

26th Annual International Submerged Lands Management Conference

Great Lakes Submerged Land Policy and Management: A Comparative Analysis of Eight States' Coastal and Submerged Lands Laws, Regulations, and Policies

Speaker: Elaine Sterrett Isely

Abstract: We will present the findings of two surveys of Great Lakes coastal management programs. In 2002 and again in 2005, the Great Lakes Commission requested information from the eight Great Lakes states about shoreline structures and submerged lands management, boundaries of bottom lands, and setbacks. In 2005, the Ohio Department of Natural Resources requested information from Great Lakes coastal managers about state coastal management program goals, accomplishments and challenges; submerged lands regulation and enforcement; and the application of the public trust doctrine.

United States law relinquishes to coastal states the right and power to manage, administer, lease, develop, and use the lands beneath navigable waters and along coastal states' boundaries. However, this body of statutory and case law provides no requirements or incentives for contiguous states to adopt consistent regulations or to collaborate in the management and use of shared resources. We conducted a comparative analysis of submerged lands management, leasing and setback regulations and policies, and the application of the public trust doctrine in the eight Great Lakes states' coastal management programs. We will highlight some of the differences and similarities between the different state programs, and we will explore opportunities for improved regional approaches to submerged lands policy and management.

We examine the results of a comparative analysis of the findings of two surveys of Great Lakes coastal management programs. These results will help identify potential opportunities for state collaboration in management, regulation and use of a shared regional resource.

Speaker Information: Elaine Sterrett Isely is a Research Associate at the Robert B. Annis Water Resources Institute at Grand Valley State University in Muskegon, Michigan. She manages policy-based scientific projects for the Director's office, and serves on several boards and workgroups including the West Michigan Strategic Alliance's Green Infrastructure Leadership Council, the West Michigan LEED-ND Member Circle, and the Michigan River Alliance. Ms. Isely is a former Great Lakes Commission-Sea Grant Fellow, and she is a licensed attorney and former litigator. In addition to her J.D., Ms. Isely also holds an M.S. in Biology with an emphasis in Natural Resource Management and a B.S. in Finance.