



MEMORANDUM

TO: The Honorable Satpal Sidhu, Whatcom County Executive for the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director

FROM: Paula J. Harris, P.E., River and Flood Manager
Gary Stoyka, Natural Resources Program Manager

RE: Agreement for Funding Support and Implementation of the Duffner Ditch Culvert and Flood Gate Replacement Project

DATE: June 22, 2020

Enclosed are two (2) originals of an agreement for funding support and implementation of the Duffner Ditch Culvert and Flood Gate Replacement project for your review and signature.

▪ **Background and Purpose**

The Bertrand Watershed Improvement District (BWID) is completing final design of a culvert and flood gate replacement project on Duffner Ditch at the confluence with Bertrand Creek, a tributary of the Nooksack River. Duffner Ditch is located in the floodplain approximately 2,500 feet upstream of the Nooksack River. The BWID will retain a contractor to install a new concrete box culvert to replace two existing culverts to connect Duffner Ditch to Bertrand Creek. The new culvert will have a fish friendly flood gate that will remain open for fish passage except during flood events when the gate will close to prevent Bertrand Creek flow from backing up into Duffner Ditch and flooding adjacent farm fields. The BWID has requested \$100,000 of the early action funding included in the 2019-21 Floodplains by Design grant (Contract Number: 202004008) recently awarded to the Flood Control Zone District (FCZD) by the Department of Ecology (DOE). This request is supported by the Floodplain Integrated Planning (FLIP) Steering Committee and the DOE.

The purpose of this agreement is to define the obligations and responsibilities of the parties involved in implementing and providing funding for the Duffner Ditch Culvert and Flood Gate Replacement Project. This includes ensuring compliance with public works contracting laws and ensuring the BWID has adequate resources to implement the project.

▪ **Funding Amount and Source**

The Agreement will provide funding from multiple sources to ensure the BWID has the resources needed to construct the project. The funding sources include an Environmental Quality Incentives Program (EQIP) payment from NRCS passed through the FCZD, Diking District #4 funds, Consolidated Improvement District #1 funds, and the DOE grant funding passed through the FCZD (Contract Number: 202004008). The Agreement includes the details of how and when the funding will be provided and the requirements needed to ensure compliance with public works contracting and the DOE grant. There will be no net impact to the District's fund balance as a result of this agreement.

Please contact Paula Harris at extension 6285, if you have any questions or concerns regarding the terms of this agreement.