

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Elizabeth Kosa
Director**



NATURAL RESOURCES

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MEMORANDUM

TO: The Honorable Satpal Singh Sidhu, Whatcom County Executive, and The Honorable Members of the Whatcom County Council, collectively serving in their capacity as the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Elizabeth Kosa, Public Works Director *ek*

FROM: Gary Stoyka, Natural Resources Manager *GS*
Becky Snijder van Wissenkerke, Program Specialist

DATE: March 5, 2024

RE: Aspect Consulting Contract for Adjudication Technical Assistance

Please find attached for your review a copy of the contract between Whatcom County Flood Control Zone District and Aspect Consulting for WRIA 1 water rights adjudication technical assistance. The authorized agreement will be signed electronically through DocuSign.

Requested Action

Public Works respectfully requests that the Flood Control Zone District Board of Supervisors authorize the County Executive to sign this agreement.

Background and Purpose

The State of Washington Department of Ecology (Ecology) is preparing to file a water rights adjudication in Water Resource Inventory Area (WRIA) 1 Nooksack Basin. Ecology is planning to begin the adjudication process in the spring of 2024 through Whatcom County Superior Court and will then notify all water users involved by certified mail. The water users involved include the holders of approximately 5,000 surface and groundwater right documents on file for WRIA 1, in addition to approximately 20,000 permit-exempt well users. These water users will need to file a claim within one year of the adjudication filing to describe their water use, after which the court will inventory all legal water rights in order.

The legislature, through Ecology, has granted funding to Whatcom County to provide outreach and technical assistance to the water users involved in the WRIA 1 water rights adjudication, as detailed in Whatcom County Contract # 202401003. This proposed contract provides \$170,000 of the Ecology grant funding to Aspect Consulting to develop materials to aid water users in the adjudication filing process, present information at public events, respond to public inquiries about the adjudication filing process, and provide legal assistance for common water rights and adjudication questions.

Funding Amount and Source

This contract will provide \$170,000 to support WRIA 1 water rights adjudication technical assistance. This contract is fully funded through Whatcom County Contract # 202401003, Ecology grant agreement # OTGP-2024-WhCoPW-00039. Budget authority for this contract is provided in the 2024 Natural Resources budget.

Please contact Becky Snijder van Wissenkerke at extension 6247 or Gary Stoyka at extension 6218 if you have any questions or concerns regarding the terms of this agreement.

Encl.
Contract