 35% with the goal of 40% are being invested in disadvantaged communities. The Bond Act is estimated to create 84,000 green jobs in as Bond Act investments are made.

Commissioner Lefton discussed New York's focus on climate resilience. These efforts include improving coastal resilience, a critical part of New York State's sustained and wide-ranging efforts to prepare for extreme weather and prevent the devastating loss of life and community destruction we saw in Superstorm Sandy.

She also noted that this year's budget directs over \$1 billion in new spending towards achieving a more sustainable future. This landmark investment is expected to generate thousands of jobs slash household energy bills, and cut down our harmful pollution, in addition to funding comprehensive efforts to reduce air pollution, deliver clean air, improve community resilience, and create an equitable transition to a clean energy economy.

The Commissioner also noted that DEC is implementing new updated wetlands regulations. She noted that given the complexity of these new regulations, the agency staff would be available to the public to answer questions, to ensure a smooth rollout moving forward, and for a transparent process moving forward.

Ms. Lefton also noted that environmental justice remains a priority at DEC in order to address issues in New York communities that have been disproportionately impacted by pollution. She noted that the state Legislature passed the environmental justice siting law, also known as the cumulative impact law, in part to address the legacy of segregation, red lining, and other discriminatory policies. The new law requires a consideration of impacts and existing burdens of

disadvantaged communities in certain environmental decision making.

The Commissioner noted that there is much at stake in New York State and across the country. During her tenure at DEC, she intends to work with partner agencies and local communities to protect clean air, clean water, while also ensuring that we have a strong and robust economic development program.

*Amanda Lefton's diverse career spans the public and private sectors. She became the Commissioner of the DEC on May 28, 2025.<sup>32</sup> Prior to serving as the Commissioner, Ms. Lefton worked for RWE which is the third largest renewable energy company in the United States, with an asset base of over ten gigawatts of operating wind, solar and battery projects. Ms. Lefton was the Vice President of Offshore Development, U.S. East.*

*Previously, she served as the Director of the Bureau of Ocean Energy Management within the Department of the Interior. Under her leadership, the agency developed and implemented an ambitious federal offshore wind program creating a new industry of family supporting jobs and generational opportunity. Her collaborative approach brought together various stakeholders to responsibly manage the nation's critical offshore energy and mineral resources.*

*Ms. Lefton also served as the First Assistant Secretary for Energy and Environment for the State of New York. In this role, she led the State's environmental and climate initiatives overseeing a portfolio of executive agencies including the DEC. Previously, she has also worked for The Nature Conservancy in New York as the Deputy Policy Director and climate mitigation lead, the Rochester Regional Joint Board of Workers United and the New York State Assembly and New York State Senate.*

*Originally from Queens, Ms. Lefton grew up on Long Island and holds a Bachelor of Arts from the University at Albany. She now resides in the capital region with her wife and stepchildren.*

## **New York State Legislator Panel**

**Deborah Glick, invited**

**Assemblymember, 66th District**

**Chair**

**Assembly Environmental Conservation Committee**

Assemblymember Deborah Glick, a lifelong resident of New York City, was elected to the NYS Assembly in 1990 and became the first openly LGBTQ+ State legislator. As an elected official, she has focused on civil rights, health care, lesbian and gay rights, the environment, housing, higher education, social justice, animal rights, funding for the arts and tenant's rights.

Assembly Member Glick's legislative victories are substantial, including: passage of the Reproductive Health Act, which codifies *Roe v. Wade* in New York law; a bill to provide hospital visitation rights for domestic partners; a ban on internet hunting; a bill authorizing localities to use red light cameras and speed cameras; and passage of the campus sexual assault legislation, among many others.

Assembly Member Glick serves as chair the Assembly Committee on Environmental Conservation, and serves on the Ways and Means, Rules, and Governmental Operations committees. She is a member of the Task Force on Women's Issues and a member of the Legislative Woman's Caucus.

### **Peter Harckham**

**Senator, 40th District**

**Chair, Senate Environmental Conservation Committee**

Senator Pete Harckham has served New York's 40th Senate District – encompassing parts of Westchester, Putnam, and Rockland counties – since 2019. He has built a reputation as a pragmatic and results-driven legislator.

Before joining the state Senate, he served four terms on the Westchester County Board of Legislators, including two as majority leader, and later held roles in the administration of Governor Andrew Cuomo, focusing on community development and infrastructure.

Senator Harckham has been a leading voice on environmental policy. He authored the Packaging Reduction and Recycling Infrastructure Act, which aims to cut single-use plastic packaging by 30% over 12 years and improve recyclability, potentially saving New York \$1.3 billion over the next decade. He also co-sponsored the Climate Resilient New York Act, proposing the creation of an Office of Resilience to coordinate state responses to climate-related disasters. Additionally, he has sponsored legislation to regulate PFAS chemicals in biosolids, aiming to protect both food and drinking water.

Beyond environmental issues, Senator Harckham has worked to make the 2% Property Tax Cap permanent, delivered record aid to education, and addressed the opioid crisis by doubling minimum treatment times and reducing barriers to life-saving treatment.

Senator Harckham resides in South Salem, New York, with his partner, Jin-Hee Stevens, and is the proud father of two adult daughters, Emma and Kate.

The senator's comments were provided to the Forum by Marie Kelly, Senator Harckham's legislative director.



**John Louis Parker** is a partner with Sahn Ward Braff Koblenz Coschignano PLLC where he leads the Environmental Energy and Resources Practice Group. In June 2025, he was appointed secretary of the Environmental and Energy Law Section of the New York State Bar Association. John has served a member of the section's Executive Committee, and as chair of the

Legislation Committee that sponsors the Annual Legislative Forum. He serves as the chair of the Environmental Law Committee of the Nassau County Bar Association, where he is a member of the board of directors.

John's career includes public service as the regional attorney at the New York State Department of Environmental Conservation for the Lower Hudson Valley-Catskill Region. He served as counsel to the chairman of the Assembly Environmental Conservation Committee working on many complex investigations, including a review of the Hudson River Superfund cleanup and drafting and negotiating the first comprehensive brownfields legislation in New York State. John's not-for-profit efforts include serving as director of Legal Programs at Riverkeeper.

John has written many articles for *The New York Environmental Lawyer* where he also published a regular quarterly column while he served as regional attorney for the Department of Environmental Conservation. His publications in professional journals, law reviews and the Thompson Reuters Environmental Law Practice Series, have focused on emerging contaminants, climate change challenges, and energy law – including solar and wind power and battery storage in New York, among others.

### **Endnotes**

1. The Annual Legislative Forum is a free and open-to-the-public event that brings together New York State legislative leaders and key experts to discuss a variety of new developments in environmental and energy legislation and law from various perspectives. It is a nonpartisan event that brings together lawyers from the public and private sectors and others interested in these fields attend each year.
2. These impacts are expected to cause an additional 14.5 million deaths and \$12.5 trillion in economic losses worldwide by 2050. See, *Quantifying the Impact of Climate Change on Human Health*, World Economic Forum, available at <https://www.weforum.org/publications/quantifying-the-impact-of-climate-change-on-human-health/>, last visited on April 22, 2025; see also, *Quantifying the Impact of Climate Change on Human Health: Insight Report, January 2024*, World Economic Forum, at 4, available at [https://www3.weforum.org/docs/WEF\\_Quantifying\\_the\\_Impact\\_of\\_Climate\\_Change\\_on\\_Human\\_Health\\_2024.pdf](https://www3.weforum.org/docs/WEF_Quantifying_the_Impact_of_Climate_Change_on_Human_Health_2024.pdf), last visited on April 22, 2025.
3. See *Exposed: A Report of 1.6 Trillion Dollars of Uninsured American Homes: Consumer Federation of America*, at 5, available at <https://consumerfed.org/wp-content/uploads/2024/03/Exposed-UninsuredHomes-1.pdf>; see also

- Millions of Consumers Lack Vital Homeowners Insurance, Resulting in \$1.6 Trillion in Unprotected Market Value: Hispanic and Black Homeowners Disproportionately Harmed, As Well As Lower-Income Owners and Those Owning Manufactured Homes, available at [https://consumerfed.org/press\\_release/millions-of-consumers-lack-vital-homeowners-insurance-resulting-in-1-6-trillion-in-unprotected-market-value/](https://consumerfed.org/press_release/millions-of-consumers-lack-vital-homeowners-insurance-resulting-in-1-6-trillion-in-unprotected-market-value/), last visited on April 22, 2025.
4. See *Climate crisis on track to destroy capitalism, warns top insurer*, The Guardian, (April 3, 2025), <https://www.theguardian.com/environment/2025/apr/03/climate-crisis-on-track-to-destroy-capitalism-warns-allianz-insurer>, last visited on April 22, 2025.
  5. See *The growing environmental impact of AI data centers' energy demands*, available at <https://www.pbs.org/newshour/amp/show/the-growing-environmental-impact-of-ai-data-centers-energy-demands>, May 25, 2025, last visited on June 20, 2025.
  6. See *Governor Hochul Directs New York Power Authority to Develop a Zero-Emission Advanced Nuclear Energy Technology Power Plant*, available at <https://www.governor.ny.gov/news/governor-hochul-directs-new-york-power-authority-develop-zero-emission-advanced-nuclear-energy>, June 23, 2025, last visited on June 28, 2025.
  7. See *Commentary: Resilience planning will help New York prepare for a changing climate*, available at <https://www.timesunion.com/opinion/article/resilience-planning-help-new-york-prepare-20357925.php>, last visited on July 1, 2025; see also New York State Senate Bill S 3590, sponsored by Senator Harckham that “enacts the climate resilient New York act of 2025; establishes the office of resilience to assess and identify climate related threats,” available at <https://www.nysenate.gov/legislation/bills/2025/S3590>.
  8. See *Key climate change reports removed from US government websites*, The Guardian, (July 1, 2025), <https://www.theguardian.com/environment/2025/jul/01/climate-change-reports-removed-trump#:~:text=Legally%20mandated%20US%20national%20climate,yards%20from%20a%20warming%20world.>, last visited on July 2, 2025.
  9. See *As the World Warms, Extreme Rain Is Becoming Even More Extreme*, New York Times (July 5, 2025), <https://www.nytimes.com/2025/07/05/climate/texas-flood-climate-change.html?smid=nytcore-ios-share&referringSource=articleShare>.
  10. See *Why are ‘100-year storms’ happening so often*, available at <https://time.com/7289719/hundred-year-weather-events-happen-more-often/>, last visited on July 8, 2025.
  11. See *Extreme Weather and Its Consequences: Adaptation and Resilience Are Needed to Address a Changing World, Part 1*, 24 Env’tl. Law in N.Y., No.8 (August 2013).
  12. See *Extreme Weather and Its Consequences: Adaptation and Resilience Are Needed to Address a Changing World Part 2*, 24 Env’tl. Law in N.Y., No. 9, (September 2013).
  13. See *U.S. hit by four 1-in-1,000-year storms in less than a week*, available at <https://www.nbcnews.com/science/climate-change/flood-storms-climate-change-1-in-1000-year-rainfall-rcna217863>, last visited on July 11, 2025.
  14. See *Camp Mystic Cabins Stood in an ‘Extremely Hazardous’ Floodway*, July 9, 2025, available at <https://www.nytimes.com/interactive/2025/07/09/us/camp-mystic-texas-cabins.html?smid=nytcore-ios-share&referringSource=articleShare>, last visited on July 9, 2025.
  15. See *Colorado State University Real-Time Weather Data Precipitation Systems Research Group: Monitoring of Heavy Precipitation Events*, available at [https://schumacher.atmos.colostate.edu/precip\\_monitor/precip\\_monitor.php](https://schumacher.atmos.colostate.edu/precip_monitor/precip_monitor.php), last visited on July 4, 2025.
  16. See *Proposed NOAA Budget Calls for \$0 for Climate Research*, available at <https://eos.org/research-and-developments/proposed-noaa-budget-calls-for-0-for-climate-research>, last visited on July 8, 2025.
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  18. See *Trump Administration moves away from abolishing FEMA*, available at <https://www.washingtonpost.com/politics/2025/07/11/trump-fema-texas-floods/>, last visited on July 11, 2025.
  19. See, *Analyses of U.S. Homeowners Insurance Markets, 2018-2022: Climate-Related Risks and Other Factors, January 2025*, Federal Insurance Office, U.S. Department of the Treasury, at 1, available at [https://home.treasury.gov/system/files/311/Analyses\\_of\\_US\\_Homeowners\\_Insurance\\_Markets\\_2018-2022\\_Climate-Related\\_Risks\\_and\\_Other\\_Factors\\_0.pdf](https://home.treasury.gov/system/files/311/Analyses_of_US_Homeowners_Insurance_Markets_2018-2022_Climate-Related_Risks_and_Other_Factors_0.pdf), last visited on May 3, 2025.
  20. *Id.*
  21. See *Healthcare Access in the Aftermath: A Longitudinal Analysis of Disaster Impact on US Communities*, Int’l J. of Env’t Research and Pub. Health, at 8 – 9, available at <https://www.mdpi.com/1660-4601/22/5/733>, last visited on June 11, 2025; see also *When Climate Disasters Hit, They Often Leave Long-term Health Care Access Shortages*, Drexel Study Finds, available at <https://drexel.edu/news/archive/2025/May/When-climate-disasters-hit>, last visited on June 11, 2025.
  22. *Id.* at 3; see also *U.S. Department of the Treasury Report: Homeowners Insurance Costs Rising, Availability Declining as Climate-Related Events Take Their Toll* (January 2025), available at <https://home.treasury.gov/news/press-releases/jy2791>, last visited on June 1, 2025.
  23. See *Insurers such as State Farm and Allstate are leaving fire- and flood-prone areas. Home values could take a hit*, available at <https://www.cnbc.com/2024/02/05/what-homeowners-need-to-know-as-insurers-leave-high-risk-climate-areas.html>, last visited on April 22, 2025.
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  26. See Executive Order No. 14030, 86 Fed. Reg. 27,967 (May 20, 2021).
  27. *Id.*
  28. See *Treasury’s Federal Insurance Office Releases Report Assessing Climate-Related Risk, Gaps in Insurance Supervision* (June 27, 2025), available at <https://home.treasury.gov/news/press-releases/jy1579>, last visited on May 2, 2025; see also *Insurance Supervision and Regulation of Climate-Related Risks*, (June 2023), available at <https://home.treasury.gov/system/files/136/FIO-June-2023-Insurance-Supervision-and-Regulation-of-Climate-Related-Risks.pdf>, last visited on May 2, 2025.
  29. *Id.* at 1.
  30. *Id.* at 2.
  31. Parametric insurance is not based upon proof of actual losses but is triggered based upon data establishing the severity of the extreme weather event causing the loss. See Senate Bill S9420; see also *2025 Developments in New York Insurance Law*, Rochester Bus. J. (Mar. 13, 2025), <https://rbj.net/2025/03/13/2025-developments-in-new-york-insurance-law-viewpoint/>.
  32. See Press Release, Gov. Kathy Hochul, Governor Hochul Announces Confirmation of Three Cabinet Members (May 30, 2025), <https://www.governor.ny.gov/news/governor-hochul-announces-confirmation-three-cabinet-members>; see also *Statement from New York State Department of Environmental Conservation Commissioner Amanda Lefion*, DEC (May 30, 2025), <https://dec.ny.gov/news/press-releases/2025/5/statement-from-new-york-state-department-of-environmental-conservation-commissioner-amanda-lefion>.



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