

Water Law

THEME INTRODUCTION

The SBM Real Property Law and Environmental Law Sections are pleased to cosponsor this issue of the *Michigan Bar Journal* focusing on legal issues relating to a natural resource that forms the core identity of the Great Lakes State—water. The word *Michigan* is derived from the Ojibwe word *mishigama*, meaning “large water” or “large lake.” In Michigan, great water is both our heritage and namesake. This issue of the *Journal* will examine various governmental efforts and legal decisions currently shaping Michigan water law, many so recent that official citations are not yet available.

In this month’s issue, Sara Gosman explores the Great Lakes Compact, a cooperative multistate effort to develop and implement a multijurisdictional approach to water withdrawals and diversions from the Great Lakes Basin. Margaret Vroman examines a subject of considerable discord among those same states—preventing the Asian carp’s migration from the Mississippi River Basin into the Great Lakes. William Carey focuses on public access to inland lakes via dedicated roadways and discusses how recent caselaw has defined the scope of such rights. Jeffrey Dobson Jr. and Nakisha Chaney examine the jurisdiction of the Michigan Department of Environmental Quality over shore lands under the Great Lakes Submerged Lands Act and question the department’s current position that its jurisdiction rises and falls with the water levels of the Great Lakes.

Special thanks to Scott Steiner and James Stewart, chairmen of their sections’ respective Water Law Committees; their organizational assistance and peer review efforts have been extraordinary. Additionally, special thanks to coeditor Francine Cullari, who navigated this issue to its destination.

Those wishing to learn more about this unique and ever-changing area of law are invited to join the SBM Real Property Law and Environmental Law Sections, which both have committees devoted entirely to water law; visit <http://www.michbar.org/environmental> and <http://www.michbar.org/realproperty>. ■



Lawrence Shoffner is a past chairman of the Real Property Law Section and has been a member of the section’s council since 2000. He is also a member of the Executive Committee for the Institute for Continuing Legal Education and has been a member of its Real Estate Advisory Board since 1998. He maintains a solo practice focused on the areas of commercial leasing and real-estate-related litigation.



Scott Steiner is a member of the Environmental Law Section Council and is the current chairman of the section’s Water Law Committee. He is also a member of the American Bar Association’s Section of Environment, Energy, and Resources. He practices with the law firm of Rhoades McKee, where he serves as chair of the Environmental Law Practice Group.



James Stewart chairs the Water Law Committee of the Real Property Law Section. He practices with the law firm of Kotz, Sangster, Wysocki and Berg, PC, where he leads the firm’s Maritime and Recreational Boating Law Group. He concentrates his practice on corporate, business, commercial, real estate, yacht financing, and the perfection of maritime liens.