

Watershed funds update septics



One Watershed, One Plan pilot project status: Lake and Cook counties increase water quality protections in Lake Superior North watershed



The Lake Superior North Comprehensive Watershed Management Plan — one of the original One Watershed, One Plan pilot projects, with a plan approved in January 2017 — prioritized private wastewater disposal in Lake and Cook counties. Progress made over the past four years has increased water quality and habitat protections.

Lake County and Cook County staff agreed that septic systems were a priority within the watershed. Here, shallow soils, the presence of bedrock near the surface, and private land in proximity to water resources increase the risk of degrading water quality, habitat and recreational resources. Nutrients and bacteria from poorly functioning septic systems can exacerbate that risk.

But each county had a different need.

Lake County needed to update its septic system database. Cook County needed to update the septic systems themselves.

As time allowed, Lake County staff had been converting older paper records to a digital format compatible with the existing database. But more urgent matters always arose. The result was boxes of paper records dating to the start of septic systems permits — 1973 for shoreland properties, 1978 for non-shoreland.

A combination of events in 2020 allowed the Lake County Planning and Zoning staff to finish modernizing records for residential properties.

Watershed-based implementation funding from the Minnesota Board of Water and Soil Resources (BWSR) and COVID-19 adjustments such as working

Before-and-after:

Left: Sewage overflows from a non-compliant septic tank in Lake County. **Photo Credit:** Christine McCarthy, Lake County Planning & Zoning

Right: A new septic tank and a new mound (not pictured) replace the failing tank in Lake County. Lake Superior is seen in the background. The site is about 120 feet from an unclassified waterway that flows to Lake Superior. The tank is about 150 feet from the Lake Superior waterline. **Photo Credit:** Neva Maxwell, Lake County Planning & Zoning

“ One Watershed, One Plan identifies needs and concerns, provides many benefits to the residents, and contributes to the health of the watershed.

— Rick Sve,
Lake County Commissioner and BWSR Board member

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remotely allowed Lake County to catch up in a year when permit applications were at their highest level since 2007. By the end of 2020, boxes of files housed in a vault at the courthouse had been scanned into the searchable database.

The old records are still being used, but it now takes less time and effort to dig through the files. Historical information is more easily coordinated with the county auditor and GIS staff. Having all the data in one place will make it much easier to obtain information required by the county's 2015 septic ordinance update, which calls for inspections upon the sale of property and when a new building permit is issued.

The next step will be scanning all the older commercial properties into the system. Many of these records pertain to resorts whose owners and names have changed several times over the years. The ability to coordinate information from land use permits and septic permits by parcel number rather than name will increase staff efficiency in both areas.

Once the records modernization is complete, Lake County staff will use the comprehensive watershed management plan to identify priority areas within the watershed where septic system information is incomplete or unclear. Properties within those priority areas will be evaluated for the presence of existing systems. An inspection will be performed if warranted.



A homemade sewage system piped wastewater from a house into a ditch that flows into a designated trout stream in Lake County. Photo Credit: Christine McCarthy, Lake County Planning & Zoning

Some of the watershed-based implementation funding is reserved for assistance to low-income residents who may need to upgrade their systems.

“The watershed funds allowed us to re-examine and streamline our information systems so our records were more accessible and usable. It will also allow us flexibility to help out our vulnerable and/or low-income

residents with wastewater system upgrades that can cost upwards of \$20,000 in this watershed,” said Lake County Commissioner Rick Sve, who is also a BWSR Board member.

Cook County's database is up to date, and it has used past Clean Water Fund grants to conduct systematic inspections around lakes within the county. That inspection regimen created a backlog of systems that

needed upgrading to meet current requirements.

Circumstances contributing to the backlog include a lack of contractors, the sheer number of systems needing upgrades and the recalcitrance of some landowners to cooperate.

County staff works diligently with landowners to devise solutions. But at some point, the county attorney is brought into the compliance process, typically with a letter informing the landowner of their responsibilities. Occasionally, landowner cooperation is lacking, and the matter is escalated to court proceedings. More serious and urgent cases take precedence within the county attorney's office. As a result, noncompliant septic systems can linger.

Cook County is using watershed-based implementation funding to augment county attorney staff time with outside counsel to specifically address a few lingering cases. Disruptions due to COVID-19 have set back the timing of this effort somewhat, but the background work of coordination, reviewing case file documentation and developing a schedule for hearing cases has begun.

Watershed-based implementation funding provided the flexibility not only for each county to address its specific needs but also to bring septic system management for resource protection into alignment throughout the watershed.