

Name (s) Allen Butchbaker, Drain Commissioner, Cass County  
Date January 5, 2004

### Jurisdiction

The geographic scope of the interview is Cass County. Mr. Butchbaker works in designated drains in the county. Cass County lies in the Lower and Middle River Valley Segments and contains the City of Dowagiac and the Villages of Vandalia, Cassopolis, Marcellus and Edwardsburg.

### Projects/beneficial watershed features

The number of confined animal feeding operations that have runoff impacting surface water quality is decreasing. The change in livestock production to confinement operations is a positive change because pasturing of hogs had resulted in erosion, nutrient enrichment and soil compaction. Manure from the operations is typically spread according to nutrient management plans.

A Section 319 project was conducted by the Cass County Conservation District on the Dowagiac River Watershed. Five townships in Cass County and some in VanBuren County participated in the project and in zoning efforts to protect green space along the river corridor. Areas not suitable for on-site septic systems were also identified. The Rocky River has also been identified as having a wide riparian buffer and is not farmed to the edge.

Septic systems are no longer present around Donnell Lake, and this has reduced nitrate levels in groundwater. Sewers have also been constructed around Donnell Lake and several other lakes in Cass County including Indian Lake, Barren Lake, Diamond Lake, Eagle Lake, Garver Lake, Paridixie Lake and the Sister Lakes in Cass and VanBuren Counties. They also have been constructed in the Village of Vandalia. The Diamond Lake Association monitors coliform levels and has not found any high levels since the construction of the sewer. Sewer construction is also occurring or planned around Baldwin-Long-Coverdale Lakes, Shavehead Lake, Birch Lake and Juno-Painter-Christian Lakes.

### Challenges in the watershed

Urbanization and construction close to streams is a concern. Runoff is increased, and habitat is lost. Domestic dogs and cats are also affecting wildlife populations. High coliform counts were a concern in Youngs Prairie Drain, which empties into Diamond Lake. Large geese populations were found and suspected. The drain had been plugged into a pond, providing a geese habitat. The pond was unplugged, allowing the drain to return to a flowing stream, and the problem was alleviated. It was noted that many drains cannot be returned to their presettlement state. They must function as drains to prevent cities and agricultural fields from flooding.

Flood hazard maps have been found to be inaccurate. They are typically designated as a certain distance from a water body. However, there have been situations in the county in which an area was indicated as being in a floodplain on the map, but was not really in a floodplain. Specific details had to be provided to lenders to refute the maps and illustrate that the residence for which a loan was sought was not in a floodplain. This has been an issue in LaGrange Township and around Kelsey Lake and Magician Lake. It has been suggested the communities not subscribe to the mapping program. Building inspectors should be aware of the high water mark when inspecting properties. There have also been problems when buildings are constructed in floodplains.

A location on the north side of the City of Dowagiac along the Pine Creek Outlet was identified as being impacted by heavy metals from a facility called Sunstrand. Ely Creek Drain in Howard Township is also a concern because it flows near a heavy metals cleanup site and then through a salvage yard.

Nitrates have historically been high in groundwater wells in Constantine (St. Joseph County) and Cassopolis. The Village of Vandalia installed a new drinking water source recently, which should alleviate former nitrate problems.

#### Additional Needs in Jurisdiction

Mr. Butchbaker has been involved in the NPDES PII process due to the presence of two county drains within the designated urban areas. These areas are in Ontwa Township, south of Edwardsburg. This area is included in the South Bend Urban Area. Areas in Milton Township and Howard Township area also included in this urban area. But these portions of the townships do not contain county drains. The mandate to prepare the permits is unfunded. Therefore, he has been required to attend meetings and prepare a permit for only two drains.

A need to revise the state Drain Code was noted. The Chapter 22 Revision has been discussed for a long time and edited over a 10-year process. The revision would allow commissioners to assess land uses contributing to problems with drains. Currently the commissioners' jurisdiction is restricted to the drain itself. Sediment problems in drains could often times be address by grassed waterways or other BMPs on the land. However, the drain code only allows the commissioners to work within the drain.