

Agenda

Michigan Water Law and Riparian/Littoral Boundaries and Access Rights

L. Opalewski

- Michigan common law
- Statutory and regulatory law
- Public trust doctrine
- Riparian rights
- Navigability

Principles of Boundary Location for Navigable Rivers and Lakes

S. Topp,
D. Glenn
W. Carey

- Non-navigable waters
- Determining navigability
- Erosion and accretion
- Meanders
- Artificial improvements
- Islands
- Floods and droughts
- Floodplains
- Wetlands

The Great Lakes Compact and Water Diversions in Michigan

H. Volzer
M. Flanagan

- Reviewing the text of the Compact
- The Compact in action: recent requests for diversion
- Effects of diversions on waterways, including the Great Lakes
- When the Compact comes into play in Michigan

Access to Michigan Surface Waters

P. Sniadecki

- Public access to public waters
- Water withdrawal rights for lakes and rivers
- Easements
- Resolving disputes between users
- State right to restrict access to/use of shorelands

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Michigan Riparian and Littoral Boundaries and Access Rights

Live, Interactive Webinar - Monday, April 22, 2024

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Altoona, WI 54720-0278



Learning Objectives

You'll be able to:

Examine the public trust doctrine and the common law of riparian rights.

Explore principles of boundary location for lands adjacent to navigable rivers and lakes in Michigan.

Consider the impact of floods, droughts, erosion and accretion when determining boundaries near waterlines.

Discuss the Great Lakes Compact in action, as requests are made for water diversions from the Great Lakes.

Review the law of public access to public waters and explore the State's right to restrict access.



HalfMoon Education Live Webinars

Michigan Riparian and Littoral Boundaries and Access Rights

Live, Interactive Webinar - Monday, April 22, 2024



Explore Michigan water law and water access rights

Discuss boundary location for properties on navigable (and non-navigable) waters

Consider the impact of erosion, accretion and meanders on boundaries

Discuss the Great Lakes Compact and Michigan water diversions

Examine Michigan's right to restrict access to surface water and shorelands

Continuing Education Credits

Professional Engineers
6.0 PDHs

Land Surveyors
6.0 PDHs

Attorneys
6.0-Hour Learning
Opportunity



Webinar Information

Log into Webinar

8:30 - 9:00 am EDT

Break

12:35 - 1:05 pm EDT

Morning Session

9:00 am - 12:35 pm EDT

Afternoon Session

1:05 - 4:00 pm EDT

Tuition

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Faculty

Larry Opalewski is a partner at Dalton & Tomich. He focuses his practice on land use and zoning litigation, including riparian rights, as well as constitutional litigation. He has significant experience in all aspects of litigation and has represented individuals, religious institutions, small to mid-size businesses, large businesses, and municipalities. The Religious Land Use and Institutionalized Persons Act (RLUIPA) is an area of particular interest. Additionally, Mr. Opalewski has successfully supported developers seeking approval from local planning commissions across the state of Michigan.

Susan Hlywa Topp has been actively involved in environmental and natural resource law in the state of Michigan since 1980. With 13 years employment as a conservation officer with the Michigan Departments of Natural Resources and Environmental Quality, and over 30 years of private law practice, she has the experience to see an environmental issue from many sides. Ms. Topp is a 1978 *cum laude* graduate of Wayne State University Law School and the principal of Topp Law PLC. She is the past chair of the Environmental Law Section Council of the State Bar of Michigan. Ms. Topp is a frequent speaker and published author on environmental, natural resource, and oil and gas law issues and has been selected as a Super Lawyer since 2017.

David P. Glenn is a partner at Kuhn Rogers PLC, Northern Michigan's largest law firm. Mr. Glenn practices in the areas of real property, construction, business, and environmental law. Mr. Glenn represents clients in both transactional and litigation capacities. He is a graduate of the University of Detroit School of Law with a J.D. degree in 2011 and Central Michigan University with a B.S. degree in 2007. Mr. Glenn has been recognized as "One to Watch" by Best Lawyers (2021, 2022, 2023).

William L. Carey is committed to providing high-quality legal services at a fair price. He is a northern Michigan native who understands the nuances of practicing law and operating businesses here in the great north. Mr. Carey practices in the areas of real estate, environmental and water, estate planning, zoning, property taxation, and business organizations and startups.

Credit Information

This webinar is open to the public and is designed to qualify for 6.0 PDHs for professional engineers and land surveyors in Michigan. Continuing education activities for Michigan engineers and land surveyors are not subject to pre-approval.

This webinar offers a 6.0-hour learning opportunity for attorneys in Michigan. Continuing legal education is not required in Michigan.

Attendance will be monitored, and attendance certificates will be available after the webinar for those who attend the entire course and score a minimum 80% on the quiz that follows the course (multiple attempts allowed).

On-Demand Credits

The preceding credit information only applies to the live presentation. This course in an on-demand format may not be eligible for the same credits as the live presentation; please consult your licensing board(s) to ensure that a structured, asynchronous learning format is appropriate.

Helena Volzer executes policy analysis, advocacy, and project implementation under the Agriculture and Water Restoration sections of the Alliance for the Great Lakes' strategy. She implements work across the Basin, particularly in Ohio, to achieve the Alliance's agriculture and water goals. Prior to joining the Alliance, Ms. Volzer served as an attorney at the Ohio Legislative Service Commission for over a decade. In that role, she provided legal research, bill analysis, and legislative drafting services on natural resources, agriculture, environment, transportation, and public safety matters to members of the Ohio General Assembly. Ms. Volzer holds a B.A. degree in Political Science and International Studies from Wright State University and a J.D. degree from Case Western Reserve University School of Law.

Molly Flanagan joined the Alliance for the Great Lakes staff in April 2015 as vice president for Policy after seven years as senior program officer at the Joyce Foundation. Ms. Flanagan is responsible for leading all aspects of the Alliance's strategic policy, advocacy, and reform efforts to protect and restore the Great Lakes. Ms. Flanagan has been a regional leader in preventing Asian carp and other aquatic invasive species from reaching the Great Lakes. Under her leadership, the Alliance has expanded its efforts to develop policy solutions to deeply-rooted problems in Lake Erie and move toward a more inclusive Great Lakes policy agenda that strives to ensure all residents of the basin have access to safe, clean, and affordable drinking water. While with the Joyce Foundation, Ms. Flanagan led critical work that transformed the ability of the Great Lakes region to respond to its most significant water challenges. Prior to the Joyce Foundation, Ms. Flanagan worked with the National Wildlife Federation to lead state-by-state coordination of policy advocacy. She worked to secure support from every Great Lakes state legislature and governor to pass the Great Lakes Water Resources Compact, and pass the Compact into federal law through Congress. Earlier in her career, she developed deep roots within the Ohio non-profit and government sectors through her work with the Ohio Environmental Council. Ms. Flanagan received her B.A. degree in Environmental Studies from Denison University.

Paul Sniadecki is a MSUe certified zoning admin and master citizen planner. He got his M.S. degree in Business Administration from Indiana University (South Bend). Mr. Sniadecki retired after 37.5 years of service in a nation-wide governmental agency. He was the lead and consolidated petitioner in the Eagle Lake contested permit process involving a boating access site (BAS). He is a frequent contributor of timely articles for the *MLSA Newsletter* and *The Michigan Riparian* since 2012. In 2012, he achieved MLSA Riparian of the Year.

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