

Detroit Free Press  
**freep** / **opinion** / **columnists**

[Home](#) [News](#) [Sports](#) [Entertainment](#) [Business](#) [Features](#) [Opinion](#) [Tech](#) [Help](#) [Marketplace](#)

## SECTIONS

- [Columnists](#)
- [Editorials](#)
- [Mike Thompson](#)
- [Letters](#)
- [Send a letter](#)

## HELP

- [Search](#)
- [Archives](#)
- [Death notices](#)
- [About us](#)
- [Subscribe](#)

## MARKETPLACE

- [Classifieds](#)
- [Find a job](#)
- [Find a home](#)
- [Find a car](#)
- [Yellow Pages](#)
- [Place an ad](#)

## Local comment: Quality of water, quality of life

### Judge believes sewage, water problems can be solved through teamwork

May 25, 2001

*Senior U.S. District Judge John Feikens spoke with the Free Press Editorial Board earlier this week in advance of Rouge 2001, an annual conference on the watershed being held today at the University of Michigan-Dearborn. He has overseen court cases on the Detroit Sewage Treatment Plant since 1977 and water quality in the Rouge River since the mid-1980s.*

*Here are excerpts of the conversation:*

**Recently you asked a group of pretty high-powered people to form a consortium, and to think about water quality issues beyond the Rouge and the treatment plant. Would you describe your hopes for that group?**

What I did was to say to Wayne County Executive Ed McNamara, Mayor Dennis Archer, Oakland County Executive Brooks Patterson and Macomb County Commission Chairman John Hertel, to name just a few, look, we have to come together and look at this problem as a regional problem.

Pollution, like traffic, is not just isolated in one city. This is throughout the entire region. And we have to do something about it on a regional basis.

And, therefore, I urged people with clout, both in the private sector and in the government, to come together to see if these issues that we face can't be solved on a voluntary basis.

But I'm not the regulatory agency. That's the Michigan Department of Environmental

Quality and the Environmental Protection Agency. All that I have under the Clean Water Act is the enforcement responsibility. That has to be kept in mind. But I'm proceeding on the theory that the anticipation of the blow is worse than the blow itself.

For the first time we've got some pretty strong private sector people involved in this. (Ford Motor Co. chairman) William Clay Ford Jr. is the honorary chairman. I said to him, if you carry over the intensity that you have for the Rouge -- what you want to do with the Rouge plants and the Rouge basin -- that would be something if we could translate that enthusiasm into the region.

**Let's talk about the problems in the Rouge watershed.**

There are 48 communities that border the Rouge River or its tributaries. It makes no sense at all to look at the problems on a compartmentalized basis. That is to say that the MDEQ, as the agent of the EPA, would deal with a specific community in the Rouge River watershed and give them a permit which they then complied with. But upriver there is a community not complying. We can't do it that way.

So I said I'd like to see a voluntary, general storm water permit that is the same mandate for all communities in the Rouge River watershed. That has been a real success. People are slowly changing their minds about wanting to work together, and that is the central directive that the consortium will have.

**Can the successes of the Rouge watershed be transferred to other watersheds? Is that what you'd like to see?**

That's correct. And the start is with the four basic counties in southeast Michigan -- Wayne, Oakland, Macomb and Washtenaw.

**When you look at the cleanups in the Rouge, does that give you a sense of accomplishment?**

Yes, it does. But actually there have been so many other forces that have worked, like Friends of the Rouge. The Rouge project was started by Congressman John Dingell (D-Dearborn) and Congressman Bill Ford (D-Taylor, who retired in 1995). You have to give them great credit for that.

John is a masterful guy at getting money out of Congress. And he is still at it. And now, very interestingly, Congressman Joe Knollenberg (R-Bloomfield Township) is picking up on this thing.

What has to be considered is you can't let statements such as John Hertel made the other day -- "if we can't get federal money to do this we aren't going to do it" -- be an excuse. This regional consortium has got to figure out ways in which it can raise its own money. There is only one way to do that, and that is through rates, the rate structure.

All that we have done up to now is that the Detroit Water and Sewer Department has proposed a rate structure each year to itself and to the 128 communities it serves for water and sewage. But that focuses only on what they need in order to provide for the transportation systems for water and sewage, not for the needs of the communities in the region.

For example, there is nothing in this approach that deals with the question: Do we need another treatment plant? Where will it be? How will it be financed? The region has to look at these things and these rates, it seems to me, on a regional basis.

By the way, I'm opposed to the idea that the consortium or a regional group should take over the operation of the Detroit Water and Sewer Department. That is a city operation and should stay there.

### **Why?**

Well, there are a number of reasons. First, if you are thinking about ever getting Detroit back to world-class status, and that is a remote

idea, you don't start out by taking things away. In that sense, I've always philosophically been bothered by the fact that the zoo, the library, the symphony orchestra, even though they carry the name "Detroit," are slipping away from what was once a great city commitment. I don't think that should be done with the treatment plant.

But there is a practical reason too, and that is, if push came to shove, these communities out in the northern part of the region wouldn't like to have to operate the sewer plant. They wouldn't want to take that on with that cost. We're fortunate to have a system that's put together as well as it is, even though there are a lot of problems.

But back to the central idea. The region has to provide the means.

And you know, there is an irony in that. Many of these communities take that rate for water and sewage that Detroit hands down periodically, and they have big add-ons in their own communities for services that they provide which aren't connected with water and sewage. They allow extra goodies for their people without having to tax them. Now, I'm not against the idea of doing it that way, but it has to be disclosed.

**Are you suggesting that water and sewer customers ought to be going to their city councils and saying, show me all the components you're using to figure my bill?**

I think the consortium should focus on that.

**The sewage treatment plant is under your jurisdiction and it serves 128 communities. Could you see asserting your authority over those 128 communities, including those, say, in the Clinton watershed?**

I don't think I should initiate that. That's the regulatory agency's responsibility. I'm not interested in being the ayatollah of the region in looking for these problems and telling people, this is what you have to do. There is a

certain amount of criticism that MDEQ has not done everything that they should have done.

I'm interested in this: The environmental groups in this area are far more active in clear air than they are in clean water. I haven't had any of the environmental groups file suit in my court with regard to water quality problems.

But when a couple of years ago Detroit Edison fired up a couple of its stacks with coal, boy, in addition to the EPA and the MDEQ there were five or six environmental groups that immediately got into that.

I can only come into the equation if concerned citizens or regulatory agencies say, look, this isn't being done, and then they start a case. Then I can do something. But I hope not to have to do it that way.

**If everything works the way you would like, what do you envision?**

The vision is the quality of life. You cannot have a solid life quality without having good water quality. A community such as this one in southeastern Michigan cannot thrive if it doesn't solve that very important element of life quality -- water, sewerage, all of these things.

You know, I think the two primary responsibilities of government are education and the provision for the elimination of waste and the provision of water for its people.

When I first talked to Mr. Ford about this, when I went to see him to ask him to take the chairmanship of this, we talked about that. He recognizes that you cannot have Ford Motor Co., General Motors Corp., DaimlerChrysler -- although he didn't say that, and I didn't mention those names although that was the intent -- flourish in this community unless they have people surrounding them who are well housed, well fed, well cared for, well educated.

**Are you associating that with recreation, also?**

You can't compartmentalize it. It's a lifestyle. How do you make this region a world-class region unless you solve the problems like these problems? That's the vision. It's there.

**What is the hammer that you use to get them to do what historically we don't do in this area, which is to cooperate regionally?**

Well, obviously we can stop development. No more new sewers, no more building. We've got enough. We keep building, building, adding to this problem. No more building unless you face up to the fact that you have to make better use of land. Land usage is a real problem here.

I don't mean this in denigration of politicians, but they usually don't do anything until they are forced to. But that is an incomplete statement. These people are intelligent. They see the forces and what is needed, and I think they try to work together.

**On top of that, you're forcing them to, aren't you?**

Well, yeah.

[MORE COLUMNS](#)

[FREEP FRONT](#) | [VOICES FRONT](#)

Comments? Questions? You can reach us at [The Freep](#)

[Home](#) [News](#) [Sports](#) [Entertainment](#) [Business](#) [Features](#) [Opinion](#) [Tech](#) [Help](#) [Marketplace](#)

All content © copyright 2001 Detroit Free Press and may not be republished without permission.