

ORDINANCE NO. _____

**ORDINANCE AMENDING THE PROJECT BASED BUDGET FOR THE PLANTATION
RIFLE RANGE LEAD RECLAMATION & CAPITAL IMPROVEMENT FUND
REQUEST NO. 1**

WHEREAS, Ordinance No. 2022-084 established the Plantation Range Lead Reclamation & Capital Improvement Fund, granting expenditure authority to initiate the multi-year project for reclamation of existing lead; modifications to mitigate future lead contamination; and related improvements to address continued future operation of the range; and

WHEREAS, the Washington State Department of Ecology has awarded Whatcom County \$700,000 for analysis and planning of the project; and

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Ordinance No. 2022-084 is hereby amended adding \$700,000 of expenditure authority, as described in Exhibit A, to the project budget total of \$655,000 for a new total of \$1,355,000.

ADOPTED this ____ day of _____, 2023.

ATTEST

Dana Brown-Davis, Clerk of the Council

APPROVED AS TO FORM:

Approved by email/C Quinn/M Caldwell
Christopher Quinn
Senior Deputy Prosecuting Attorney
Civil Division

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Barry Buchanan,
Chair of the Council

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

() Approved () Denied

Satpal Singh Sidhu
County Executive

Date Signed: _____

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Supplemental Budget Request

Parks & Recreation

Suppl ID # 3840 Fund 397 Cost Center 397100 Originator: Bennett Knox
 Year 1 2023 Add'l FTE Priority 1

Name of Request: **Plantation Range Lead Reclamation**

X  1/13/23
 Department Head Signature (Required on Hard Copy Submission) Date

| Costs: | Object | Object Description | Amount Requested |
|--------|----------------------|-----------------------|------------------|
| | 4334.0311 | CZM-FCCAP Grant | (\$700,000) |
| | 6630 | Professional Services | \$700,000 |
| | Request Total | | \$0 |

1a. Description of request:

This request is for project-based budget authority to accept and expend \$700,000 in additional funds provided by the Washington Department of Ecology (Ecology). Ecology intends to provide these funds on a reimbursement basis to advance lead reclamation and clean-up activities required at Plantation Rifle Range. This budget authority would be added to the Plantation Range Lead Reclamation & Capital Improvement Fund ORD 2022-084 bringing the total budget authority to \$1,355,000.

1b. Primary customers:

The citizens of Whatcom County and users of Plantation Range, including recreational shooters, local law enforcement agencies, and others.

2. Problem to be solved:

The 2023-2024 Budget included \$655,000 for a multi-year project for reclamation of existing lead; modifications to mitigate future lead contamination; and related improvements to address continued future operation of the range (Plantation Range Lead Reclamation & Capital Improvement Fund – AB2022-617-ORD 2022-084). That \$655,000 in funding is responsive to regulatory enforcement action taken by the Washington Department of Ecology: 1) an Expedited Settlement Agreement (ESA) between Ecology and Whatcom County executed on September 28, 2022 to resolve non-compliance with Dangerous Waste regulations and Washington's Water Pollution Control Act and 2) an expected agreed order requiring clean-up of both the high-power and small-bore ranges. However, that \$655,000 funding request was based on very preliminary estimates of remediation cost and was submitted with an expectation that additional funds could be necessary.

Whatcom County Parks & Recreation has initiated activities association with implementation of the ESA and has continued close coordination with Ecology. Ecology has informed Whatcom County that they have funding in the amount of \$700,000 to perform specific clean-up activities described in a draft interagency agreement (IAA) between Ecology and Whatcom County.

These funds would fund completion of the following tasks by June 25, 2023:

- 1) Initial 1st phase grid-based sampling to delineate the location and extent of lead and other potential contaminants of concern (using x-ray fluorescence analysis)
- 2) Analysis of 1st phase sampling results
- 3) Planning of 2nd sampling of areas shown by 1st phase sampling to be above Model Toxics Control Act clean-up levels
- 4) Conduct of 2nd phase sampling
- 5) Analysis of 2nd phase sampling results
- 6) Planning of clean-up activities
- 7) Contamination Summary Report

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These funds from Ecology advance site characterization and site clean-up planning necessary for Parks to subsequently advertise a bid for cleanup activities using previously-authorized County funds.

3a. Options / Advantages:

The County has entered into an Expedited Settlement Agreement with the Ecology to resolve issue associated with lead contamination at the range and will be entering into an Agreed Order with Ecology to formalize its cleanup responsibilities. Therefore, the only option is to move forward as expeditiously as possible to advance site cleanup. The availability of these funds from Ecology was not anticipated and is development that is very advantageous to the County.

3b. Cost savings:

Acceptance of these funds saves the County \$700,000 in funds that it might otherwise have to expend towards the project.

4a. Outcomes:

Work associated with these funds must be completed by June 25, 2023 (June 30th at the absolute latest). The outcome of this work is the completion of site sampling and planning related activities necessary for Parks to develop bid specifications and award a contract for physical site clean-up activities scheduled to take place in the summer and fall of 2023.

4b. Measures:

Parks will enter into an Inter-agency Agreement with the Ecology that identifies a schedule of seven (7) specific deliverables to be accomplished with the first due by March 31, 2023 and the last due by June 25 2023. Parks will be required to submit weekly progress e-mails to Ecology during implementation.

5a. Other Departments/Agencies:

Whatcom County Parks & Recreation; Washington Department of Ecology

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

Christ Thomsen - Parks Operations Manager is responsible for coordinating work and contractor oversight

6. Funding Source:

Washington Department of Ecology