

Jon Hutchings  
Director



JOSEPH P. RUTAN, P.E.  
Assistant Director/County Engineer  
322 N. Commercial St., Suite 301  
Bellingham, WA 98225-4042  
Phone: (360) 778-6210  
Fax: (360) 778-6211

## MEMORANDUM

**To:** The Honorable Members of the Whatcom County Council, and  
The Honorable Jack Louws, Whatcom County Executive

**Through:** Jon Hutchings, Director *JH*

**From:** Joseph P. Rutan, P.E., Assistant Director / County Engineer *APV*  
James P. Karcher, P.E., Engineering Manager *gpk*

**Date:** January 25, 2019

**Re:** Birch Bay Drive & Pedestrian Facility, CRP No. 907001;  
Lummi Nation and Whatcom County;  
**Interlocal Agreement for Natural Resources**

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Enclosed for your review and signature are two (2) originals of an Interlocal Agreement between Whatcom County and the Lummi Nation.

### Requested Action

Whatcom County Public Works requests the County Council authorize the County Executive to enter into an agreement with the Lummi Nation to provide \$120,000 in funding to the Lummi Nation Natural Resource Group for monitoring and mitigation associated with construction impacts to treaty protected natural resources during construction of the aforementioned project.

### Background and Purpose

This agreement is the result of several meetings between Whatcom County Public Works and the Lummi Nation Natural Resource Group to resolve construction related concerns associated with the project.

The Birch Bay Drive & Pedestrian Facility Project, CRP No. 907001 appears as Item No. 1 on the 2019 Annual Construction Program.

### Funding Amount and Source

Whatcom County will be using local road funds to cover the Interlocal compensation amount of \$120,000. Sufficient budget authority exists in the Project Based Budget for this expenditure.

Please contact Cody Swan at extension 6265 if you have any questions or concerns regarding the terms of this supplement.