

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
Director**



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MEMORANDUM

TO: The Whatcom County Flood Control Zone District Board of Supervisors and
The Honorable Jack Louws, County Executive

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Kraig Olason, Stormwater Program Manager *KO*

DATE: September 5, 2019

RE: Resolution to Amend 100.07 Birch Bay Watershed and Aquatic Resources
Management District Funding Mechanism

Requested Action

Please find enclosed for your review and consideration a proposed resolution to amend the Birch Bay Watershed and Aquatic Resource Management District Funding Mechanism (WCC 100.07) and Rate Resolutions (Res 2008-049 & 2008-050).

Background and Purpose

One change is being proposed to WCC 100.07.080 – Exemption – Birch Bay Watershed and Aquatic Resources Management District. It provides the Birch Bay Water and Sewer District (BBWSD) an exemption from fees associated with impervious surfaces as long as an interlocal agreement between BBWSD and the Whatcom County Flood Control Zone District (FCZD) is in effect.

BBWSD works regularly with the FCZD through its Sub-Flood Zone, the Birch Bay Watershed and Aquatic Resources Management (BBWARM) district. Both districts share the same goals of protecting Birch Bay's water quality, managing stormwater and providing critical utility services to rate payers in the districts. In 2011, an interlocal agreement (ILA) was signed by the two districts that describes the relationship between the two agencies, common areas of concern and shared goals. This agreement also provides a rationale for dispensing with charging fees by either party and emphasizes the types of planning, programming and collaborative projects that would be undertaken. This agreement expired at the end of 2016 and has recently been revised to reflect recent changes and updates. If approved, the new ILA will be in effect from 2020-2024.

A review of the revised ILA by the County's attorney resulted in a suggestion to amend the resolution establishing the BBWARM rates and exemptions criteria to provide basis for not charging the BBWSD. The resolution is enclosed for your review.

Please contact Holly Faulstich at extension 6290 if you have any questions or concerns regarding this proposed resolution.

Encl.