



## M E M O R A N D U M

**TO:** The Honorable Jack Louws, 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

**DATE:** October 21, 2019

**RE:** Washington Department of Fish and Wildlife Pass-Through Agreement for Floodplain Property Acquisition

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Enclosed are two (2) originals of a Pass-Through Agreement between the Whatcom County Flood Control Zone District (FCZD) and Washington Department of Fish and Wildlife for your review and signature. In addition to approving this pass-through funding agreement, we are requesting the Board of Supervisors authorize the Executive to execute the purchase and sale agreement that will implement the grant scope.

### ▪ Background and Purpose

The Washington Department of Fish and Wildlife (WDFW) applied for (2011) and was awarded (2012) a National Coastal Wetland (Coastal) Grant to acquire floodplain properties along the Nooksack River downstream of Ferndale. The purpose was to acquire properties from willing landowners to facilitate salmon and wildlife habitat restoration and also improve flood resilience/flood risk reduction. The grant has been amended and extended since 2012 to afford WDFW additional time as several properties initially targeted were sold to private buyers causing WDFW to seek new properties.

In September 2011, the FCZD obligated an Estuary and Salmon Restoration Program (ESRP) grant and its FCZD matching funds as the local match for the WDFW Coastal grant application. The ESRP grant provided for acquisition of multiple flood prone properties in Marietta and for hydraulic and habitat restoration modeling and alternatives analysis in the lower Nooksack downstream of Ferndale, the primary area of interest in the Coastal grant. The ESRP grant has been completed and deliverables provided to the granting agency. Documentation of expenditures eligible to fulfill the Coastal match has been provided to WDFW.

The FCZD has recently reached agreement with a private party for the purchase of a floodplain parcel key to many future flood management and habitat restoration options. The previously documented FCZD/ESRP match provide the Coastal match obligations for the purchase and WDFW would like to pass the Coastal funding through to the FCZD to purchase and own the property. The pass-through of Coastal grant funding constitutes a sub-recipient award of the federal Coastal grant and will cover the purchase price including land, appraisal, environmental site assessment, closing costs and taxes; no additional FCZD expenditures are needed.

### ▪ Funding Amount and Source

The total cost to acquire the property including a Phase 1 Environmental Site Assessment is estimated at \$216,815 which is the amount provided by WDFW through their Coastal grant. The FCZD has 2019 budget authority to complete the transaction.

WDFW's grant expires at the end of this year, so in addition to approving the pass-through agreement, we are requesting the Board of Supervisors also authorize the Executive to execute a purchase and sale agreement that is consistent with the provisions and purchase price in the agreement.