The Daily Inter Lake

Whitefish to look at septic improvements in 2014

The Whitefish City Council has delayed until next year a decision on a proposed wastewater program to deal with failing septic systems around Whitefish Lake.

The council held its second work session Nov. 18 on the proposed plan, but after discussing the matter for roughly an hour it did not take any action.

Mayor John Muhlfeld said the council originally was presented with management options and the recent meeting was to get initial feedback.

"Because of timing it's probably not going to be a decision this council makes," Muhlfeld said, referring to the fact that three new council members will be seated in January.

The Whitefish Lake Institute last March released a study confirming septic contamination in the lake, likely from failing septic systems. In August, the Whitefish Community Wastewater Committee presented its management document that sets options for education and outreach, management and monitoring to deal with contamination.

Recently the institute presented its recommendations to the council.

The institute calls for a combined approach of pieces of all the alternatives including education and outreach and wants the city to develop preliminary engineering reports for five neighborhoods.

In addition, the institute recommends that the city looks at implementing, within city limits, an ordinance that would require septic tanks to be inspected upon sale of a property.

"We are providing a road map of our recommendations to consider how to address septic leachate in the lake," institute Executive Director Mike Koopal told council.

The wastewater management plan outlined an extensive inspection plan for septic tanks that include the planning jurisdiction area known as the "doughnut."

However, the insititute recommended against implementing the program outside city limits because of the current lawsuit involving the city and Flathead County to determine jurisdiction over the doughnut.

Council member Bill Kahle said he agrees the best option is to enforce inspection inside the city limits first before broadening the inspection area.

"We're looking for a program that goes on the path of least resistance," Kahle said. "The idea of inspecting systems is great, but what mechanism does the city have to enforce that outside city limits?"

City Attorney Mary VanBuskirk said the city is allowed, under state law, to regulate outside the city limits for public health issues, but the council would have to decide "how much political response it wishes to bear from the county."

The doughnut issue aside, council member Frank Sweeney said starting within the city limits first and then moving outward with the county or advocating for a statewide septic inspection program is a viable option.

He suggested that inspecting septic tanks to determine those that are failing might be a better option because it's a more "benign" approach in the interim until homes can be connected to a community system. A septic tank inspection is estimated to cost $250.

"If there's somebody out there that wants to maintain those septics," Sweeney said, "I think inspection is the right way to go."

One detail yet to be confirmed is the official number of active septic tanks inside city limits. According to county records, 623 septic tank permits have been issued for the city, but that doesn't mean that same number still exist because the county only records the initial permit. The county data will have to be cross-referenced with city records to confirm which septic tanks are still in use.

Part of the institute recommendation includes development of preliminary engineering reports to outline mitigation and cost estimates for five neighborhoods: East Lakeshore, Lion Mountain, Lazy Bay, Viking Creek and Point of Pines. The institute estimates these reports could cost nearly $80,000 each.

To pay for the engineering, the institute recommends that the city apply for various grants as well as work with the county, the Whitefish County Water & Sewer District or the Flathead Conservation District to apply for further grant money. The institute suggests the city put aside $200,000 to pay for its contribution.

Questions have been raised about the tiered ranking system in the management plan that puts East Lakeshore Drive as a top priority.

Ben Cavin, who lives on Houston Drive, said East Lakeshore Drive as a high priority doesn't make sense because it was not one of the places deemed as high risk in the 2012 septic study.

"There should be no sequencing at this time," Cavin said. "The septic leachate report designates four places as high risk — Viking Creek, City Beach, Lazy Bay and Lion Mountain/Dog Bay. I think it's logical to devote scarce funds to these four places. The proposed sequencing is not consistent with that report."

The institute noted that while E. coli wasn't found at East Lakeshore in its study, several previous studies have identified septic leachate in the area and have noted it as an area of concern.

Koopal said the ranking is the suggested priority for the engineering reports to be performed. Once those reports are completed, it would be up to the council to decide which projects will ultimately take priority.

"There will have to be a re-tiering once those reports come back," Koopal said.

If the city decides to go forward with the neighborhood approach, the institute suggests it begin applying for preliminary engineering grants in 2015 and then apply for construction grants in 2016. It's expected to be at least a 10-year process to remedy the problem.

City Manager Chuck Stearns said the preliminary engineering reports will be critical for the city to get more information and to determine what mitigation will cost in each neighborhood.

"The council will have to decide whether to pursue the property conveyance inspection program and whether or not to proceed with the preliminary engineering reports in the five neighborhoods," Muhlfeld said.

Desch is a reporter for the Whitefish Pilot.