Title: Attention to Climate Change is About Justice and Economics By: Marc J. Lane Copyright: Crain's Chicago Business Date: January 22, 2015



Climate change, mostly the result of carbon pollution, threatens the health of the nation's—and Chicago's—residents. Ground-level ozone, particle pollution, pollen concentrations, infectious diseases, asthma and other respiratory illnesses, heavy rainfall and flooding, and extreme-heat events all are on the rise.

MARC J. LANE

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VEALTH

The city's children, elderly, chronically ill and poor are uniquely vulnerable to the growing impact of climate change.

Poor neighborhoods, where buildings may be constructed from materials that retain heat, are warmer than wealthier neighborhoods. Their residents can't always afford to own and operate air conditioners, and their breadwinners often work outdoors in extreme temperatures. No wonder the city's poor are more likely to suffer from cardiac problems, heat stroke and other heat-related ailments.

Not only is climate change a serious public health issue. It also puts business budgets and the public coffers at risk.

Last April, Farmers Insurance Group **sued the city** and nearly 100 surrounding communities, alleging that they didn't do all they should to prevent widespread flooding a year earlier, resulting in hundreds of insurance claims Farmers was forced to pay. Those claims never would have been made, Farmers argued, had the defendants emptied reservoirs and put sandbags and inflatable flood barriers to work in advance of the flood, reasonable steps in preparation for the severe flooding that climate change was bound to bring with it.

OTHER CLAIMS COMING?

No sooner was the last summons served than Farmers abruptly withdrew its long-shot complaint, no surprise since a municipality has "sovereign immunity" from such litigation and the "duty doctrine" holds governments accountable only to the public at large. But other claims likely will be asserted, and the costs of climate change will need to be distributed more broadly if insurers are to remain committed to the Chicago market and insurance costs are to stay affordable.

The city also needs to more vigorously counter the adverse effects of climate change.

In 2008, then-Mayor Richard M. Daley committed to "make Chicago the most environmentally friendly city in the nation." His **Chicago Climate Action Plan** ambitiously pledged to reduce energy use in buildings, turn to green energy sources and promote cleaner transportation options. A 2010 progress report noted that more than 450 mitigation and adaptation initiatives were in the works including green buildings, stormwater management projects, tree planting and green-roof installations that absorb rainwater.

Since Daley left office in 2011, climate change has not been a priority for Chicago. Prudent financial stewardship and social justice demand that its position on the city's policy agenda be restored.



Marc J. Lane is a Chicago-based business and tax attorney and financial adviser.

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