PROPOSED BY: Public Works
INTRODUCTION DATE: 3/10/2026

ORDINANCE NO. _____

AMENDING THE PROJECT BASED BUDGET FOR THE SWIFT CREEK CAPITAL PROJECTS FUND, REQUEST NO. 3

WHEREAS, Ordinance No. 2023-069 amended the Swift Creek Capital Projects Fund, granting additional expenditure authority to continue implementation of the multi-year Sumas Mountain/Swift Creek Sediment Management Project with $4 million in State funds; and

WHEREAS, the Washington State Legislature, in the 2025-2027 budget, has awarded Whatcom County additional appropriations totaling $4 million for this same project, to be distributed by the Department of Ecology (Ecology); and

WHEREAS, these additional state funds are required to continue design, permitting and construction of future project elements.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Ordinance No. 2023-069 is hereby further amended adding $4,000,000 of expenditure authority, as described in Exhibit A, to the amended project budget total of $11,258,159 for a new total of $15,258,159.

ADOPTED this ____ day of _____, 2026.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST

_____
Cathy Halka
Clerk of the Council

_____
Kaylee Galloway
Chair of the Council

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM:

( ) Approved ( ) Denied

Approved by email / T. Seguine 02/23/26
Tom Seguine
Chief Civil Deputy Prosecuting Attorney

_____
Satpal Singh Sidhu
County Executive

Date Signed: _____

EXHIBIT A

SWIFT CREEK CAPITAL PROJECTS FUND (FUND 3910)

Account	Expenses Description	Project Budget Current Approved	Amendment #3 Request	Total Amended
6630	Professional Services	$2,655,000	$500,000	$3,155,000
6699	Other Services- Interfund	$450,000		$450,000
7320	Land	$1,900,000		$1,900,000
7380	Other Improvements	$6,253,159	$3,500,000	$9,753,159
		11,258,159	4,000,000	15,258,159
	Revenues			
4334.0311	Department of Ecology Grant	$11,258,159	$4,000,000	$15,258,159

	Grant Funds	
2019-2021 State Biennium	*$1,182,841*	*Expenses Prior to Project Budget*
2019-2021 State Biennium	$5,217,159	Allocated to Project Budget
2021-2023 State Bienium	$2,041,000	Amendment #1
2023-2025 State Biennium	$4,000,000	Amendment #2
2025-2027 State Biennium	$4,000,000	Amendment #3
	$16,441,000	Total State Grant Award
	$15,258,159	Total Project Budget

Supplemental Budget Request

Public Works | **Engineering Bridge & Hydraulic**

Supp'l ID # 5378 **Fund** 3910 **Cost Center** 39101000 **Originator:** Laura Vandervort

Expenditure Type: One-Time **Year** 2 **2026** **Add'l FTE** ☐ **Add'l Space** ☐ **Priority** 1

Name of Request: Swift Creek Project Budget Amend #3

X

Department Head Signature (Required on Hard Copy Submission) **Date**

Costs:

Object	Object Description	Amount Requested
4334.0318	DE-swift creek	($4,000,000)
6630	Professional services	$500,000
7380	Other improvements	$3,500,000
Request Total		***$0***

1a. Description of request:

A large landslide in the upper watershed of Swift Creek located on the west flanks of Sumas Mountain contains naturally occurring asbestos (NOA) which poses a risk to human health and the environment. In 2019 Whatcom County and the Department of Ecology (Ecology) entered into a Consent Decree which provides the framework for collaboration between Whatcom County and Ecology for mitigating the impacts of Swift Creek sedimentation and NOA. A part of the Consent Decree is the Swift Creek Action Plan which includes various project elements including deflection berms, sediment traps, sediment basins and other misc. improvements that when fully constructed will help to mitigate the impacts caused by Swift Creek sedimentation and NOA. To date, the Washington State Department of Ecology has appropriated $11.3 million dollars of state funds for work on this project. In the 2025-2027 budget the Washington State Legislature appropriated an additional $4,000,000 in state funds to continue design, permitting and construction of future project elements.

This supplement budget request will add this additional $4,000,000 in state funds into the project based budget for the Swift Creek Capital Projects fund, and will provide for continued implementation of the Swift Creek Action Plan.

Under the Whatcom County Charter Subsection 6.41- Budget Control- If a report under subsec on 1 of this sec on is late, no supplemental appropriatons may be approved by the Council. The Council may resume making supplemental appropria ons once a report for the relevant quarterly period is submitted.

This supplemental budget falls under one of the exceptions under 6.41(3), which reads "(d) Appropriatons which, taken separately or together, result in an unchanged or increased projected ending balance for all ut lized funds at the end of the budget cycle."

Given this supplemental budget has a net zero impact on the project based budget, and does not require any local county funds, this supplemental budget meets 6.31(3)(d), and can be considered for approval by Council before the issuance of the Q4 2025 financial report by the Finance Director.

1b. Primary customers:

General public and residents of the greater Swift Creek and Sumas River floodplains.

2. Problem to be solved:

The intent of the Swift Creek Action Plan is to mitigate the impacts of the Swift Creek sedimentation and NOA to human health and the environment. Once fully constructed the Swift Creek Action Plan will achieve this goal.

Supplemental Budget Request

Public Works **Engineering Bridge & Hydraulic**

Supp'l ID # 5378 ***Fund*** *3910* ***Cost Center*** *39101000* ***Originator:*** *Laura Vandervort*

3a. Options / Advantages:

An Environmental Impact Statement was completed in 2013 which considered a suit of options for addressing Swift Creek sedimentation and NOA. After thorough review the current Swift Creek Action Plan was deemed to be the most feasible approach.

3b. Cost savings:

N/A

4a. Outcomes:

The outcome of this project will be the eventual construction of all the project elements included in the Swift Creek Action Plan. The current overall schedule for this project shows completion of all the project elements in 2031. The ability for Whatcom County to complete the Swift Creek Action Plan will be dependent upon the continued availability of State funding.

4b. Measures:

The Swift Creek Action Plan will be constructed.

5a. Other Departments/Agencies:

N/A

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

James E. Lee, P.E., Program Manager for the Swift Creek Project

6. Funding Source:

Washington State Deparetment of Ecology State funds [WCC 202308018]