WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

71010 2505

Originating Department:	35 Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	3520 Bureau of LE & Investigations / 352060 Boating Program
Contract or Grant Administrator:	Steven Harris, Undersheriff
Contractor's / Agency Name:	Washington State Parks and Recreation Commission
Is this a New Contract? If not, is this an Amendment or Re Yes No No If Amendment or Renewal, (per	newal to an Existing Contract? Yes No • No • WCC 3.08.100 (a)) Original Contract #:
Does contract require Council Approval? Yes No Already approved? Council Approved Date:	If No, include WCC: (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)
Is this a grant agreement? Yes ○ No ○ If yes, grantor agency contrac	t number(s): MLE1399 CFDA#:
Is this contract grant funded? Yes No If yes, Whatcom County gran	t contract number(s):
Is this contract the result of a RFP or Bid process? Yes No If yes, RFP and Bid number(s):	Contract Cost Center: 1003502960
Is this agreement excluded from E-Verify? No Yes	If no, include Attachment D Contractor Declaration form.
Contract work is for less than \$100,000. Contract work is for less than 120 days. Interlocal Agreement (between Governments). Contract Amount: (sum of original contract amount and any prior amendments): \$ 0	rofessional. Goods and services provided due to an emergency Contract for Commercial off the shelf items (COTS). Work related subcontract less than \$25,000. Public Works - Local Agency/Federally Funded FHWA. roval required for; all property leases, contracts or bid awards exceeding professional service contract amendments that have an increase greater or 10% of contract amount, whichever is greater, except when: and an option contained in a contract previously approved by the council. It is for design, construction, r-o-w acquisition, prof. services, or other costs approved by council in a capital budget appropriation ordinance, award is for supplies. ent is included in Exhibit "B" of the Budget Ordinance. It is for manufacturer's technical support and hardware maintenance of ic systems and/or technical support and software maintenance from the er of proprietary software currently used by Whatcom County.
Parks and Recreation Commission and the Whatcom boating safety and education services in the state per	County Sheriff's Office to enhance the performance of
Term of Contract: Last Signature Date	Date: 12/20/24
Contract Routing: 1. Prepared by: Donna Duling 2. Attorney signoff: Approved via email BW/D	
3. AS Finance reviewed: Approved via email.	
4. IT reviewed (if IT related):	Date:
5. Contractor signed:	Date:
6. Submitted to Exec.:	Date: 7.14.25
	•25 - 649 Date: 1.14.25
8. Executive signed:	Date: 1.,5.25
9. Original to Council:	Date:





PUBLIC SAFETY BUILDING 311 Grand Avenue Bellingham, WA 98225-4038 (360) 778-6600

MEMORANDUM

To:

Satpal Sidhu, County Executive

From:

Donnell Tanksley, Sheriff

Date:

January 3, 2025

Subject:

Washington State Parks and Recreation Commission

Agreement # LE: MLE1399

Enclosed for your review and signature are one (1) original agreement between Whatcom County and Washington State Parks and Recreation Commission for MLE1399.

Background and Purpose

This is an intergovernmental agreement to establish a cooperative framework between the Washington State Parks and Recreation Commission and the Whatcom County Sheriff's Office to enhance the performance of boating safety and education services in the state per RCW 88.02650 and WAC 352.65.1010. The goal is to reduce the number and severity of recreational boating casualties.

This agreement is necessary for the Sheriff's Office to continue receiving Vessel Registration Fee (VRF) distributions and to be eligible for Recreational Boating Safety (RBS) grant funds.

Please contact Undersheriff Steve Harris at extension 6718 if you have any questions or concerns regarding the terms of this agreement.

Thank you.

enclosure



202501017



INTERGOVERNMENTAL AGREEMENT

Between

WASHINGTON STATE PARKS AND RECREATION COMMISSION

And

Whatcom County Sheriff's Office

Agency Size Category: Large

Marine Lead: Michael King, 360-599-8216

AGREEMENT# LE: MLE1399

THIS AGREEMENT is between the Washington State Parks and Recreation Commission, "STATE PARKS," and Whatcom County Sheriff's Office the "AGENCY".

THE PURPOSE OF THIS AGREEMENT is to establish a cooperative framework between STATE PARKS and the AGENCY to enhance the performance of boating safety and education services in the state per RCW 88.02650 and WAC 352-65.010. The goal is to reduce the number and severity of recreational boating casualties of all types associated with recreational boating and ensure a safe and enjoyable boating environment for all users.

THEREFORE, IT IS MUTUALLY AGREED THAT:

SUMMARY STATEMENT

In exchange for vessel registration fees, transmitted to the AGENCY by the Washington State Treasurer, AGENCY shall furnish the necessary personnel, equipment, material, and services and otherwise do all things necessary for, or incidental to, the performance of marine law enforcement and other duties as defined in Chapter 79A.60 RCW - REGULATION OF RECREATIONAL VESSELS.

PERIOD OF PERFORMANCE

The term of this agreement, once signed by STATE PARKS, shall end on December 31, 2025.

option to terminate this agreement. If AGENCY disagrees with STATE PARKS' decision to cancel this agreement, AGENCY may seek a hearing per chapter 34.05 RCW, the Administrative Procedure Act to contest this decision.

DISPUTES

In the event that a dispute arises under this agreement, it will be determined by a Dispute Board in the following manner: Each party to this agreement appoints one member to the Dispute Board. The members so appointed jointly appoint an additional member to the Dispute Board. The Dispute Board reviews the facts, contract terms, and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board is final and binding on the parties hereto.

GOVERNANCE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this agreement must be construed to conform to those laws.

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency must be resolved by giving precedence in the following order:

- a. Applicable state and federal statutes and rules;
- b. Summary Statement; and
- c. Any other provisions of the agreement, including materials incorporated by reference.

ASSIGNMENT

The work to be provided under this agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent may not be unreasonably withheld.

WAIVER

A failure by either party to exercise its rights under this agreement does not preclude that party from subsequent exercise of such rights and does not constitute a waiver of any other rights under this agreement unless stated to be such, in writing, signed by an authorized representative of the party, and attached to the original agreement.

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IN WITNESS WHEREOF, the parties have executed this agreement.

Washington State Parks and	Whatcom County Sheriir's Office
Recreation Commission	
By: Molecy By: _	Sec Attachect
Manuel Iglesias Title: Contracts Manager, State Parks	Title:
_{Date:} 02/11/2025	Date:
Approved As To Form:	
Michael Young	
Asst. Attorney General	

12/21/17

Exhibit A

AGENCY REQUIREMENTS

Signed Agreement:

AGENCY shall sign an Approved Program Agreement with STATE PARKS that contains all qualifications and requirements necessary to establish or maintain eligibility to receive vessel registration fees as established by RCW 88.02.650. AGENCY agrees to use the A-299 Web Forms to provide information necessary to complete the annual Approved Program Agreement. AGENCY agrees to utilize the web-enabled process designated by STATE PARKS to generate the Approved Program Agreement. AGENCY agrees to complete the submission process by October 15, 2024.

Designated Marine Lead / Conference Attendance / Surveys:

AGENCY must designate a "Marine Lead" - the Deputy/Officer/or Supervisor (LT, SGT, Undersheriff) that is responsible for interacting with STATE PARKS on all issues and matters related to AGENCY's Marine Law Enforcement unit. Duties include but are not limited to:

- Ensuring all required reports are completed and submitted to STATE PARKS within document due date guidelines.
- Submitting personnel names to attend training courses and conferences.
- Attending the annual Fall Conference or designating another to attend.
- Ensuring that all commissioned officers/deputies identified in the A-299 Web Form have received Marine Law Enforcement Training.
- Ensuring that all tasks identified on the BOAT Currency Web Form are current and up to date.
- Taking proactive steps to ensure that his/her agency will have all necessary equipment
 and other necessary infrastructure in place so to utilize the SECTOR system for all
 boating related safety inspections and warnings. Inspections can be entered into
 SECTOR at the time of the inspections or at a later time.
- Communicating with STATE PARKS on all matters and issues that may arise around recreational boating safety and marine law enforcement and disseminating information within their agency as appropriate.
- Responding to any and all recreational boating safety surveys sent by STATE PARKS within the requested timeline.
- Ensuring that all data on their agency held by STATE PARKS is up to date and accurate.

Reporting Recreational Boating Activities and Financial Data:

Training Currency Forms: AGENCY agrees to complete a BOAT Currency Web Form for each officer/deputy identified in their A-299 Web Form by October 15 of each year. Only officers/deputies whose training qualifications are current will be considered trained.

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EXHIBIT B

FUNDING REQUIREMENTS

AGENCY Financial System Report: AGENCY agrees to provide STATE PARKS with a report from the AGENCY'S financial system that demonstrates that vessel registration fees (VRFs) are deposited in a dedicated account and showing the deposit of state vessel registration funds received from the Office of State Treasurer. See Exhibit E for an example. This report may not be an Excel spreadsheet, and it must be submitted with the Vessel Registration Fee Expenditure Report.

VRF Fund Balance Report: AGENCY agrees to provide STATE PARKS a report from the AGENCY financial system showing the fund balance of the dedicated VRF account. See Exhibit E for an example. VRF fund balance on this system-generated report should match the bottom line on the VRF report ("Total Remaining Balance of State VRF funds for Fiscal Year").

Provide Local Spending: AGENCY agrees to contribute local funds to provide financial support to its marine law enforcement program to augment the funding provided through VRFs.

Limitation on Use of Funds: AGENCY agrees to use VRFs solely for recreational boating safety purposes, which include all activities or expenditures identified in the document "Allowable Costs and Expenditures for State Vessel Registration Fees and Federal Assistance Grants," as now existing or as may be updated in the future. This document can be found on the MLE Forms Website at: http://mle.parks.wa.gov/. AGENCY may charge actual, direct administrative costs to the VRF account. An example would be actual staff hours spent to fill out forms, or to maintain the dedicated account. AGENCY agrees not to charge administrative fees based on an estimated percentage of a staff person's time.

Local Ordinances, STATE PARKS notification: AGENCY agrees that if it adopts a local ordinance governing recreational boating, the ordinances will be at least as restrictive as, but may be more restrictive than, Washington State boating laws and regulations.

recreational boating safety missions along with details of how they are equipped each year in the A-299 web form.

Information required on the A-299 includes:

- Vessels: STATE PARKS requires the following data on each vessel:
 - o Name
 - Manufacturer
 - Radio equipped (Y/N): Radio equipped means the vessel has an agency radio installed or "hardwired". Non-radio equipped boats are vessels that do not have radios installed. Portable radios may be carried on these boats, but they would be considered non-radio equipped. Examples include personal watercraft, drift boats, jon boats, kayaks, and inflatable rafts (motorized or non-motorized).
 - SECTOR equipped (Y/N): SECTOR equipped boats are the patrol vessels that are SECTOR equipped with a computer or tablet plus printer and scanner, including those that are permanently installed or "hardwired" OR portable cased units that are taken on an off the vessel. Non-SECTOR equipped boats are vessels that do not have a computer, tablet, printer installed or a cased kit.
 - Model
 - Length
 - o Type of propulsion
 - Horsepower
 - Year purchased
 - o Funds used to purchase the vessel (local, state, or federal)
 - Percent of time employed for the RBS mission
- Aircraft: The number of aircraft in your agency and the percentage they used for RBS activities.
 - Aircraft type
 - Manufacturer
 - o SECTOR/Radio equipped
 - o Model
 - Year
 - o Funds Used for Purchase
 - o Percent of time employed for the RBS mission
- Vehicles: Other Patrol Vehicles (Trucks, Cars, SUVs, ATVs) The number of other patrol
 vehicles assigned to the marine services unit and the percentage they are used for RBS
 activities
 - Vehicle Type
 - o Manufacturer
 - SECTOR/Radio equipped
 - Model
 - o Year
 - o Funds Used for Purchase
 - o Percent of time employed for the RBS mission

- Search & Rescue/Recovery: Search and rescue (SAR) is defined as a water-borne response (including aircraft) involving a person or vessel in peril. AGENCY agrees to only report SAR cases on the Summary of Activity Report (SOAR) Web Form that were assigned a case number by their agency or a USCG MISLE Case ID Number and an Urgent Marine Information Broadcast (UMIB) initiated by the USCG. Agencies should not report assists (defined below) as SAR cases.
- Assist: An "Assist" is defined as aid where there is no immediate danger to the vessel or its occupants. This includes vessels involved in boating accidents, disabled, aground, out of fuel, or otherwise unable to reach a safe mooring under its own power. Assistance may include providing a tow, jump start, re-floating, re-righting, fuel, repair, repair parts, assisting persons in the water, etc. This does NOT include the salvage of a vessel once abandoned, or commercial vessels. AGENCY agrees to report responses of this nature as assists and will report the number of vessels assisted and the number of persons assisted on the SOAR web form.

Boating Safety Patrols Required, Minimum Hours: AGENCY agrees to patrol on the waters of its jurisdiction with the intent of enforcing Washington State Boating Safety Laws and Regulations and to promote boating safety some minimum hours based on their agency size (Small – 133, Medium – 255, Large - 436) per year during peak boating hours within AGENCY's jurisdiction. Patrol hours can be a combination of hours patrolling on the water in a vessel as well as hours spent at boat launch ramps or other appropriate shore-side enforcement activities.

Enforcement of Boating Laws Required: AGENCY agrees to enforce all Washington State boating safety laws and regulations including vessel registration laws as specified in Title 88 RCW, and as specified in local codes or ordinances. In addition, AGENCY shall document and report the numbers of inspections and warnings for each type of boating violation through SECTOR either at the time of the inspection or at a later time. STATE PARKS recommends that AGENCY adopt a zero tolerance policy in the enforcement of mandatory boater education card carriage, life jacket wear/carriage, boating under the influence, and rules of the road violations, and strongly consider issuing citations for violations of these laws, in all circumstances.

Boating Safety Inspections Required: AGENCY shall complete a minimum number of written boating safety inspections based on their agency size (Small – 92, Medium – 283, Large – 372) using the SECTOR system or Form #A-274 during enforcement and informational contacts when considered safe and appropriate to document boater compliance with state boating laws. STATE PARKS will provide boating safety inspection forms. AGENCY shall enter all inspections through SECTOR either at the time of the inspections or at a later time.

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EXHIBIT D

NOTES AND DEFINITIONS

Washington STATE PARKS' Marine Law Enforcement Training Program is accredited through the National Association of State Boating Law Administrators Boat Operation and Training (BOAT) Program. As a term of accreditation, STATE PARKS must ensure that all active marine officers and deputies maintain proficiency in basic recreational boating safety skills. This is important because these skills are perishable but critical to operate in a marine environment. STATE PARKS recognizes that there are many different circumstances that could prevent training from being completed (wildfires, maintenance issues, staffing shortfalls, etc.). Each circumstance will be evaluated on its own merits.

Approved Program: A marine law enforcement program that has signed an Approved Program Agreement with Washington State Parks and is in good standing.

Boating Safety Patrol: The total number of hours that all agency vessels patrolled on the water. These are the actual hours as documented on the patrol vessel hour meter or logbook. Note that this is different than officer on-water patrol hours. If two officers are patrolling on a single vessel for eight hours, you would report eight boating safety patrol hours and 16 officer on-water patrol hours. The patrol hours do not include transit time to the body of water to be patrolled.

Instructor Qualified Certified Boating Education Instructors: Any officer/deputy designated as Certified Boating Education Instructors must be listed as Instructor Qualified for the Adventures in Boating course by the State Parks Education and Outreach Program Manager. STATE PARKS considers education and outreach activities a key component of preventing boating injuries and fatalities. Classroom instruction, school presentations, and participation in Community Events, along with Dealer and Rental site visits, and effective use of media are crucial to preventing boating accidents and fatalities.

Local Spending: These are funds appropriated by the city or county government used for boating safety programs. Local funds cannot include state or federal grant dollars.

Peak Boating Hours: STATE PARKS defines peak boating hours as four hours on Friday afternoon/evening and 8 hours Saturday and Sunday for weekends from Memorial Day to Labor Day, which equals approximately 332 hours per boating season. STATE PARKS also recognizes that AGENCY may be impacted by non-traditional Peak Boating seasons due to hunting and fishing activities. STATE PARKS maintains this patrol hour goal to ensure local agencies are focused on injury prevention activities. While many agencies patrol many more

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EXHIBIT E

FINANCIAL REPORT EXAMPLES

Example of a VRF Fund Balance Report

XXXXXX County Fund Master – All Funds Balances as of 06/06/2017

Key	Cash in Funds	Pooled Cash	Pooled Investment	Investment Funds	Cash & Investments	Total Payables	Available Funds
130- Boating Safety	57,294.64	0.00	0.00	0.00	57,294.64	7,300.64	64,595.28
	57,294.64	0.00	0.00	0.00	57,294.64	7,300.64	64,595.28

Balance as of 06/06/2017 matches Bottom Line (Total Remaining Balance on VRF Report

Example of a Financial System Report

EXHIBIT F

EDUCATION AND OUTREACH TACTICS AND SUGGESTED GOALS

- Education Classes: This is classroom instruction of the Adventures in Boating course sanctioned by Washington State Parks that qualifies passing students to obtain a Mandatory Boater Education Card.
 - Small Agency, 15 students, 1 Class
 - Medium Agency, 20 students, 1 Class
 - Large Agency, 50 students, 1 Class
- Boating Safety Presentations to Groups: These are boating safety presentations to various groups, yacht clubs, kayak clubs, anglers, and any groups that use boats on the water.
 - Small Agency, 10 hours
 - Medium Agency, 15 hours
 - Large Agency, 25 hours
- Boating Safety Presentations to Schools: These are presentations to local public and private schools, K-12, colleges or universities.
 - Small Agency, 10 hours
 - Medium Agency, 15 hours
 - Large Agency, 25 hours
- Vessel Rental Site Visits: These are site visits to local vessel rental sites if they exist. The intent is to ensure the employees and renters are following the guidance on the Motor Vessel Rental Safety Checklist (Form number P&R A-446 Rev 04/2017). These can also be site visits to businesses that rent out kayaks, canoes, stand-up paddleboards or other small non-motorized craft. The intent of visits in this case is to emphasize basic safety behaviours such as encouraging renters to always wear a life jacket and encouraging boating in low hazard areas.
 - Small Agency, 2 visits
 - Medium Agency, 4 visits
 - Large Agency, 6 visits
- Participation in Community Events: These are events like county fairs, parades, and night outs that have the ability to reach large numbers of community members. A qualified event requires face-to-face interaction with community members. Participation on the water in regattas, races, opening days where there is little to no face-to-face interaction between officers/deputies and community members does not count as a "Community Event". Also, maintaining a screen line or security area at an on-water event does not count for reporting event hours on the SOAR.
 - Small Agency, 40 hours
 - Medium Agency, 150 hours
 - Large Agency, 275 hours
- Vessel Dealer Site Visits: These are visits to vessel dealerships and brokers, where applicable,
 to ensure they are following dealer registration laws, educate them on any safety issues with type
 of vessels they sell, and checks that required safety equipment is on board during test rides and
 sea trials. Dealers should also be encouraged to remind their customers of the mandatory boater
 education requirement.

participate in "Wear IT" events. More information will be distributed in the late winter about this campaign to help agencies effectively participate. This campaign is sponsored by the National Safe Boating Council.

Safe Paddling Week is a new campaign being sponsored by the Washington State Parks Recreational Boating Safety Program. The purpose of the week is to elevate awareness around basic paddling safety behaviours such as always wearing a PFD, obtaining training etc.

Boating Safety Officer	Deputy	Tyler	Dezecuw	Regular	Part time/Sea sonal	tdezceuw@co.w hatcom, wa, us	5/18/2017	Yes	
Boating Safety Officer,Cert ified Boating Ed Instructor	Undersheri ff	Steve	Harris	Regular	Part time/Sea sonal	sharris@co.wha tcom wa.us	5/10/2001	Yes	
Boating Safety Officer	Deputy	lan	Johnson	Regular	Part time/Sea sonal	ijohnson@co.w hatcom.wa.us	4/28/2024	Yes	
Boating Safety Officer	Deputy	Troy	Slayton	Regular	Part time/Sea sonal	tslayton@co wh atcom wa us	5/1/2014	Yes	
Boating Safety Officer	Deputy	Keith	Brown	Regular	Part time/Sea sonal	kbrown@co.wh atcom wa us	4/6/2017	Yes	
Marine Lead,Lead Accident Investigator, Boating Safety Officer,Coo rdinator of Boating Education,C ertified Boating Ed Instructor	Deputy	Michael	King	Regular	Part time/Sea sonal	mwking@co_wh atcom, wa, us	4/28/2005	Yes	
Boating Safety Officer	Deputy	Mason	Stafford	Regular	Part time/Sea sonal	mstafford@co whatcom.wa.us	4/10/2014	Yes	
Boating Safety Officer	Deputy	Damon	Bruland	Regular	Part time/Sea sonal	dbruland@co.w hatcom wa us	6/14/2007	Yes	
Boating Safety Officer,Cert ified Boating Ed Instructor	Sergeant	Dì	Osborn	Regular	Part time/Sea sonal	dosborn@co.wh atcom.wa.us	6/14/2007	Yes	

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	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Patrol Hours	12.00	0.00	0.00	0.00	0.00	6.00	12.00
Number of Officers	3.00	0.00	0.00	0.00	0.00	2,00	3,00
Number of Vessels	2.00	0.00	0_00	0.00	0.00	1.00	2.00

Total Planned Patrol Hours 726.00

Total Planned Inspections 800.00

RBS EQUIPMENT, VESSELS, AIRCRAFT AND VEHICLES

Туре	Vessel Name	Vehicle/ Aircraft/ Equipment Type	Manufacturer	Sector/ Radio	Model	Length	Propulsion Type	Horse Power	Year	Funds Used for Purchase	% Time Used for RBS
Vessels	PWC		Bombardier	SECTOR equipped	GTX	10 00	Jet	350.00	2,005	Local,	100,00
Vessels	Munson		Munson	SECTOR equipped,Radi o equipped,	PacMan	19 00	OB	150.00	2.016	Local	95 00
Vessels	Life Proof		IMS	SECTOR equipped,Radi o equipped.	27	27 00	OB (x2)	600.00	2,020	Local Other Federal Financial Assistance	95 00
Vessels	Donzi		Donzi	SECTOR equipped,Radi o equipped,		27,00	OB (x2)	500 00	2,008	Local,	100,00
Vessels	Jet Boat		Heliarc	SECTOR equipped,Radi o equipped,	Custom	20 00	I/O Jet	400.00	1,995	Local,	95.00
Vehicles		*Fruck	Ford	SECTOR equipped,Radi o equipped.	350HD				2,023	Local,	35,00

Number of Radio Equipped Boats	Number of Non-Radio Equipped Boats
4.00	1,00
Number of Aircraft	Number of Other Patrol Vehicles
0,00	1.00
Number of Vessels SECTOR Equipped	Number of Vessels Non-SECTOR Equipped

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