

LARSEN DRAINAGE NEWSLETTER

HISTORY

To keep all property owners being assessed for drainage fees informed, the Larsen Drainage Board is sending out this newsletter. For all of you who do not know the history of the district, the following is a brief update. The Larsen District was established in 1910 by the Winnebago County Circuit Court at the request of property owners. All lands from Highway 76 west and south of Fairview Road flow to the west so there were many acres of land that were too wet to produce crops. Tiling of land was not done then. The judge created a district and appointed a Drainage District Board with 3 representatives from within the district. Drainage districts were originally formed to address problems with surface water drainage on agricultural lands. Drainage districts are currently governed by authority set forth in Chapter 88 of the Wisconsin State Statutes and the Department of Agriculture, Trade and Commerce Protection administration rules. The Larsen Drainage District encompassed approximately 4,290 acres when created. The proposed District would encompass approximately 18,340 acres of watershed area.

RESPONSIBILITY

Drainage Boards have considerable power under the current law. Once the district is created, the Board is responsible for:

1. Operating and maintaining District drains and dams
2. Levying assessments against landowners who benefit from drainage
3. Award damages, as appropriate, to landowners negatively impacted by the construction of drains
4. Making recommended modifications to drainage district boundaries
5. Resolving drainage district disputes subject to applicable law

Drainage districts also have the power to conduct specific activities including but not limited to:

- 1, Assessing land for benefits received from improvements
2. Expanding or decreasing the size of the district
3. Acquiring land
4. Assessing damages to individuals who cause damage to a drain
5. Assessing municipalities for costs to enlarge or maintain drains that are attributable to increased water flows

6. Hiring professional consultants and signing contracts for improvements
7. Borrowing money and issuing bonds or construction

The Winnebago County Drainage Board oversees the Larsen Drainage District which at present is the only drainage district in Winnebago County. This corridor consists of approximately 28,000 foot long section contained primarily within the Arrowhead River corridor. The District has maintained this drainageway since the inception.

Prior to the present ongoing large scale maintenance work on the drainageway, the drain was cleaned out in 1931 and 1963. A special assessment was also required at that time. Smaller scale maintenance has been provided voluntarily by either the Board members or district landowners at their own expense.

Prior to starting the present cleanout, it was required that the drainage ditch needed to be completely surveyed and charted as to where and how much silt needed to be removed. The Drainage Board contracted with McMahon Engineering to do the work. They surveyed from north of Fairview Road to Lake Winneconne. The survey maps were on display at the Town of Clayton and are on file. Since there was no money in the drainage account, a special assessment was implemented. This special assessment is still ongoing and cleanup has progressed south of Larsen. At the time when the State completed the frontage road along Highway 45, dredging was completed around the bridges as they were put in place. Work on the ditch is done in the winter depending on the amount of snow.

PROGRESS

After McMahon Engineering surveyed the drainage ditch, the next was to obtain permits. This was very time consuming and frustrating. Many of you were wondering why the delay in getting started. It seemed the DNR was telling us one thing and the Wisconsin Department of

Agriculture, Trade & Consumer Protection was advising us differently. With the help of Attorney Roger Clark of Herrling & Clark, and the State Agriculture Department the decision was made that we were exempt from some of the regulations, our chairman, Abe Eckstein, felt he was taking one step forward and two back. Finally all permits were resolved and dredging began. Cleanup has been accomplished from Oakridge Road north to the start of the ditch.

Providing winters cooperate, but remember this is Wisconsin, it is felt another two years and it will all be cleaned out. The next hurdle needing to be overcome is that north of Highway 45 are some larger trees in the ditch and the Drainage Board will need to decide the best way to remove them. Once the ditch has been cleaned out to Lake Winneconne, the assessment will be only a maintenance fee. Your Board does not want to let the treasury get to zero as it did since 1963 and not be able to do necessary maintenance as needed.

POSSIBLE IMPACT OF EPA & DNR RULES

Your writer contacted Mr. Johnson, Town of Clayton Administrator, and questioned him if the drainage ditch would be part of stormwater management and water quality when the EPA (environmental Protection Agency) and the DNR (Department of Natural Resources) implement their rules for water quality in the Town of Clayton. I was informed that it was just a matter of time before this would happen. The Towns of Menasha and Neenah have already needed to comply. I then called George Dearborn, Community Development Director for the Town of Menasha and Jan Dekeyser, Supervisor Town of Neenah and questioned the cost to their taxpayers. In the Town of Menasha, the study cost \$100,000, land acquisitions for four ponds \$1,000,000 and another \$700,000 to \$800,000 preparing the ponds. In the Town of Neenah about \$1,000,000, but costs are always ongoing. Mr. Johnson said that the ditch drains water from Highway 76 west to Larsen and also in some areas of Larsen itself. After rains and spring runoffs, road ditches, creeks, and sways all flow west with some water making its way into the ditch. As mentioned before about 4,290 acres is drained directly by the ditch. This acreage would be unproductive if not for the ditch. Landowners are now required to have a 20 foot buffer adjacent to the ditch so at times of rain and spring runoff, no more clumps of dirt will be washed into the ditch. It is the aim of the Board that everyone is obeying this regulation. As new subdivisions are developed, water retention ponds must be put in place and the size depends on calculating the amount of impervious surfaces that are evolved. Impervious surfaces consist of roads, blacktop or cement driveways, parking lots, and roofs or surfaces where water will not be absorbed into the ground. It's only a matter of time before townships will have to implement EPA and DNR regulations. Clean water is just as important to sustaining life for all of us as are food and air.

Larsen-Winchester Sanitary District is assessed \$4,500 per year as they draw down the lagoons twice or more per year and drain the water into the ditch. Northeast Asphalt pays \$7,500 per year as they constantly drain their quarry water into the ditch. The landowners pay

\$25.50 per lot with buildings, \$8.50 per lot with out buildings plus \$2.68 per acre. Buildings are an impervious surface.

Drainage Board Members: {Voting Members]

Abe Eckstein, Chairman – 920-836-2886

Jerry Peterson, Secretary – 920-836-2537

David Sleik – 920-836-3898

Recording Secretary – Joanne Sievert (Non-Voting)

All financial records for the Larsen Drainage Board are retained and maintained by the Winnebago County Treasurer. Bills are submitted to the County Treasurer for payment.

Meetings are posted. However, to keep landowners of the Larsen Drainage Ditch better informed, minutes and meeting notices will be posted on the internet, meeting minutes will be posted as held even though not approved. Meeting notices will be posted as in the past and on the web. Meetings are generally held twice a year or as necessary. To keep up to date, go to Winnebago County, under County Clerk for Larsen Drainage Board.

Please feel free to contact one of the Board members if you have questions or concerns.

Right to Left: Abe Eckstein, Chairman

Jerry Peterson, Secretary

David Sleik, absent

Joanne Sievert, Recording Secretary