

ORDINANCE NO. _____

**ESTABLISHING THE BIRCH BAY BEACH PARK PROJECT FUND AND
ESTABLISHING AN INITIAL BUDGET FOR THE BIRCH BAY BEACH PARK
FUND**

WHEREAS, Whatcom County is fortunate to have an abundance of saltwater shoreline however, only a fraction is publicly accessible; and

WHEREAS, publicly accessible shoreline has very limited supporting infrastructure with less than a dozen public restrooms located on the 130 miles of Whatcom County Salish Sea shoreline; and

WHEREAS, the 2004 Birch Bay Community Plan (a subarea plan of the Whatcom County Comprehensive Plan), the Whatcom County Parks and Recreation (WCPR) Department 2024 Comprehensive Parks, Recreation, and Open Space Plan, the 2011 Birch Bay Community Tourism Strategy (sponsored by Port of Bellingham), and the Whatcom County Economic Development Strategy (CEDS) 2022-2026 recognize the importance of tourism in Birch Bay and identify the development of Birch Bay Beach park as key to recreation-based tourism; and

WHEREAS, WCPR has developed preliminary cost estimates for building restrooms and a parking lot for off street parking; and

WHEREAS, the Lodging Tax Advisory Committee (LTAC) has committed \$1.8 million of lodging tax revenues to fund this project; and

WHEREAS, the Parks Special Revenue Fund has a restricted balance for the Birch Bay Beach Park in the amount of \$971,675; 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 1, 2026, titled the Birch Bay Beach Park Fund. This fund shall be used to account for the revenues and expenditures of the improvements described above; and

BE IT FURTHER ORDAINED by the Whatcom County Council that the Birch Bay Beach Park Fund is approved with an initial project budget of \$2,771,675 as described in Exhibit A.

ADOPTED this ____ day of _____, 2025

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Kaylee Galloway, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Approved by Email B Waldron/A Tan
Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____

EXHIBIT A

Supplemental Budget Request

Parks & Recreation

Suppl ID # 5287	Fund	Cost Center	Originator: Bennett Knox
Year 2	2026	Add'l FTE ☐	Priority 1

Name of Request: Birch Bay Beach Park Development

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6190	Direct billing rate	\$75,000
	6630	Professional services	\$325,000
	7380	Other improvements	\$2,371,675
	8397.C.12441000	Transfers in	(\$1,800,000)
	8397.C.18001000	Transfers in	(\$971,675)
	Request Total		\$0

1a. Description of request:

This request is to establish a project-based budget and to allocate initial budget authority using \$971,675 in Parks Special Revenue Funds and \$1.8 million in Lodging Tax Advisory Committee funds (recently approved by the LTAC pending final WC Council approval) sufficient to initiate project activities including cultural resources review, design, and permitting for development of Birch Bay Beach Park.

This project will implement Phase I of a much-anticipated community facility in the heart of Birch Bay and satisfy a long-established community goal of providing public parking and restrooms in Birch Bay to support heavy public visitation that the surrounding tidelands attract. Additional parking will improve shoreline access, while restrooms will satisfy a critical human health and comfort need while also reducing pollution loading of sensitive tideland areas.

Once finished, the project will more than double the available public parking in Birch Bay facilitating year-round shoreline access, which is especially important during the busy summer months when Birch Bay experiences very high visitation. The parking proposed will be entirely off-street, significantly improving pedestrian safety and reducing potential vehicle/pedestrian conflict. The addition of public restrooms is of equal importance and will accomplish a long-standing goal the Whatcom County Comprehensive Plan, the Comprehensive Parks, Recreation and Open Space Plan.

1b. Primary customers:

Primary users (customers) for this facility will be county residents, however due to the popularity of the Birch Bay community seasonal residents and visitors to Whatcom County will also benefit from the Community Park improvements.

2. Problem to be solved:

Whatcom County is fortunate to have an abundance of saltwater shoreline. However, only a fraction is publicly accessible and the portion that is accessible has very limited supporting infrastructure. For example, there are less than a dozen public restrooms located throughout the more than 130 miles of Whatcom Co's Salish Sea shoreline. Completing this project will achieve multiple county planning objectives by 1) protecting sensitive nearshore tidal areas with the provision of public restrooms, 2) improving water access to saltwater shorelines, and 3) leveraging local attractions and scenic areas to increase tourism and promote economic development.

In terms economic development and tourism impact, this request supports and advances several key community planning initiatives that 1) recognize the importance of tourism in the development of Birch Bay and Whatcom County overall, and 2) identify development of Birch Bay Beach Park as key to recreation-

Supplemental Budget Request

Parks & Recreation

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based tourism. These include the 2004 Birch Bay Community Plan (a subarea plan of the overall Whatcom County Comprehensive Plan) and WCPR's 2024 Comprehensive Parks, Recreation, and Open Space Plan. Most directly, this project supports the 2011 Birch Bay Community Tourism Strategy (sponsored by the Port of Bellingham) which identified both the berm project and development of permanent restroom facilities adjacent to the Birch Bay Berm as key tasks necessary to promote tourism development. Development of Birch Bay Beach Park has been adopted as a priority project as part of the Whatcom County Comprehensive Economic Development Strategy (CEDS) 2022-2026.

3a. Options / Advantages:

The Department has considered not moving forward with this project. However, with community encouragement, the Department revised its cost estimate by eliminating some project expenses (e.g. proposing an off-the shelf restroom rather than custom restroom design) and redoubled efforts to secure necessary external funding. As a result of these efforts, including 1) a successful \$500,000 grant application to the Washington State Recreation and Conservation Office (RCO) and 2) an affirmative vote by the Whatcom County Lodging Tax Advisory Committee to allocated \$1.8 million in LTAC funding to the project (pending WC Council approval), the Department considers moving forward the best option. To not do so, would result in delay, increased costs due to inflation, and jeopardize the project.

3b. Cost savings:

Development of Birch Bay Beach Park does not result in cost savings. However, the project does leverage significant external funding. Parks is leveraging several funding sources to complete the Birch Bay Beach Park in order to minimize potential impacts to traditional REET capital funding sources. This includes a \$1.8 million allocation from the Whatcom County Lodging Tax Advisory Committee fund (pending WC Council approval), \$500,000 matching grant from the Washington State Recreation and Conservation Office (RCO), approximately \$970,000 in Parks Special Revenue Funding (restricted for use on this project), and, \$90,000 in commitments from the Birch Bay Community (not yet realized formalized and thus not represented in this request).

4a. Outcomes:

Design and Engineering, and permit approval are anticipated to be completed by Spring of 2027 with Construction being completed by the Fall of 2028.

4b. Measures:

Pending the timing of permitting, the Birch Bay Beach Parks phase I activities are anticipated to be completed in the Fall of 2028. Upon completion, the County will have been partially reimbursed for expenses by the RCO Grant ALEA Program, and the long anticipated recreational facility will be open for public use.

5a. Other Departments/Agencies:

Whatcom County Planning and Development Services will be responsible for code compliance and issuing project permits.

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

Rod Lamb, Design and Development Manager

6. Funding Source:

Parks Special Revenue and Lodging Tax Advisory Committee funding. See companion supplementals 5288 and 5291.

Parks will submit subsequent supplemental budget requests to authorize use of the REET funding and community donations referenced above.