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ENTERTAINMENT

Feds sued over Humbug Marsh curbs

Firm claims U.S. lacks role to deny housing project

By Shantee' Woodards / The Detroit News

GIBRALTAR -- A minority-owned firm, whose plans to build luxury homes Downriver escalated into a four-year battle, filed a lawsuit Monday against federal officials.

Officials at Made in Detroit said the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency do not have jurisdiction over their proposed development on Humbug Marsh and Humbug Island. The company filed the lawsuit in U.S. Eastern District Court.

"They've been jumping through a lot of hoops (with this project)," said Saulius Mikalonis, a Bloomfield Hills attorney who is representing the company. "The legal reasoning is very sound. I don't think there was jurisdiction here and ... the court will agree with us."

Federal officials did not return phone calls seeking comment.

In 1997, Made in Detroit bought 409 riverside acres in Gibraltar from Waste Management of Michigan Inc. for \$3.2 million. The developers planned to build more than 340 luxury homes and a nine-hole golf course in the area, which straddles Trenton and Gibraltar. But residents and environmentalists wanted the property to remain untouched, because it is one of the last wetland areas along the Detroit River. Since then, the company has revamped its site plans several times after a series of government battles.

The U.S. Army Corps of Engineers denied the permit in 1999 and said that 150 of the 409 acres would be usable for development. Made in Detroit appealed the decision, but lost.

Last June, the Corps of Engineers denied permission to dredge and fill wetlands. In response, the company removed 45 homes from the plan so the project wouldn't infringe on wetlands and to leave the federal agency without authority on the property.

If the court sides with the firm, work will begin soon, Mikalonis said. But some officials are still worried about the project's environmental impact.

"It was the right plan in the wrong location," Trenton Mayor Pat Hartig said. "Whenever you have the last of something, you want to do everything you can to preserve it for future generations. We have to think about the people who aren't here yet."

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