

ORDINANCE NO. _____

ORDINANCE ESTABLISHING THE NORTH FORK ROAD/KENNEY CREEK FISH PASSAGE FUND AND ESTABLISHING A PROJECT BASED BUDGET FOR THE NORTH FORK ROAD/KENNEY CREEK FISH PASSAGE; CRP #919007

WHEREAS, the North Fork Road/Kenney Creek Fish Passage project is item number B11 on the 2022-2027 Six Year Transportation Improvement Program (STIP), and item number 37 on the 2022 Annual Construction Program, with anticipated right-of-way and preliminary engineering (PE) costs of \$770,000 over multiple years; and

WHEREAS, Washington State Department of Transportation requirements for the STIP include construction engineering in the PE line item; and

WHEREAS, this request for funding is for preliminary engineering, not to include construction engineering, and right-of-way phases of the project, which are anticipated to be \$320,000; and

WHEREAS, it is appropriate to include a contingency amount in the project, knowing that unused budget will flow into the construction effort; and

WHEREAS, the Brian Abbott Fish Barrier Removal Board has committed \$2,975,000 of state funding for the construction phase of this project, with a local cost share from the Road Fund; and

WHEREAS, Section 6.80 of the Whatcom County Home Rule Charter allows for project-based capital budget appropriation ordinances that lapse when the project has been completed or abandoned or when no expenditure or encumbrance has been made for three (3) years,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that a new fund is hereby established, effective January 1st, 2022, titled North Fork Road/Kenney Creek Fish Passage Fund. This fund shall be used to account for the revenues and expenditures of the improvement project described above, and

1 **BE IT FURTHER ORDAINED** by the Whatcom County Council that the North
2 Fork Road/Kenney Creek Fish Passage Fund is approved as described in Exhibit A
3 with an initial project budget of \$425,000.
4

5 **ADOPTED** this ____ day of _____, 2021.
6

7
8 ATTEST:
9

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

10 _____
11 Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Chair of the Council

12
13 APPROVED AS TO FORM:

() Approved () Denied

14 Approved Via Email-CQ/RM
15 _____

16 Christopher Quinn
17 Civil Deputy Prosecutor
18

Satpal Sidhu, County Executive
Date Signed: _____

Exhibit "A"

Project Based Budget - Budget Request Tracking Sheet

Project Title: **North Fork Road/Kenney Creek Fish Passage**

Project Codes: **CRP No. 919007**

Project Based Budget Request: **Initial Request**

Duration Requested: **3 yrs (2021, 2022, 2023)**

Budget Account	Project Activity	New Approved Project Budget
595110	Preliminary Engineering (In-House & Consultant)	\$300,000
595110	Contingency for Project	\$105,000
595200	Right of Way	\$20,000
595300	Construction	\$0
595120	Construction Engineering (In-House & Consultant)	\$0
TOTAL		<u><u>\$425,000</u></u>

Object Account	Project Funding	New Approved Project Revenue
8301	Local Funds (transfer from Road Fund)	\$425,000
4334	State FBRB Funds	\$0
TOTAL		<u><u>\$425,000</u></u>

* Funds committed, but not yet obligated

*FBRB = Fish Barrier Removal Board

Supplemental Budget Request

Status: Pending

Public Works

Engineering Design/Const

Suppl ID # 3536

Fund

Cost Center

Originator: Randy Rydel

Expenditure Type: One-Time

Year 2 2022

Add'l FTE

Add'l Space

Priority 1

Name of Request: North Fork Rd/Kenney Cr Fish Passage; CRP #919007

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6000	Expenditures	\$105,000
	6110.595110	Regular Salaries & Wages	\$43,000
	6290.595110	Applied Benefits	\$32,000
	6630.595110	Professional Services	\$225,000
	7320.595200	Land	\$20,000
	8301.108	Operating Transfer In	(\$425,000)
	Request Total		\$0

1a. Description of request:

The existing 5-foot diameter corrugated steel culvert which carries Kenney Creek under the North Fork Road has been identified as a barrier to fish passage and, considering habitat to be gained, is considered one of the highest priority barriers within the County road system. Washington State Fish Barrier Removal Board (FBRB) funding has been secured for the design and construction phases of this fish passage project. This project is listed as #B11 on the 2022-2027 Six-Year Transportation Improvement Program.

Project design, permitting and real estate began in 2019. Design work was completed in the summer of 2021. Whatcom County was awarded State FBRB funds for part of the 2021 design phase expenses and in the summer of 2021 Whatcom County was awarded \$2,975,000 in state FBRB funds for the construction phase of this project.

Construction of this project is scheduled for 2023.

1b. Primary customers:

2. Problem to be solved:

This project will restore full fish passage at an existing poorly functioning fishway and culvert where Kenney Creek crosses under North Fork Road approximately 1-mile north of Mosquito Lake Road with a new 110-ft concrete bridge

3a. Options / Advantages:

3b. Cost savings:

4a. Outcomes:

4b. Measures:

5a. Other Departments/Agencies:

Supplemental Budget Request

Status: Pending

Public Works

Engineering Design/Const

Suppl ID # 3536

Fund

Cost Center

Originator: Randy Rydel

5b. Name the person in charge of implementation and what they are responsible for:

6. Funding Source:

Fish Barrier Removal funding of \$2,975,000 from the State with the remaining coming from the Road Fund.

