

Elizabeth Kosa  
Interim Director



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# Memorandum

**To:** The Honorable Satpal Singh Sidhu, Whatcom County Executive and  
The Honorable Members of the Whatcom County Council

**Through:** Elizabeth Kosa, Interim Director

**From:** James P. Karcher, P.E., County Engineer *JPK*  
James E. Lee, P.E., Engineering Manager *JEL*

**Date:** December 14, 2022

**Re:** Birch Bay Lynden Road / California Creek Culvert Replacement  
CRP No. 923009  
**Federal Aid Project Prospectus and Local Agency Agreement**

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Enclosed for your review and signature are two (2) originals each of a Federal Aid Project Prospectus and one (1) original of the Local Agency Agreement between the Washington State Department of Transportation (WSDOT) and Whatcom County for the Birch Bay Lynden Road / California Creek Culvert Replacement Project, CRP No. 923009.

## Requested Action

Public Works respectfully requests that the County Council authorize the County Executive to enter into an agreement with WSDOT to receive federal funding for the Birch Bay Lynden Road / California Creek Culvert Replacement Project, CRP No. 923009.

Please sign the Local Agency Agreement in **blue ink** and return the original to my office for further processing. We will return a fully executed copy following signature by WSDOT. Please keep one original of the Project Prospectus for your files and return the other original to my office, as it requires no signatures from WSDOT.

## Background and Purpose

Birch Bay Lynden Road washed out following the failure of the culvert conveying California Creek under the roadway during the November 2021 flood events. Public Works installed temporary culverts under emergency declaration to re-open the roadway to essential traffic. Emergency permitting for the temporary culverts require their removal and replacement with a permanent crossing structure meeting current design and environmental regulatory standards.

This project qualifies and has been approved for the Federal Highway Administration's Emergency Relief (ER) Program. The Local Agency Agreement and Project Prospectus are required to obligate federal ER funds for the reimbursement of the temporary emergency work and so that preliminary engineering work can begin on the permanent solution for conveying California Creek under the Birch Bay Lynden Road.

## Funding Amount and Source

This Local Agency Agreement obligates \$796,000.00 in federal ER funds with no required local match for reimbursement of the completed temporary emergency repair. It also obligates \$994,000.00 in preliminary engineering funds for the permanent repair with a required 13.5% local match (\$859,810.00 federal, \$134,190.00 local). This project is listed as Item No. 36 on the 2023 Annual Construction Program. There is sufficient budget authority for this expenditure.

Please contact James Lee at extension 6264 if you have any questions regarding this agreement.