

Board approves last installment of required wetland monitoring

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SHELBY TOWNSHIP — In a 5-2 vote April 19, the Board of Trustees approved the final installation of wetland monitoring required by the Michigan Department of Environmental Quality at Gene Shepherd Park for a cost not to exceed \$7,000.

The MDEQ mandated that the township perform wetland monitoring and control invasive species in the park's wetland restoration area for a minimum of three years as part of a consent judgment.

Township Attorney Rob Huth said the consent judgment was reached with the MDEQ in 2012 following a late-2000s

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situation involving a failed indoor soccer facility and wetland encroachment litigation that cost the township approximately \$1.3 million under its previous board.

"The township leased (the land) to somebody else," Huth said. "They disturbed the wetlands, and since the township owned the property, we were left to fix the problem because the party the township leased to was not financially solvent, so we couldn't go after it."

Huth said the township agreed to the consent judgment with the MDEQ as a way to adhere to environmental obligations and avoid a lawsuit. One of the terms of the consent judgment, he said, was a three-year monitoring program.

The DEQ required that Shelby Township monitor the restoration area's successful establishment of wetland vegetation, document wildlife usage within the wetland, control invasive species in the wetland and provide the MDEQ with a monitoring report each year.

On April 19, the township hired ASTI Environmental, an environmental consulting firm from



File photo by Donna Dalziel

Phragmites australis, an invasive species also known as the common reed, grows near the detention pond at Gene Shepherd Park in Shelby Township. On April 19, the township approved the last installment of wetland monitoring at the park, including invasive species control, as required by the Michigan Department of Environmental Quality.

Brighton, to continue providing site investigations, invasive species control and a monitoring report.

The township formally opened Gene Shepherd Park, located near 23 Mile and Dequindre roads, on the land in question in June 2014. The park's name is a salute to the late Fire Chief Gene Shepherd, who died of cancer in 2012.

Trustee Doug Wozniak made the motion, followed by a silence. After Supervisor Rick Stathakis asked if anyone would like to second the motion, Clerk Stan Grot seconded the motion.

Trustees Paul Viar and Nick Nightingale voted against the proposal.

Viar rhetorically asked when the township would quit spending money on the remediation at Gene Shepherd Park, and Nightingale expressed disappointment that neither the township engineer nor representatives on the agenda item were at the meeting.

"We had a three-year commitment from the DEQ that we had to meet," Trustee Paula Filar said. "This is the last of the three-year commitment."

Following this last installment of wetland monitoring, Huth said the township will have no more environmental financial obligations at Gene Shepherd Park.

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