

LOOKING GLASS RIVER INTERCOUNTY DRAIN SHIAWASSEE, CLINTON, INGHAM AND LIVINGSTON COUNTIES

FREQUENTLY ASKED QUESTIONS

The Looking Glass River. The Looking Glass River is not only a major recreational waterway in the area but also a resource critical for drainage to the land surrounding it. A portion of the river has been established as an intercounty drain dating to back to the late 1800's. The Looking Glass River Intercounty Drain has been inspected for maintenance and it appears the current drainage district boundaries should be revised. The following information is provided to you to address questions you may have regarding the Looking Glass Intercounty Drain:

Q: How did a portion of the Looking Glass River become an Intercounty Drain?

A: A portion of the Looking Glass River was established as a drain by acts of the Michigan Legislature as early as 1881, Public Act 239 of 1881 and Public Act 84 of 1885, to address water conveyance issues. In 1886 improvements were made to approximately 36 miles of the river/drain based on an Order Establishing Improvements that included dredging and log jam removal.

Q: Why does this make it an established drain today?

A: Current state law provides that any watercourse established as a public drain in accordance with the law in existence at the time it was established is recognized as a public drain today.

Q: Where does the Looking Glass River Intercounty Drain begin and end?

A: Based on the 1886 Order Establishing Improvements, the point of beginning of the Looking Glass River Intercounty Drain is approximately the point where the river crosses the township line between Dewitt and Olive Townships in Clinton County and the point of ending is the county line between Shiawassee and Livingston Counties.

Q: What areas does the Looking Glass River Intercounty Drain serve?

A: The Looking Glass River Intercounty Drain serves portions of Bath, Dewitt, Olive and Victor Townships in Clinton County; portions of Sciota, Woodhull, Bennington, Shiawassee, Perry and Antrim Townships in Shiawassee County; portions of Meridian, Williamstown and Locke Townships in Ingham County, and a portion of Conway Township in Livingston County.

Q: Who has jurisdiction over the Looking Glass River Intercounty Drain?

A: An intercounty drain board chaired by a representative from the Michigan Department of Agriculture and Rural Development (MDARD) and the Drain Commissioners from Clinton, Livingston, Ingham and Shiawassee Counties oversee the operation and maintenance of the drain.

Q: What is a drainage district?

A: A drainage district is a land area benefitting from an established drain. Under Michigan law, a drainage district is a public corporation authorized to build and maintain a drain, and to own land and hold property rights necessary for that purpose. It is also authorized to assess lands within its boundaries.

Q: Why is a property included within a drainage district?

A: Generally, a property is determined to be in a drainage district if runoff from that property drains to, or has the potential to drain to, an established drain.

Q: Why are changes to the drainage district boundaries being considered?

A: In many cases, drainage district boundaries were established decades or even a century ago. Since that time, changes in land use, surface composition, and topography may have occurred that alter historic drainage patterns. These alterations can change whether, and to what extent, properties are now benefitted by a drain.

Q: How does property included in a drainage district benefit from the drain?

A: County drains are an important part of public infrastructure in much the same way as roads, water mains, and sanitary sewers. Although drains may not be visible, they provide an outlet for storm water runoff and reduce the risk of property damage caused by flooding.

Q: How will we know if our property is located within the Looking Glass River Intercounty Drain Drainage District?

A: A map has been prepared based on topographic and other information identifying the land served by the established portion of the Looking Glass Intercounty Drain depicting the boundaries of the proposed revisions to its drainage district. You will receive a Notice for Day of Review indicating the date, time and place when these proposed boundary revisions will be reviewed.

Q: What happens on the Day of Review of Drainage District Boundaries?

A: On the Day of Review, historical drainage district boundaries will be updated so that all properties currently benefitting from the drain are included, and the properties not benefitting from the drain are excluded. The Day of Review of Drainage District Boundaries provides property owners with an opportunity to provide input and participate in the decision-making process and share information and local knowledge about lands involved.

Q: What maintenance work does the Drainage Board intend to have done on the Looking Glass River Intercounty Drain?

A: The maintenance work proposed for the drain involves removal of log jams and flood wood from the drain channel. It also will include selective clearing of trees (leaners) along the drain right-of-way and drain banks. Clearing of trees will reduce the occurrence of trees falling into the river/drain reducing the incidence of future log jams.

Q: What are the benefits of the maintenance work proposed?

A: Removing trees and log jams will allow the water along the river/drain to move freely, reducing the extent of soil erosion and sedimentation causing damage to the river and flooding to surrounding areas. Clearing the river from debris and improving conveyance along the river channel will create indirect benefits to wildlife, hunting, recreation, and fishing.

Q: How much will the maintenance work cost?

A: Maintenance cost is limited by the Michigan Drain Code to \$5,000 per mile of drain per year. For the Looking Glass River Intercounty Drain, the maximum annual cost would be \$180,000 ($\$5,000 \times 36 \text{ miles} = \$180,000$) per maintenance project.

Q: Who will pay the cost?

A: In accordance with the Michigan Drain Code, the maintenance costs will be assessed to those who benefit from the existence and operation of the drain. Those benefiting include the counties for benefit to county roads, MDOT, railroads, townships and the landowners within the drainage district.