



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*
Jaimie Baxter, Program Specialist

DATE: August 6, 2025

RE: State of Washington Department of Ecology Grant Agreement for Adjudication Technical Assistance

Please find attached for your review a copy of the grant agreement between the Whatcom County Flood Control Zone District and the State of Washington Department of Ecology (Department of Ecology) for funding 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

In 2025, the Department of Ecology began a water rights adjudication process in Water Resource Inventory Area (WRIA) 1, commonly known as the Nooksack Basin covering the majority of both incorporated and unincorporated Whatcom County. Landowners who use surface water or groundwater will need to file a court claim form within one year of receiving their summons and self-report details about their historical and current water use. Over time, the court will conduct a legal review of all claimed water rights to determine their validity and priority. It is critically important for all water users in WRIA 1 to complete claim forms to ensure their water rights and to provide the most comprehensive understanding of water use in the WRIA 1 region.

The Department of Ecology is administering funds designated by the Washington State Legislature to Whatcom County for water rights adjudication assistance through a grant agreement. The funding and scope of work for this grant agreement will build and improve upon outreach and assistance efforts to water users participating in the WRIA 1 water rights adjudication that were started in 2023 through a previous grant. New funding will increase public awareness and equip water users with the resources, guidance, and support they need to navigate the legal process to file timely and accurate court claim forms. Assistance will focus particularly on permit-exempt well users, Group B well users, farms, and small water districts in the WRIA 1 region.

Funding Amount and Source

This one time grant from the Department of Ecology's Water Resources Program (OTGP-2026-WhCoPW-00098) will provide \$200,000 to support WRIA 1 Water Rights Adjudication Filing Assistance.

Please contact Jaimie Baxter at extension 6247 or Gary Stoyka at extension 6218 if you have any questions or concerns regarding the terms of this agreement.

Encl.
Contact Information Sheet
Grant Agreement