



City of Golden Valley  
10000 Lakeview Avenue  
Golden Valley, MN 55426

March 8, 2016

Laura Jester, Administrator  
Bassett Creek Watershed Management Commission  
c/o Barr Engineering  
4300 MarketPointe Drive  
Minneapolis, MN 55435

**Subject:** City of Golden Valley 2016 Pavement Management Program

Dear Laura:

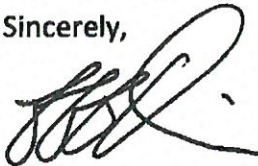
The City of Golden Valley is requesting a variance from the Bassett Creek Watershed Management Commission (BCWMC) water quality standards for the 2016 Pavement Management Project.

As discussed in the attached memo from the City's consulting engineers at Short Elliott Hendrickson, Inc. (SHE), the City will be constructing all the water quality best management practices that are practical and feasible with this project. These best management practices include installation of sump manholes with SAFL baffles, and reduction of the impervious pavement surfaces to the extent possible. Despite these efforts we are unable to meet the Minimum Impact Design Standards (MIDS) water quality requirements of the BCWMC. The improvements being constructed are consistent with the water quality requirements for linear projects prior to adoption of the BCWMC Comprehensive Plan in September, 2015, and will result in water quality improvements from the existing conditions.

The City will continue reconstructing streets within the Lakeview Park area of Golden Valley for the next several years. The City will strive to meet the MIDS requirements to the extent feasible as these projects are designed and constructed. These projects will include acquisition of four flood prone homes north of Olympia Street between Mendelssohn and Gettysburg Avenues immediately north of the 2016 Pavement Management Project. There is no feasible way to protect these homes from repeat flooding and therefore the long term use of the property will be the construction of a water quality best management facility as part of the upcoming street reconstruction projects. This facility has not yet been designed, but will provide nutrient and sediment removal from storm water runoff, and most likely include volume reduction, prior to its discharge into Medicine Lake.

Please feel free to contact me at 763-593-8034, or [joliver@goldenvalleymn.gov](mailto:joliver@goldenvalleymn.gov) if you would like to discuss this issue further.

Sincerely,

A handwritten signature in black ink, appearing to read 'JO', with a large, sweeping flourish extending from the end.

Jeff Oliver, PE  
City Engineer

Enclosure

C:     Marc Nevinski, Physical Development Director  
       Sue Mason, SEH  
       Brian Dahlberg, Engineering Technician



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## MEMORANDUM

TO: Jeff Oliver, PE City Engineer, City of Golden Valley

FROM: Susan Mason PE, Project Manager

DATE: March 8, 2016

RE: 2016 PMP Watershed Permit  
SEH No. SEH 125641, City Project No. 16-1 14.00

Dear Jeff,

The following information has been compiled regarding our review of the Basset Creek Watershed MIDS Design Sequence Flow Chart. As you know, the 2016 PMP project was started in 2015 and is now needing to comply with the changes in the BCWMO rules. Currently, the 2016 PMP project is not conforming.

### Background

The 2015/2016/2017 Pavement Management Projects were originally one project that were separated into 3 projects during preliminary design for financial reasons. The feasibility report/preliminary design was prepared in 2015 and addressed the entire project area, most all of which is part of the Medicine Lake sub-watershed area. The City invested in a Lakeview Park Pond study to try to provide water quality treatment, solve flooding in the neighborhood, and provide relief to the undersized storm sewer system that discharges from the project area, under TH 169 and in to Medicine Lake (an impaired water).

The Lakeview Park Pond study concluded that construction of a pond for water quality or rate control was not feasible in the park due to poor soils and homes with flooding risk. Later study found that four homes located north of Olympia Street between Independence Ave N and Mendelssohn Ave N, were experiencing frequent flooding without a feasible solution to mitigate other than to purchase the homes. The City has since committed to purchase of these 4 parcels, but must do over time as funding becomes available.

### MIDS Performance Goals

SEH reviewed the 2016 PMP with the watershed's MIDS Design Sequence Flow Chart. As a linear street reconstruction project creating more than an acre of fully reconstructed impervious surface, the 2016 PMP is required to retain a volume of 0.55 inches of runoff from all new and fully reconstructed surfaces. The calculated performance goal requirement for the project is 3,614 cu ft. The project is able to reduce the impervious surface to the extent possible, from 1.98 acres to 1.81 acres, resulting in a credit of 522 cu ft. Full compliance with the performance goal of 3,614 cu ft. is not feasible due to lack of available ROW and soil conditions leading to the evaluation of Flexible Treatment Option (FTO) #2.

### FTO #2 Feasibility

By minimizing and reducing the impervious surface with the project the City has achieved volume reduction to the greatest extent possible. FTO part 2.b requires the removal of 60% of the annual TP load. Barr's SHSAM model was utilized to evaluate the amount of total suspended solids (TSS) removed

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnals Center Drive, St. Paul, MN 55110-5196

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

in the project's proposed four, four foot deep sump manholes with SAFL baffles. The four inline treatment manholes are providing 14 to 25% TSS removal. Solids removal in that range is likely only settling out coarse solids, so phosphorus removal would be negligible. Removal of 60% of the annual TP load is not achieved and compliance with FTO#2 is not realized leading to the evaluation of FTO #3.

### **FTO #3 Feasibility**

FTO #3 allows off-site mitigation (including banking or cash or treatment on another project), equivalent to the volume reduction performance goal, to be used in areas within the watershed's stated order of preference. The first order of preference is to complete the mitigation in an area where the same receiving waters are benefited.

Performing treatment in the same receiving waters would provide the best benefit to the sub-watershed, given the downstream receiving waters (Medicine Lake), the lack of capacity of the downstream pipe and the current difficult flooding situation north of Olympia. While the FTO #3 path could be pursued, a variance request from the performance requirement for this project is a preferred option, to give the City time to develop a water quality option that provides the best long term benefit to the most direct problem area.

### **Variance Request**

Given that this project has clear constraints due to the linear nature of the project, poor soils not conducive to volume reduction and limited available right of way that is not feasible for the amount of treatment required (Lakeview Park is not feasible as a treatment or pond site), the City is not able to meet the performance goal and therefore should respectfully request a variance.

The granting of this variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated. The granting of the variance will not be contrary to the intent of taking all reasonable and practical steps to improve water quality within the watershed, but rather only delay responsible and reasonable actions that will ultimately achieve the best outcome for the watershed, the City of Golden Valley and its residents.

smm

C:

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**A RESOLUTION GRANTING A VARIANCE FROM WATER QUALITY TREATMENT  
REQUIREMENTS FOR THE 2016 GOLDEN VALLEY PAVEMENT MANAGEMENT  
PROGRAM**

Bassett Creek Watershed Management Commission  
Resolution #16-06

**WHEREAS**, the Bassett Creek Watershed Management Commission ("BCWMC") received a letter from the City of Golden Valley ("City") requesting a variance from the BCWMC water quality treatment requirements, known as the Minimal Impact Design Standards ("MIDS") performance goals, for the 2016 Golden Valley Pavement Management Program ("Project");

**WHEREAS**, the City and its consulting engineer have studied the options available to meet the MIDS treatment standards for the Project and have determined that it is not feasible to satisfy the standards as part of the Project because of the linear nature of the Project, the existence of poor soils in the Project area that are not conducive to volume reduction, and the confined right-of-way area in which the Project will be constructed;

**WHEREAS**, the City will construct all practical and feasible water quality best management practices available in conjunction with this Project, including reducing impervious area and installing sump manholes with SAFL baffles, but despite these efforts the Project will not meet the MIDS performance goals including the three flexible treatment options;

**WHEREAS**, the City can provide equivalent offsite treatment to meet the MIDS performance goals for the Project by the end of 2018; and

**WHEREAS**, the Board of Commissioners ("Board") has considered the request, the standards for issuing variances in the BCWMC's Requirements for Improvements and Development Proposals, and finds and determines as follows:

- a. The linear nature of the Project, the poor soils, and the limited area in which the Project will be constructed constitute special circumstances or conditions such that the strict application of the provisions of the standards and criteria would deprive the City of the reasonable use of its right-of-way and its ability to construct improvements;
- b. The requested variance is necessary for the preservation and enjoyment of a substantial property right of the applicant in that the City is working to improve its right-of-way for the benefit of the public;
- c. Granting the variance will not be detrimental to the public welfare or injurious to the other property in the territory of the right-of-way being improved in that the Project will be increasing safety and addressing existing surface water issues;

- d. The Project does not relate to a use in the 1% (base flood elevation, 100-year flood) floodplain set forth in Table 2-9 of the Plan;
- e. Granting the variance will not be contrary to the intent of taking all reasonable and practical steps to improve water quality within the watershed in that the City will implement all practical and feasible water quality best management practices available in conjunction with this Project, including reducing impervious area and installing sump manholes with SAFL baffles.

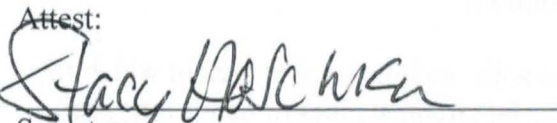
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of the BCWMC that, pursuant to its variance procedure the BCWMC Requirements for Improvements and Development Proposals, the findings contained herein, and the record of this matter, it hereby grants the City a variance from the MIDS performance goals for the Project conditioned on compliance with each of the following:

- 1. The City shall implement all practical and feasible water quality best management practices, including reducing impervious area and installing sump manholes with SAFL baffles, related to the construction of the Project; and
- 2. The City shall provide offsite treatment to meet the MIDS performance goals for the Project by the end of 2018 or as soon thereafter as is reasonably possible.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 17<sup>th</sup> day of March, 2016.

  
Chair

Attest:

  
Secretary

Resolution No.16-06: Offered by Commissioner Hoschka, seconded by Alternate Commissioner Tobelmann, adopted by a vote of 7 - 0 at the regular meeting of the Board of Commissioners of Bassett Creek Watershed Management Commission on March 17, 2016.



7800 Golden Valley Road  
Golden Valley, MN 55427

February 13, 2017

Laura Jester, Administrator  
Bassett Creek Watershed Management Commission  
c/o Barr Engineering  
4300 MarketPointe Drive  
Minneapolis, MN 55435

**Subject:** City of Golden Valley 2017 Pavement Management Program

Dear Laura:

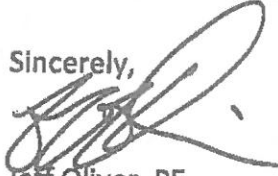
Enclosed with this letter please find the City of Golden Valley's Bassett Creek Watershed Management Commission (BCWMC) application for the 2017 Pavement Management Project. The City is requesting a temporary variance consistent with the approval of the 2016 PMP.

As discussed with the 2016 PMP approval, the City is proceeding with the preliminary design of a water quality improvement to be constructed as part of the 2018 PMP. This water quality improvement will be constructed north of Olympia Street between Mendelssohn and Independence Avenues following City acquisition of the remaining three flood prone homes in this area. At this point in time the preliminary design indicates that significant nutrient and sediment removal can be achieved with the proposed water quality improvement.

The City of Golden Valley has acquired and removed one of the homes and currently has \$500,000 included in its Capital Improvement Plan for the acquisition and removal of the three homes north of Olympia Street, and all three property owners are willing sellers. In order to expedite the construction of the water quality improvements in this location, we are requesting that the remaining balance of the Lakeview Park Pond project that was formerly included in the BCWMC Capital Improvement Plan and not constructed, be made available to the City of Golden Valley to assist in acquiring the three flood prone homes.

Please feel free to contact me at 763-593-8034, or [joliver@goldenvalleymn.gov](mailto:joliver@goldenvalleymn.gov) if you would like to discuss this issue further.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Oliver', written over the word 'Sincerely,'.

Jeff Oliver, PE  
City Engineer

Enclosure

C: Marc Nevinski, Physical Development Director  
Sue Mason, SEH  
Brian Dahlberg, Engineering Technician