

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-286

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	PJH	7/25/2017	<div>RECEIVED</div> <div>SEP 19 2017</div> <div>WHATCOM COUNTY COUNCIL</div>	Sept 26, 2017	Introduction, Natural Resources
Division Head:	MM	9/13/17		October 10, 2017	Hearing
Dept. Head:	TH	9/14/17			
Prosecutor:	dlg	09/12/17			
Purchasing/Budget:					
Executive: TRS		9.18.17			

TITLE OF DOCUMENT:*An Ordinance Adopting Amendments to Whatcom County Code Title 17 Flood Damage Prevention***ATTACHMENTS:**

1. Cover memo
2. Proposed Ordinance
3. Whatcom County Code, Title 17 Flood Damage Prevention (with revisions shown)
4. Staff Report

SEPA review required? (x) Yes () NO
SEPA review completed? (x) Yes () NO

Should Clerk schedule a hearing? (x) Yes () NO
Requested Date: October 10, 2017

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

The proposed ordinance adopts amendments to Title 17 that include revisions to address new requirements related to administration of the National Flood Insurance Program and compliance with the Endangered Species Act.

COMMITTEE ACTION:**COUNCIL ACTION:**

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

Jon Hutchings
DIRECTOR



MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive and
The Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Paula J. Harris, River and Flood Manager *PJH*
Gary Stoyka, Natural Resources Manager *GS*

RE: Proposed Amendments to Whatcom County Code Title 17 Flood Damage
Prevention

DATE: August 18, 2017

Enclosed is an ordinance adopting amendments to Whatcom County Code Title 17 Flood Damage Prevention for your consideration.

▪ Requested Action

Public Works respectfully requests that the Whatcom County Council consider the proposed amendments to Title 17 and approve the ordinance adopting the amended code, subject to a public hearing.

▪ Background and Purpose

In 2015, the Department of Ecology's State National Flood Insurance Program (NFIP) Coordinator completed a Community Assistance Visit (CAV) or audit to evaluate Whatcom County's implementation of the NFIP. During this visit, it was determined that our current version of Title 17 does not meet the minimum requirements of the NFIP and/or Code of Federal Regulations and is inconsistent with State law. FEMA requires communities to demonstrate their compliance with the minimum criteria in order to participate in the NFIP. The NFIP is administered locally by Whatcom County Public Works through Title 17, Flood Damage Prevention. The NFIP provides affordable insurance to property owners within participating communities and aims to reduce the impact of flooding on private and public structures by encouraging communities to adopt and enforce floodplain management regulations.

The original deadline given by the State NFIP Coordinator to have a code compliant with the NFIP was September 30, 2017. The deadline has been extended a month from the original deadline in order to accommodate finalization of the code and Council hearing dates. Meeting this deadline is necessary to remain in good standing with the NFIP.

Process Used to Revise Ordinance

In developing a set of proposed amendments to Title 17, staff utilized the results of the CAV findings along with recommendations by staff to help clarify administrative procedures and requirements. Recommended changes and additions to the code by the Flood Control Zone

District (FCZD) Advisory Committee have been incorporated. Language has been included in the code to be consistent with State law and to demonstrate compliance with the Endangered Species Act.

The FCZD Advisory Committee reviewed and discussed the revised code at their meetings on January 12, February 16, March 9 and April 20, 2017. At the April 20 meeting, they unanimously recommended approval of the revised version of code. A presentation summarizing the proposed amendments to code was made to the Building Industry Association (BIA) on June 8, 2017. Two minor revisions based on the States review, and revisions to enforcement and appeals proposed by Planning were made subsequently, and redistributed to the FCZD Advisory Committee and the BIA for their comment. No comments were received. A presentation summarizing the proposed amendments was also made to the County Council at the July 18, 2017 Surface Water Work Session. A draft detailed staff report and a copy of the revised code were distributed to Council prior to the work session.

A final staff report is enclosed which provides a detailed analysis of each section of code proposed for revision.

Encl.

PROPOSED BY: CONSENT
SPONSORED BY: CONSENT
INTRODUCTION DATE: SEPTEMBER 26, 2017

ORDINANCE NO. _____

ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 17 FLOOD DAMAGE PREVENTION

WHEREAS, the Department of Ecology (DOE) State National Flood Insurance Program (NFIP) Coordinator completed a Community Assistance Visit (CAV) to evaluate Whatcom County's implementation of the NFIP on March 5, 2015; and

WHEREAS, the DOE identified required revisions and additions to Whatcom County's Flood Damage Prevention code, Whatcom County Title 17, to comply with the State and Federal requirements; and

WHEREAS, the National Marine Fisheries Service issued a Biological Opinion regarding implementation of the NFIP by the Federal Emergency Management Agency (FEMA) and local communities; and

WHEREAS, the Biological Opinion requires that local regulatory programs ensure development projects within the floodplain are compliant with the Endangered Species Act (ESA); and

WHEREAS, amendments to Whatcom County Code Title 17 were proposed by staff to address State and Federal requirements and compliance with the ESA; and

WHEREAS, additional amendments to Whatcom County Code Title 17 were proposed by staff to improve flood protection standards and clarify administrative procedures and requirements; and

WHEREAS, the Flood Control Zone District Advisory Committee provided a forum for a public process to provide input and recommend changes to the draft developed by staff; and

WHEREAS, the Flood Control Zone District Advisory Committee recommended the amended Title 17 attached as Exhibit A for adoption by the Whatcom County Council; and,

WHEREAS, a public hearing on the amended Title 17 has been held on October 10, 2017;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Whatcom County Code Title 17 is hereby amended as indicated in Exhibit A to this ordinance.

ADOPTED this 10th day of October, 2017.

ATTEST:

Dana Brown-Davis, County Clerk

APPROVED AS TO FORM:

Daniel L. Gibson
Chief Civil Deputy Prosecutor

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Barry Buchanan, Council Chair

() Approved () Denied

Jack Louws, County Executive

Date: _____

Title 17

FLOOD DAMAGE PREVENTION

Chapters:

- 17.04 General Provisions
- 17.08 Definitions
- 17.10 Regulatory Data
- 17.12 Administration
- 17.16 Flood Hazard Reduction Standards
- ~~17.20 Repealed~~
- 17.24 Unauthorized Use of Motorized Vehicles Upon Flood Control Structures

Chapter 17.04

GENERAL PROVISIONS

Sections:

- 17.04.010 Findings of fact.
- 17.04.020 Statement of purpose and liability disclaimer.
- 17.04.030 Methods of reducing flood losses.
- 17.04.040 Application of title.
- ~~17.04.050 Basis for establishing areas of special flood hazard.~~
- 17.04.060 Abrogation and greater restrictions.
- 17.04.070 Interpretation.
- 17.04.080 Compliance required.
- ~~17.04.090 Penalty for noncompliance.~~
- 17.04.100 Severability

17.04.010 Findings of fact.

The findings of fact are the following:

A. The flood hazard areas of Whatcom County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

~~B. Without taking appropriate care and precautions, development in floodplains and watersheds may increase flood heights, frequencies, and velocities, and may result in a greater threat to humans, damage to property, destruction of natural floodplain functions, and adverse impacts to water quantity, quality, and habitat. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.~~

17.04.020 Statement of purpose and liability disclaimer.

This title is enacted as an exercise of the police power of the county for the benefit of the public at large. It is not intended to create a special relationship with any individual, or individuals, nor to identify and protect any particular class of persons. The purpose of this title is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas in a manner that does not adversely affect endangered species or their habitats. The degree of property and habitat flood-protection required by this title is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on occasion. Flood heights may be increased by manmade or natural causes. This title does not imply that land outside of the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This title shall not create liability on the part of Whatcom County, any officer or employee thereof, or the Federal Insurance Administration, for any flood-damages to property or habitat that result from reliance on this title or any administrative decision lawfully made thereunder. Nor shall the county or any officer, agent, or employee thereof incur or be held as assuming any liability by reason or in consequence of any permission, certificate of inspection, inspection or approval authorized herein, or issued or given as herein provided, or by reasons or consequence of any things done or acts performed pursuant to the provisions of this title..

17.04.030 Methods of reducing flood losses.

In order to accomplish its purposes, this title includes methods and provisions for:

A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

B. Requiring that uses vulnerable to floods, including facilities which serve such uses, shall be protected against flood damage at the time of initial construction;

C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

D. Controlling filling, grading, dredging, and other development which may increase flood damage; and

E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

17.04.040 Application of title.

This title shall apply to all Special Flood Hazard Areas, as defined in Section 17.08.040, within the jurisdiction of Whatcom County.

~~17.04.050 Basis for establishing areas of special flood hazard.~~

~~The areas of special flood hazard identified by the Federal Insurance Administration are contained in a scientific and engineering report entitled "The Flood Insurance Study for the County of Whatcom, Washington" (effective date September 30, 1977). The accompanying Flood Insurance Rate Maps, dated September 30, 1977, and September 28, 1990, including accompanying reports and any subsequent amendments made by the Federal Emergency Management Agency, are adopted by reference and declared to be a part of this title. The flood insurance study is on file at the department of public works.~~

17.04.060 Abrogation and greater restrictions.

This title is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this title and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

17.04.070 Interpretation.

In the interpretation and application of this title, all provisions shall be:

A. Considered as minimum requirements;

B. Liberally construed in favor of the governing body; and

C. Deemed neither to limit nor repeal any other powers granted under state statutes.

17.04.080 Compliance required.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this title and other applicable regulations.

~~17.04.090 Penalty for noncompliance.~~

~~Any person, firm or corporation violating any of the provisions of this title shall be deemed guilty of a misdemeanor and each day during which such violation is continued or committed shall constitute a separate offense, and upon conviction thereof, shall be punished by a fine of not more than \$500.00 or by imprisonment in the county jail for a period not exceeding 90 days, or by both such fine and imprisonment. Nothing contained herein shall prevent Whatcom County from taking such other lawful action as is necessary to prevent or remedy any violation.~~

17.04.100 Severability.

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Chapter 17.08

DEFINITIONS

Sections:

17.08.010	Generally.
<u>17.08.013</u>	<u>Accessory Structure.</u>
17.08.015	Administrator.
17.08.020	Appeal.
17.08.030	Area of shallow flooding.
17.08.040	Area of special flood hazard.
17.08.050	Base flood.
<u>17.08.051</u>	<u>Base flood elevation.</u>
<u>17.08.053</u>	<u>Basement.</u>
17.08.055	Breakaway wall.
17.08.057	Coastal high hazard area.
<u>17.08.058</u>	<u>Critical facility.</u>
17.08.060	Development.
<u>17.08.062</u>	<u>Dry floodproofing.</u>
<u>17.08.064</u>	<u>Elevation certificate.</u>
<u>17.08.066</u>	<u>FEMA.</u>
17.08.070	Flood or flooding.
17.08.080	Flood Insurance Rate Map (FIRM).
17.08.090	Flood insurance study.
<u>17.08.092</u>	<u>Flood protection elevation.</u>
17.08.095	Floodway.
<u>17.08.097</u>	<u>Historic structure.</u>
17.08.100	Lowest floor.
17.08.110	Manufactured home.
17.08.120	Manufactured home park or subdivision.
17.08.130	New construction.
17.08.140	Recreational vehicle.
<u>17.08.155</u>	<u>Special Flood Hazard Area (SFHA)</u>
17.08.160	Start of construction.
17.08.170	Structure.
<u>17.08.178</u>	<u>Substantial damage.</u>
17.08.180	Substantial improvement.
17.08.190	Variance.
<u>17.08.193</u>	<u>Watercourse.</u>
<u>17.08.195</u>	<u>Wet floodproofing.</u>
<u>17.08.200</u>	<u>Zone.</u>

17.08.010 Generally.

Unless specifically defined below, words or phrases used in this title shall be interpreted so as to give them the meaning they have in common usage or to give this title its most reasonable application.

17.08.013 Accessory Structure.

"Accessory structure" means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

17.08.015 Administrator.

Whenever the term "administrator" is used it means the director of public works or his designee.

17.08.020 Appeal.

"Appeal" means a request for a review of the administrator's interpretation of any provision of this title or a request for a variance.

17.08.030 Area of shallow flooding.

"Area of shallow flooding" means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

17.08.040 Area of special flood hazard.

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Areas of special flood hazard are designated on Flood Insurance Rate Maps with the letters "A" or "V" including AE, AO, AH, A1-99 and VE. The area of special flood hazard is also referred to as the special flood hazard area or SFHA.

17.08.050 Base flood.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as "100-year flood." Designation on maps always includes the letters A or V.

17.08.051 Base Flood Elevation.

"Base flood elevation" is the elevation of the base flood above the datum of the effective FIRM.

17.08.053 Basement.

"Basement" is any area of the structure having its floor sub-grade (below ground level) on all sides including a subgrade crawlspace.

17.08.055 Breakaway wall.

"Breakaway wall" means a wall that is not a part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damages to the elevated portion of the building or supporting foundation system.

17.08.057 Coastal high hazard area.

"Coastal high hazard area" means the area subject to high velocity waters, including but not limited to, storm surge or tsunamis. The area is designated on the FIRM as Zone V1-V30, VE or V.

17.08.058 Critical Facility.

"Critical facility" means a facility necessary to protect the public health, safety and welfare during a flood. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency operations installations, water and wastewater treatment plants, electric power stations, and installations which produce, use, or store hazardous materials or hazardous waste (other than consumer products containing hazardous substances or hazardous waste intended for household use).

17.08.060 Development.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, storage of equipment or materials, subdivision of land, removal of substantial amounts (>5%) of vegetation, or alteration of natural site characteristics located within the area of special flood hazard.

17.08.062 Dry Floodproofing.

"Dry floodproofing" means any combination of structural and non-structural measures that prevent flood waters from entering a structure.

17.08.064 Elevation Certificate.

"Elevation Certificate" means the official form from FEMA used to provide elevation information necessary to ensure compliance with provisions of this ordinance and determine the proper flood insurance premium rate.

17.08.066 FEMA.

"FEMA" means the Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program.

17.08.070 Flood or flooding.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; and/or the unusual and rapid accumulation or runoff of surface waters from any source.

17.08.080 Flood Insurance Rate Map (FIRM).

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

17.08.090 Flood insurance study.

"Flood insurance study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary Map, and the water surface elevation of the base flood.

17.08.092 Flood Protection Elevation (FPE).

"Flood protection elevation" means the elevation above the datum of the effective FIRM to which new and substantially improved structures must be protected from flood damage.

17.08.095 Floodway.

"Floodway" means the channel of a river or other watercourse or land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

17.08.097 Historic structure.

"Historic structure" means a structure that is:

A. Listed on the National Register of Historic Places, the Washington Heritage Register, or the Washington Heritage Barn Register; or

B. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as a historic district; or

C. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

17.08.100 Lowest floor.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this title found at WCC 17.16.080(2).

17.08.110 Manufactured home.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park

trailers, travel trailers, and other similar vehicles placed on a site for greater than ~~180~~120 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

17.08.120 Manufactured home park or subdivision.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

17.08.130 New construction.

"New construction" means structures for which the start of construction commenced on or after the effective date of the ordinance codified in this title.

17.08.140 Recreational vehicle.

"Recreational vehicle" is a vehicle which is:

- A. Built on a single chassis; and
- B. Four hundred square feet or less when measured at the largest horizontal projection; and
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

17.08.155 Special flood hazard area (SFHA).

See 17.08.040 "Area of special flood hazard."

17.08.160 Start of construction.

"Start of construction" includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

17.08.170 Structure.

"Structure" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

17.08.178 Substantial damage.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

17.08.180 Substantial improvement.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- A. Before the improvement or repair is started; or
- B. Before the damage occurred, if the structure has been damaged and is being restored.

For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

C. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or~~comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or~~

D. Any alteration of a Historic Structure per the definition in 17.08.097, listed on the National Register of Historic Places or a State Inventory of Historic Places.

17.08.190 Variance.

"Variance" means a grant of relief from the requirements of this title which permits construction in a manner that would otherwise be prohibited by this title.

17.08.193 Watercourse.

"Watercourse" means only the channel and banks of an identifiable watercourse, and not the adjoining floodplain areas. The flood carrying capacity of a watercourse refers to the flood carrying capacity of the channel (except in the case of alluvial fans, where a channel is not typically defined).

17.08.195 Wet Floodproofing.

"Wet Floodproofing" means permanent or contingent measures applied to a structure and/or its contents that prevent or provide resistance to damage from flooding by using flood-resistant materials and by allowing water to enter and exit the structure.

17.08.200 Zone.

"Zone" means one or more areas delineated on the FIRM. The following zones may be used on the adopted FIRM. The Special Flood Hazard Area is comprised of the A and V Zones.

- A: SFHA where no base flood elevation is provided.
- A#: numbered A Zones (e.g., A7 or A14), SFHA with a base flood elevation.
- AE: SFHA with a base flood elevation.
- AO: SFHA subject to inundation by shallow flooding usually resulting from sheet flow on sloping terrain, with average depths between one and three feet. Average flood depths are shown.
- AH: SFHA subject to inundation by shallow flooding (usually areas of ponding) with average depths between one and three feet. Base flood elevations are shown.
- B: the area between the SFHA and the 500-year flood of the primary source of flooding. It may also be an area with a local, shallow flooding problem or an area protected by a levee.
- C: an area of minimal flood hazard, as above the 500-year flood level of the primary source of flooding. B and C Zones may have flooding that does not meet the criteria to be mapped as a Special Flood Hazard Area, especially ponding and local drainage problems.
- D: area of undetermined but possible flood hazard.
- V: the SFHA subject to coastal high hazard flooding including waves of 3 feet or greater in height. There are three types of V Zones: V, V#, and VE, and they correspond to the A Zone designations.
- X: the area outside the mapped SFHA.

— Shaded X: the same as Zone B, above.

Chapter 17.10

REGULATORY DATA

Sections:

- 17.10.010 Basis for establishing Special Flood Hazard Area.
- 17.10.020 Flood hazard data.
- 17.10.030 New regulatory data.

17.10.010. Basis for establishing Special Flood Hazard Area.

A. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study for Whatcom County, Washington (All Jurisdictions)" dated November 16, 2007 and any revisions thereto, with an accompanying Flood Insurance Rate Map (FIRM) for "Whatcom County, Washington (All Jurisdictions)" dated January 16, 2004 and November 16, 2007 and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study and the FIRM are on file at the department of public works.

B. The administrator shall make interpretations where needed as to the exact location of the boundaries of the SFHA where there appears to be a conflict between the mapped SFHA boundary and actual field conditions, as determined by the base flood elevation and ground elevations. The applicant may appeal the administrator's interpretation of the location of the boundary in accordance with WCC 17.12.040.

C. The applicant may officially have a structure or property removed from the SFHA by obtaining a Letter of Map Amendment (LOMA) with FEMA. A LOMA establishes a structure or property's location in relation to the SFHA. LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the Base Flood Elevation (BFE).

17.10.020. Flood hazard data.

A. The base flood elevation for the SFHAs of Whatcom County, Washington shall be as delineated on the 100-year flood profiles in the "Flood Insurance Study for Whatcom County, Washington (All Jurisdictions)."

B. The base flood elevation for each SFHA delineated as a "Zone AH" or "Zone AO" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map. Where base flood depths are not available in Zone AO, the base flood elevation shall be considered to be two feet above the highest grade adjacent to the structure.

C. The base flood elevation for all other SFHAs shall be as defined in Sections 17.10.020.F and 17.10.030.C.

D. The Flood Protection Elevation (FPE) shall be the base flood elevation plus one foot.

E. The floodway shall be as delineated on the Flood Insurance Rate Map or in accordance with Sections 17.10.020.F and 17.10.030.C.

F. Where base flood elevation and floodway data have not been provided in Special Flood Hazard Areas, the administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, local, or other source. In cases where the administrator is unable to obtain any base flood elevation the flood protection elevation shall be two feet above the highest adjacent grade.

17.10.030. New regulatory data.

A. All requests to revise or change the flood hazard data, including requests for a Letter of Map Revision and a Conditional Letter of Map Revision shall be reviewed by the administrator.

1. The administrator shall not sign the Community Acknowledgement Form for any requests based on filling or other development, unless the applicant for the letter documents that such filling or development is in compliance with this ordinance.

2. The administrator shall not approve a request to revise or change a floodway delineation until FEMA has issued a Conditional Letter of Map Revision (CLOMR) that approves the change.

B. If an applicant disagrees with the regulatory data prescribed by this ordinance, he/she may submit a detailed technical study needed to replace existing data with better data in accordance with FEMA mapping guidelines. If the data in question are shown on the published FIRM, the submittal must also include a request to FEMA for a Conditional Letter of Map Revision.

C. Where base flood elevation or floodway delineation is not available in accordance with WCC 17.10.020, applicants for approval of new subdivisions and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include such data with their permit applications, unless waived by the administrator. This provision does not apply to applications for permits for small projects on large lots, such as constructing a single family home.

Chapter 17.12

ADMINISTRATION

Sections:

- 17.12.010 Establishment of floodplain development permit.
- 17.12.012 Requirements for floodplain development permit application within a SFHA.
- 17.12.020 Administrative department – Designated.
- 17.12.030 Administrative department – Duties and responsibilities.
- 17.12.040 Variances – Process Appeals board established – Factors taken into account – Maintenance of records.
- 17.12.050 Variances – Conditions for issuance.
- 17.12.060 Appeals.
- 17.12.070 Enforcement.

17.12.010 Establishment of floodplain development permit.

A floodplain development permit shall be obtained before construction or development begins within any area of special flood hazard established in WCC 17.10.01004.050. The permit shall be for all structures including manufactured homes, as set forth in the definitions, and for all development including fill and other activities, also as set forth in the definitions Section 17.08.060. In situations where another County permit is required for development, the floodplain development permit may be issued in the form of conditions within the other County permit.

17.12.012 Requirements for floodplain development permit application within a SFHA.

Application for a floodplain development permit within a SFHA shall be made through the development application process administered by the department of planning and development services or on forms furnished by the department of public works if other local permits are not required, and may include, but not be limited to:;

A. –One or more site plans in duplicate drawn to scale showing:

1. –The nature, location, dimensions, and elevations of the areaproperty;
2. Names and locations of all water bodies, waterways, and drainage facilities within 200 feet of the site;
3. E in question, existing and/or proposed structures, fill, pavement and other impervious surfaces, and sites for storage of materials;
4. Existing and proposed drainage facilities including but not limited to swales, storm sewers, overland flow paths and detention facilities;
5. The elevation of the 100-year floods, where the data are available, and the location of the foregoing. Specifically, the following information is required: A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; B. Elevation in relation to mean sea level to which any structure has been floodproofed;
6. Existing and proposed contours at intervals sufficient to accurately determine the extent of proposed changes if the proposed project involves grading, excavation or filling.
7. Existing vegetation and proposed vegetation removal and revegetation.

B. If the proposed project includes a new structure, substantial improvement, or repairs to a substantially damaged structure that will be elevated, the application shall include the Flood Protection Elevation for the building site and the proposed elevations of the following:

1. The top of lowest floor (including basement, crawlspace, or enclosure floor)
2. The top of the next higher floor
3. The bottom of the lowest horizontal structural member (in V Zones only)
4. The top of the slab of an attached garage
5. The lowest elevation of machinery or equipment servicing the structure
6. The lowest adjacent (finished) grade next to structure
7. The highest adjacent (finished) grade next to structure

8. The lowest adjacent grade at the lowest elevation of a deck or stairs, including structural support

C. If the proposed project includes a new structure, substantial improvement, or repairs to a substantially damaged nonresidential structure that will be wet or dry floodproofed, the application shall include the FPE for the building site and the elevation in relation to the datum of the effective FIRM to which the structure will be floodproofed and a Ccertification by a registered professional engineer or licensed architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria as provided in Section 17.16.090 or 17.16.110; and

D. The application shall include a Ddescription of the extent to which any watercourse will be altered or relocated as a result of proposed development, and shall also submit a request for a Conditional Letter of Map Revision (CLOMR), where required by the Federal Emergency Management Agency. The project will not be approved unless FEMA issues the CLOMR and the provisions of the letter are made part of the permit requirements.

E. The applicant shall submit a finished construction Elevation Certificate (EC) completed and certified by a licensed professional surveyor prior to occupancy.

F. Compliance with FEMA's National Flood Insurance Program (NFIP), including the protection standards for critical habitats for listed species, shall be demonstrated through a habitat assessment, and if necessary, a mitigation plan done in accordance with the FEMA Regional Guidance for the Puget Sound Basin.

17.12.020 Administrative department – Designated.

The department of public works is appointed to administer and implement this title by granting or denying floodplain development permit applications in accordance with its provisions.

17.12.030 Administrative department – Duties and responsibilities.

The duties of the department of public works shall include, but not be limited to:

A. Permit Review. The department of public works shall:

1. Review all floodplain development permit applications to determine that the permit requirements of this title have been satisfied;

2. Review all floodplain development permits applications to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

3. Review all floodplain development permits applications to determine if the proposed development adversely affects the flood-carrying capacity of the area of special flood hazard, and prohibit those developments that are determined to adversely affect the capacity. For purposes of this chaptersection, "adversely affects flood-carrying capacity" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will ~~not~~ increase the water surface elevation of the base flood more than one foot at any point.

4. Review and approve all Elevation Certificates, if in compliance with this Title.

5. Review all development permit applications within the SFHA to ensure the proposed development is compliant with FEMA's National Flood Insurance Program (NFIP) protection standards for critical habitats of species listed under the Endangered Species Act.

6. Notify the department of planning and development services of the review and decision results of the above in a timely manner.

B. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with WCC 17.0410.050, ~~Basis for establishing the areas of special flood hazard~~, the department of public

works shall obtain, review, and reasonably use any base flood elevation and floodway data available from a federal, state, or other source in order to administer WCC 17.16.070, ~~Specific standards~~, and 17.16.120, ~~Floodways~~.

C. Information to be Obtained and Maintained. The department of public works shall:

1. When base flood elevation data is provided through the flood insurance study or required as in WCC 17.12.030B, obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures;

2. For all new or substantially improved floodproofed structures:

a. Verify and record the actual elevation to which the structure has been floodproofed (in relation to datum specified on the FIRM~~mean sea level~~), and

b. Maintain the floodproofing certifications required in WCC 17.12.010A by a registered professional engineer that the floodproofing methods for any structure meet the criteria as provided in WCC 17.16.090;

3. Maintain for public inspection all records pertaining to the provisions of this title.

4. Submit reports as required by FEMA for the National Flood Insurance Program.

D. Alteration of Watercourse. ~~The department of buildings and codes administration shall:~~

1. Prior to any alteration or relocation of a watercourse, the department of planning and development services shall provide notification~~Notify to~~ adjacent communities and the Washington State Department of Ecology in accordance with WCC 16.08~~prior to any alteration or relocation of a watercourse, and~~

2. The department of public works shall:

a. Provide~~submit~~ evidence of such notification to FEMA~~the Federal Insurance Administration if requested~~;

2-b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

~~E. Interpretation of FIRM Boundaries. The department of public works shall make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in WCC 17.12.040.~~

~~FF.~~ Required Submission of Additional Information. The administrator shall have authority to require the applicant to submit information certified by licensed professional land surveyors, architects, or engineers as may be reasonably necessary to assure conformance with the standards of this title. (Ord. 96-050 Exh A; Ord. 87-25 (part)).

17.12.040 Variances – Process Appeals board established – Factors taken into account – Maintenance of records.

A. The hearing examiner as established by Whatcom County shall hear and decide ~~appeals and~~ requests for variances from the requirements of this title.

~~B. The hearing examiner shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the administrator in the enforcement or administration of this title.~~

~~C. Those aggrieved by the decision of the hearing examiner, or any taxpayer, may appeal such decision to the superior court, as provided in RCW Chapter 36.70.~~

~~D.B.~~ In deciding variance requests passing upon such applications, the hearing examiner shall consider WCC 17.12.050; all technical evaluations, all relevant factors, and standards specified in other sections of this title; and:

1. The danger that materials may be swept onto other land to the injury of others;
2. The danger of life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise, the sediment transport of the flood waters, and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.

12. The potential of the proposed development to adversely affect endangered species and proposed mitigation measures to ensure compliance with the Endangered Species Act.

C. Upon consideration of the factors of subsection D(B) of this section and the purposes of this title, the hearing examiner may attach such conditions to the granting of variances as ~~it deems~~deems necessary to further the purposes of this title.

~~F.D.~~ The hearing examiner shall maintain the records of all ~~appeal~~ actions and report any variances to the Federal Insurance Administration upon request.

17.12.050 Variances – Conditions for issuance.

A. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided items 1 through 11 in WCC 17.12.040D have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

B. Variances may be issued for the reconstruction, rehabilitation, or restoration of Historic Sstructures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

C. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

E. Variances shall only be issued upon:

1. A showing of good and sufficient cause;
2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in WCC 17.12.040D, or conflict with existing local laws or ordinances.

4. A determination that the proposed development is compliant with the Endangered Species Act.

F. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

G. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except WCC 17.12.050A, and otherwise complies with WCC 17.16.020 and 17.16.030 of the general standards.

H. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

17.12.060 Appeals

A. Any aggrieved party may appeal any order, variance, condition of approval, or alleged error made by the administrator in the administration or enforcement of this chapter to the hearing examiner, who shall have the authority to hear and decide such appeals.

B. An appeal shall be filed within 14 days of the issuance of a final permit decision. For decisions associated with a project permit, as defined in WCC 20.97, the final permit decision is when the project permit is issued. For decisions not associated with a project permit, the final permit decision is when the floodplain development permit is issued by the administrator.

C. Appeals shall be processed in accordance with WCC 20.92 and accompanied by a fee as specified in the unified fee schedule.

D. The applicant, any party of record, or any county department may appeal any final decision of the hearing examiner to Superior Court within 10 business days of the final decision of the hearing examiner.

17.12.070 Enforcement.

1. Any person, firm, or corporation violating any of the provisions of this title may be subject to enforcement actions and penalties allowed by County Code, as amended, for the applicable development permit, approval, or license required for the floodplain development or action. The administrator is hereby authorized to enforce the provisions of this chapter.

2. The enforcement process and penalties contained in WCC 20.94 is hereby adopted in full for enforcement of this chapter, except for WCC 20.94.010 (Purpose) and WCC 20.94.060 (Appeals), provided that each occurrence of the term "Zoning Administrator" shall be substituted with "Administrator."

Chapter 17.16

FLOOD HAZARD REDUCTION STANDARDS

Sections:

- 17.16.010 ~~General s~~Standards.
- 17.16.020 Anchoring.
- 17.16.030 Construction materials and methods.
- 17.16.040 Utilities.
- 17.16.050 Subdivision proposals.
- 17.16.060 Review of building permits.
- ~~17.16.070 Specific standards.~~
- 17.16.080 Residential construction.
- 17.16.090 Nonresidential construction.
- 17.16.095 Critical facilities.
- 17.16.100 Manufactured homes.
- ~~17.16.110 Agricultural buildings~~Wet floodproofing.
- 17.16.115 Recreational vehicles.
- 17.16.120 Floodways.
- 17.16.130 Standards for shallow flooding areas (AO Zones).
- 17.16.140 Coastal high hazard areas.

17.16.010 ~~General s~~Standards.

~~In all areas of special flood hazards t~~The standards set forth in WCC 17.16.020 through 17.16.060 ~~140~~ are required in all areas of special flood hazards.

17.16.020 Anchoring.

A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

17.16.030 Construction materials and methods.

A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Locating such equipment below the base flood elevation may cause flood insurance premiums to be increased.

17.16.040 Utilities.

A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

B. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.

C. On-site waste storage and disposal systems shall be located to avoid impairment to them, or contamination from them, during flooding.

D. Water supply wells associated with new development shall be located where it is not subject to ponding and is not in the floodway.

17.16.050 Subdivision proposals.

A. All subdivision proposals shall:

1. ~~B~~be consistent with the need to minimize flood damage.

2. ~~B. All subdivision proposals shall h~~Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

3. ~~C. All subdivision proposals shall h~~Have adequate drainage provided to reduce exposure to flood damage.

~~D.B.~~ Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed development which contain at least 50 lots or five acres (whichever is less), developed in accordance with WCC 17.10.030.C.

17.16.060 Review of building permits.

Where elevation data is not available, either through the flood insurance study or from another authoritative source (WCC 17.10.010 and WCC 17.12.030B), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

17.16.070 Specific standards.

~~In all areas of special flood hazards where base flood elevation data has been provided as set forth in WCC 17.04.050, Basis for establishing the areas of special flood hazards, or WCC 17.12.030B, Use of other base flood data, the provisions set forth in WCC 17.16.080 through 17.16.110 are required.~~

17.16.080 Residential construction.

A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood protection elevation (FPE), as determined in accordance with WCC 17.10.020.D.

B. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

1. A minimum of two openings on different sides of each enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
2. The bottom of all openings shall be no higher than one foot above grade;
3. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

C. Subgrade crawl spaces are prohibited unless the following conditions are met:

1. The interior grade of a crawlspace below the base flood elevation must not be more than 2 feet below the lowest adjacent exterior grade;

2. The height of the subgrade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed 4 feet at any point;

3. A drainage system designed to adequately drain the subgrade crawl space area (e.g. sub-surface drains or sump pump system) once floodwaters have receded must be provided; and

4. The crawlspace must comply with applicable FEMA guidance (FEMA Technical Bulletin 11, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas or updated guidance).

The administrator will notify the applicant that construction of a subgrade crawl space will likely impact flood insurance premiums.

17.16.090 Nonresidential construction.

New construction and substantial improvement of any commercial, accessory, agricultural, industrial or other nonresidential structure together with attendant utility and sanitary facilities shall:

A. ~~Shall either have~~ the lowest floor, including basement, elevated to the level of the flood protection elevation. The space below the lowest floor must meet the standards in WCC 17.16.080B and 17.16.080C; or

B. ~~Shall be~~ dry floodproofed so that:

1. Below the ~~base flood level~~ protection elevation the structure is watertight with walls substantially impermeable to the passage of water; and

2. ~~Have~~ Structural components are capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

3. ~~Be certified by a registered professional engineer or architect, that t~~ The design and methods of construction are certified by a registered professional engineer in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be as set forth in WCC 17.12.030F and shall be provided by the applicant ~~or as~~ required by the department of public works; or.

C. Be wet floodproofed in compliance with the requirements of WCC 17.16.110.

~~Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in WCC 17.16.080B.~~

~~D.~~ Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building constructed to the base flood level will be rated as one foot below that level).

17.16.095 Critical facilities

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available. Critical facilities constructed within the floodplain shall have the lowest floor elevated two feet above the base flood elevation. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible without adversely affecting the flood-carrying capacity of the SFHA.

17.16.100 Manufactured homes.

All manufactured homes to be placed or substantially improved shall be:

A. within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and in accordance with WCC 17.16.080 if within zones A, AE, AH, and AO, and subject to WCC Chapter 15.

B. Elevated on a permanent foundation in accordance with WCC 17.16.140 if within zones V or VE.

C. be sSecurely anchored to an adequately anchored foundation system in accordance with the provisions of ~~Section~~ WCC 17.16.020B.

17.16.110 Agricultural buildingsWet floodproofing.

Agricultural buildings shall comply with WCC 17.16.090. A. Wet floodproofing is allowed for the following types of nonresidential construction:

1. Wet floodproofing is allowed without a variance for enclosed areas below the FPE that are used solely for parking, access, or limited storage including attached and detached garages.

2. Wet floodproofing is allowed with a variance for the types of structures listed below; however, the administrator may waive the requirement for a formal variance provided the proposal meets the conditions of WCC 17.16.110B and applicable FEMA guidance (*FEMA Technical Bulletin 7 Wet Floodproofing Requirements* or updated guidance).

a. Structures functionally dependent on close proximity to water.

b. Historic structures.

c. Residential accessory structures that do not exceed a maximum value of \$25,000 for the cost of construction and are designed to have a low potential for structural damage. The market value of construction shall be determined by the administrator in accordance with the valuation procedure used when setting building permit fees.

d. Agricultural structures used exclusively in connection with the production, harvesting, storage, drying or raising of agricultural commodities including livestock, if they are designed to have a low potential for structural damage.

B. Each structure that is wet floodproofed shall meet the following standards:

1. It shall comply with the floodway encroachment provisions of WCC 17.16.120.

2. It shall be anchored to prevent flotation, collapse and lateral movement.

3. All portions of the structure below the FPE shall be constructed of flood-resistant materials.

4. Service utilities such as mechanical, electrical, and heating equipment shall meet the standards of WCC 17.16.030.C and 17.16.040.

5. It shall have openings to allow free flowage of water that meet the criteria in WCC 17.16.080.B.

6. It shall be designed to have a low potential for structural damage from flood inundation, scouring, velocities, and debris impact.

7. The intended use of the structure shall have a low damage potential for content damage or an emergency operation plan to remove the contents.

8. The project shall meet all other requirements of this ordinance.

17.16.115 Recreational vehicles.

Recreational vehicles placed on sites within Zones ~~A1-30, AH, AE and all V~~ A, AE, AH, AO, V, and VE Zones ~~on the community's FIRM~~ shall either:

A. Be on the site for fewer than ~~180~~ 120 consecutive days; and

B. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and having no permanently attached additions; or

C. Meet the requirements of WCC 17.16.100 and anchoring requirements for manufactured homes.

17.16.120 Floodways.

Located within areas of special flood hazard established in WCC ~~17.10.010 17.04.050~~ are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer ~~or architect~~ is provided demonstrating through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

B. Construction or reconstruction of residential structures is prohibited within designated floodways, except for the following:

1. Repairs, reconstruction, or improvements to a structure which do not increase the ground floor area, provided that repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either (a) before the repair, reconstruction, or improvement is started; or (b) before the damage occurred, if the structure has been damaged, and is being restored. Work done on structures to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions to comply with existing health, sanitary, or other safety codes or to structures identified as historic places shall not be included in the 50 percent.

2. Repairs, replacement, reconstruction, or improvements to existing farmhouses located in designated floodways and located on designated agricultural lands that do not increase the building's total square footage of encroachment and are consistent with all requirements of WAC 173-158-075;

3. Repairs, replacement, reconstruction, or improvements to substantially damaged residential dwellings other than farmhouses that do not increase the building's total square footage of encroachment and are consistent with all requirements of WAC 173-158-076; or

4. Repairs, reconstruction, or improvements to residential structures identified as historic structures that do not increase the building's dimensions.

C. If the provisions of WCC 17.16.120 A or B are met-is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this chapter.

17.16.130 Standards for shallow flooding areas (AO Zones).

Shallow flooding areas appear on FIRMs as AO Zones with depth designations. The base flood depths in these zones range from one to three feet where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

A. New construction and substantial improvements of residential structures within AO Zones shall have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, ~~to or one~~ foot above the depth number specified on the FIRM (at least two feet if no depth number is specified).

B. New construction and substantial improvements of nonresidential structures within AO Zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, to ~~or one foot~~ above the depth number specified on the FIRM (at least two feet if no depth number is specified); or

2. Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in WCC 17.16.090BA.3.

C. Adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures shall be provided.

17.16.140 Coastal high hazard areas.

Located within areas of special flood hazard established in WCC 17.14.050-10.020 are coastal high hazard areas, designated as Zones ~~V1-V30, VE and/or V and VE~~. These areas have special flood hazards associated with high velocity waters from tidal surges and, therefore, in addition to meeting all applicable provisions in this title, the following provisions shall also apply:

A. All new construction and substantial improvements in Zones ~~V1-V30~~ and VE (~~V if base flood elevation data is available~~) shall be elevated on pilings and columns so that:

1. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the ~~base flood level~~ FPE; and

2. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being ~~equalled~~ exceeded or exceeded in any given year (100-year mean recurrence interval). A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of 1 and 2 of this subsection.

B. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones ~~V1-30~~ and VE, and whether or not such structures contain a basement. The local administrator shall maintain a record of all such information.

C. All new construction shall be located landward of the reach of mean high tide.

D. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

2. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water

loading values to be used in this determination shall each have a one percent chance of being ~~equalled~~equalled or exceeded in any given year (100-year mean recurrence interval).

E. If breakaway walls are utilized, such enclosed space shall be usable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

F. Prohibit the use of fill for structural support of buildings.

G. Prohibit manmade alteration of sand dunes which would increase potential flood damage.

Chapter 17.20

FLOOD CONTROL MAINTENANCE PROGRAM

(Repealed by Ord. 2008-047)

Chapter 17.24

UNAUTHORIZED USE OF MOTORIZED VEHICLES UPON FLOOD CONTROL STRUCTURES

Sections:

- 17.24.010 Definitions.
- 17.24.020 Unauthorized use of motorized vehicle.
- 17.24.030 Violation – Penalty.

17.24.010 Definitions.

The definitions set forth in this section shall apply throughout this chapter.

A. “County” means Whatcom County, unless otherwise noted.

B. “Flood control structure” means any structure, whether natural or man-made in origin that operates, or is intended, to contain, channelize, direct or otherwise control the flow of water along or near the banks of the Nooksack River.

C. “Motorized vehicle” means any vehicle that is motor-driven, whether by internal combustion engine or electric motor, and any attachments thereto.

D. “Nooksack River” means the river commonly known as the Nooksack River, along with its North, Middle, and South Forks, as more precisely defined in WAC 173-18-410 as now written or hereinafter amended, and the channels within which this river and its forks flow, within Whatcom County.

E. “Proper authorization” means use of a motorized vehicle for purposes of inspection, maintenance, improvement, or construction of flood control structures, or for access for legitimate agricultural purposes:

1. By immediate family members or current employees of the owner or tenant of the land upon which the flood control structure is located, under the authority and direction of that owner or tenant, or
2. Under the authority and with the current permission of the public agencies responsible for flood control activities within the county.

The claim of proper authorization is an affirmative defense which must be pled prior to hearing or trial, and which the defendant must prove by a preponderance of the evidence. (Ord. 2003-002).

17.24.020 Unauthorized use of motorized vehicle.

It is unlawful for any person to operate, or to ride upon, a motorized vehicle on any flood control structure within 3,000 feet of the Nooksack River, unless done with proper authorization. (Ord. 2003-002).

17.24.030 Violation – Penalty.

Violation of this chapter shall constitute a Class 1 civil infraction under the authority granted the county in Chapter 7.80 RCW. Each violation hereof shall be punishable by a maximum penalty or default amount as set forth in RCW 7.80.120, or any successor statute thereto. All violations shall be charged, heard, and determined in accordance with the procedures set forth in Chapter 7.80 RCW. Employees of the Whatcom County public works department, river and flood division, or its successor agency, if any there be, as well as all others who are otherwise authorized to enforce ordinances of this county, are hereby authorized to enforce the provisions of this title, consistent with the provisions of Chapter 7.80 RCW.

After having been found to have committed two infractions for violations of the provisions of this chapter, any person who further violates the provisions of this chapter shall be guilty of a misdemeanor, and shall be subject to criminal penalties including a fine of not more than \$1,000, together with statutory assessments and any costs of action, and imprisonment in the county jail for a period of not more than 90 days.

In addition to the civil and criminal remedies provided for above, the county or the owner(s) of the land affected by the violation of the provisions of this chapter may bring such injunctive, declaratory or other actions as deemed necessary, and as otherwise allowed by law, to ensure that violations are prevented or cease, and to otherwise enforce the provisions of this chapter. (Ord. 2003-002).

**Public Works
Staff Report
September 11, 2017**

I. BACKGROUND INFORMATION

Summary of Request:

Adopt amended version of Whatcom County Code, Title 17, Flood Damage Prevention (see Attachment A).

After a National Flood Insurance Program (NFIP) Community Assistance Visit (audit) in 2015, FEMA determined that our current version of Title 17 does not meet the minimum requirements of the NFIP and/or Code of Federal Regulations (CFR's).

FEMA requires communities to demonstrate their compliance with the minimum criteria in order to participate in the NFIP. The NFIP is administered locally by Whatcom County Public Works through Title 17, Flood Damage Prevention.

In addition to changes made in response to the audit findings, the proposed amended Title 17 includes changes recommended by the Flood Control Zone District Advisory Committee (FCZDAC) and language clarifications recommended by Staff.

Location: Title 17 and the proposed amendments apply to Special Flood Hazard Areas (areas within the 100-year floodplain) within the unincorporated areas of Whatcom County.

SEPA: the State Environmental Policy Act (SEPA) Official for Whatcom County issued a Determination of Non-Significance on July 25, 2017.

II. ANALYSIS OF THE PROPOSED AMENDMENT

A detailed analysis of each of the proposed revisions is as follows.

Chapter 17.04 GENERAL PROVISIONS

17.04.010 Findings of Fact

The proposed revision to WCC 17.04.010.B clarifies reasons for flood losses and relates lack of adequate precautions to impacts on habitat.

17.04.020 Statement of purpose and liability disclaimer

All development within Special Flood Hazard Areas must comply with the Endangered Species Act. The proposed revision includes protection of endangered species and their habitats.

17.04.040 Application of title

The proposed revision adds a reference to a new definition for "Special Flood Hazard Area."

17.04.050 Basis for establishing areas of special flood hazard

This section has been removed; the content in this section was moved to 17.10.020.A under the new section 17.10 Regulatory Data.

17.04.090 Penalty for noncompliance and enforcement

This section has been removed; the revised content of this section was moved to 17.12.070 under the Administration section.

17.04.100 Severability

This section is proposed for addition to the code based on legal review.

Chapter 17.08 DEFINITIONS**17.08.013 Accessory structure**

This definition was added to provide clarification as to what constitutes an accessory structure, as portions of the existing and proposed codes use the term.

17.08.040 Area of Special Flood Hazard

This definition was expanded to include specific flood zones, and to cross-reference the Special Flood Hazard Area, since both terms are frequently used.

17.08.051 Base Flood Elevation

This definition was added to provide clarification as to what the term means, as portions of the existing and proposed codes use the term.

17.08.053 Basement

This definition was added to provide clarification as to what constitutes a basement, as portions of the existing and proposed codes use the term.

17.08.058 Critical facility

This definition was added along with section WCC 17.16.095 to provide a higher level of flood protection for public facilities that are considered essential to protecting public health, safety and welfare during a flood event. The language was taken from FEMA's model ordinance.

17.08.060 Development

This definition was expanded to be consistent with Endangered Species Act requirements.

17.08.062 Dry floodproofing

This definition was added to provide clarification as to the difference between dry and wet floodproofing, as new language is proposed in WCC 17.16.110 to allow for wet floodproofing in accordance with FEMA guidance. The current code allows for dry floodproofing in some situations but does not specifically allow for wet floodproofing.

17.08.064 Elevation certificate

This definition was added to provide clarification as to what the term means, as portions of the existing and proposed codes use the term.

17.08.066 FEMA

This definition was added to provide clarification as to what the term means, as portions of the existing and proposed codes use the term.

17.08.092 Flood Protection Elevation (FPE)

This definition was added for easier reference when defining elevation standards throughout the code. WCC 17.10.030.D was also added and specifies that the FPE is one foot above the base flood elevation; new and substantially improved structures are required to elevate to the FPE. The current code only requires elevation to the base flood elevation. The higher standard is required to be consistent with the International Residential Code (IRC).

17.08.097 Historic structure

This definition was added to provide clarification as to what constitutes a historic structure, as portions of the existing and proposed codes use the term.

17.08.110 Manufactured home

This definition was changed to be consistent with the zoning code, Title 20.

17.08.155 Special Flood Hazard Area (SFHA)

This definition was added to cross-reference Special Flood Hazard Area with Area of Special Flood Hazard since both terms are frequently used.

17.08.178 Substantial damage

This definition was added to enable more flood insurance policy holders to qualify for Increased Cost of Compliance (ICC) funding through flood insurance claims. ICC funding of up to \$30,000 is available to policy holders whose residences have been substantially damaged for modifications to the structure which will reduce future damage. The definition includes provisions for smaller damage amounts on multiple occasions to enable more homeowners to be able to qualify for the ICC funding.

17.08.180 Substantial improvement

This definition was reformatted to provide clarity.

17.08.193 Watercourse

This definition was added to provide clarification as to what the term means, as portions of the existing and proposed codes use the term.

17.08.195 Wet floodproofing

This definition was added to enable the addition of wet floodproofing standards for certain types of nonresidential construction as detailed in WCC 17.16.110.

17.08.200 Zone

This definition was added to provide clarification as the term is used in portions of the existing and proposed codes.

Chapter 17.10 REGULATORY DATA

This entire section was added to provide an organized presentation of the various types of data used in administering the code.

17.10.010 Basis for establishing Special Flood Hazard Area

Item A in this section was moved from 17.04 General Provisions (previously was WCC 17.04.050), updated to reference the current release of the flood insurance study and map, and slightly reworded. Item B clarifies how the administrator interprets the boundaries of the regulatory limits. Item C explains the Letter of Map Amendment (LOMA) process as a possible way of removing property from the SFHA.

17.10.020 Flood hazard data

This section clarifies the sources of base flood elevation and floodway data used in administering the code. Item D in this section defines the "Flood protection elevation" as one foot above the base flood elevation; this is a change from the current code which only requires structures to be elevated to the base flood elevation. This change is recommended by FEMA and FCZDAC, and will reduce the potential for damage to subfloor materials and equipment.

17.10.030 New regulatory data

This section is required in order to comply with the Code of Federal Regulations (CFR). The section includes provisions for processing requests for Letters of Map Revision and describes how new flood elevation and floodway data are to be developed. It also describes the methods applicants should use if they do not agree with the current regulatory data.

Chapter 17.12 ADMINISTRATION

Sections have been added to this chapter and existing sections have been modified to provide clarification, to incorporate recommendations by the FCZDAC, and for compliance with ESA.

17.12.010 Establishment of floodplain development permit

This section was modified to reference updated sections or definitions, and clarify that floodplain permits may be issued through conditioning other County permits.

17.12.012 Requirements for development permit application within a SFHA

This section was added to clarify what should be submitted as part of a development permit application. Language from the existing code WCC 17.12.010 was used in this new section along with additional language from FEMA's model ordinance to address ESA compliance and recommended revisions by the FCZDAC.

17.12.020 Administrative department - Designated

The proposed revision clarifies that the section only applies to development permit applications within the SFHA.

17.12.030 Administrative department – Duties and responsibilities

Proposed revisions throughout this section clarify that the section applies only to development within the SFHA, and address ESA compliance and the CFR.

17.12.040 Variances – Process

This section was revised to be consistent with the variance process used for other Whatcom County codes. Section 17.12.040.B.12 was added to address the ESA.

17.12.050 Variances – Conditions for issuance

Section 17.12.050.E.4 was added to address ESA compliance.

17.12.060 Appeals

This section was revised to be consistent with the appeals process used for other Whatcom County codes, and ensures that all flood decisions – whether issued through another County permit or not - have a process for appeal.

17.12.070 Enforcement

The proposed revision, written in consultation with the Planning Department, makes the enforcement of Title 17 consistent with the enforcement process used for the Critical Areas Ordinance (CAO), as the CAO includes conformance with the provisions of Title 17 as part of the general standards for Frequently Flooded Areas.

Chapter 17.16 FLOOD HAZARD REDUCTION STANDARDS

One new section was added. Revisions to clarify how the standards are applied, and revisions to comply with the CFR were incorporated. Recommended changes by the FCZDAC are also incorporated throughout this chapter.

17.16.010 Standards

Language was changed to clarify that these standards apply to all floodplain designations.

17.16.030 Construction materials and methods

Language was added as recommended by FEMA to notify applicants of potential impacts to flood insurance premiums.

17.16.040 Utilities

Part D was added to comply with state law.

17.16.050 Subdivision proposals

This section was revised to reference the new regulatory data section.

17.16.060 Review of building permits

The proposed revision clarifies how the code is currently administered and is consistent with FEMA guidance.

17.16.070 Specific standards

This section has been removed; the reference to another code section was revised to reflect that the section was moved in the proposed code.

17.16.080 Residential construction

Section 17.16.080.A was revised to reference the FPE rather than the BFE so the elevation standard is consistent the IRC. Section 17.16.080.B was clarified to be consistent with FEMA guidance. New language was added under section 17.16.080.C to allow for sub-grade crawlspaces in accordance with FEMA guidance.

17.16.090 Nonresidential construction

Sections 17.16.090.A and B were revised to reference the FPE rather than the BFE for elevation standards, as this is consistent with the IRC. Section C was added to allow for wet floodproofing of some nonresidential structures as long as they comply with FEMA requirements (see WCC 17.16.110).

17.16.095 Critical facilities

This section was added to provide a higher level of flood protection to facilities that would be critical during a flood event. The FCZDAC recommended the elevation standard for critical facilities be 2 feet above the BFE.

17.16.100 Manufactured homes

This section was revised to comply with the CFR.

17.16.110 Wet-floodproofing

This section was previously titled "Agricultural buildings" and only allowed for elevation or dry floodproofing consistent with the requirements for other nonresidential structures. The section was renamed to allow wet-floodproofing construction techniques for agricultural structures as well as other nonresidential structures that meet the criteria in FEMA technical guidance. The original draft of this section was derived from a FEMA technical guidance document. The current version includes revisions recommended by the FCZDAC.

17.16.115 Recreational vehicles

This section was revised to reflect the current flood zone designations used by FEMA on the Flood Insurance Rate Maps. Section 17.16.115.A was revised to be consistent with the zoning code, Title 20.

17.16.120 Floodways

Reference to another code section was revised as that section was moved in the proposed code. Revisions to section 17.16.120.A clarify who is qualified to perform floodway analyses and how it should be completed. Additional language was added to section 17.16.120.B to allow for repairs, replacement, reconstruction, or improvements to existing farmhouses and historic structures without having to go through a formal variance process and is consistent with state law (WAC 173-158-075 and WAC 173-158-076).

17.16.130 Standards for shallow flooding areas (AO zones)

The proposed revisions are consistent with the requirement to elevate to one foot above the BFE, but are applicable to shallow flooding areas where a BFE has not been defined.

17.16.140 Coastal high hazard areas

This section was revised to address the requirement to elevate one foot above BFE requirement (or FPE), consistent with the IRC. Revisions were also made to reference the flood zone designations currently used by FEMA

III. PROPOSED FINDINGS OF FACT AND REASONS FOR ACTION

1. The proposed ordinance has been revised to address the deficiencies found as a result of a Community Assistance Visit (audit) by FEMA.
2. Recommendations from the FCZDAC have been incorporated.
3. Revisions by staff have been incorporated to help improve administration of the code and to clarify code for easier use by all.
4. Language was added to demonstrate compliance with ESA.
5. Language was added to be consistent with State law.
6. The FCZDAC reviewed and discussed the revised code at their meetings on January 12, February 16, March 9 and April 20, 2017. At the April 20 meeting, they unanimously recommended approval of the revised version of the code with their recommended revisions. Two minor revisions based on the state's review, and revisions to enforcement and appeals proposed by Planning were made subsequently, and redistributed to the FCZDAC for their comment. No comments were received.
7. A determination of non-significance was issued July 25, 2017 under the State Environmental Policy Act.
8. Notice of the public hearing was published in the Bellingham Herald on October 10, 2017.

IV. RECOMMENDATION

The deadline for Whatcom County to remain in good standing with the NFIP and to have the revised code adopted is October 31, 2017. Failure to adopt an ordinance that is consistent with the minimum requirements of the NFIP and/or CFR's will jeopardize the County's ability to receive funding for projects and ultimately jeopardize the County's ability to participate in the NFIP which makes flood insurance available to the community. Furthermore, the proposed version of code also benefits the community by:

- Making it easier for property owners to qualify for ICC funding to help recover structures that have been substantially damaged by a flood.
- Allowing for wet floodproofing for agricultural structures.
- Providing further protection of critical facilities and all other structures from flood damage.

- Adding language for the protection of listed species and their habitat as necessary for compliance with ESA.

Staff recommends that the County Council adopt the amendments to Title 17 as proposed. The State NFIP Coordinator has reviewed and approved these amendments to code for compliance with the NFIP and CFR's.

VI. ATTACHMENTS

1. Whatcom County Title 17, Flood Damage Prevention

WHATCOM COUNTY COUNCIL AGENDA BILLNO. 2017-251

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	GSS	9/12/17	<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	9/26/17	Natural Resources
Division Head:	GSS	9/12/17			
Dept. Head:	<i>[Signature]</i>	9/14/17			
Prosecutor:	<i>[Signature]</i>	09/15/17			
Purchasing/Budget:					
Executive:	<i>[Signature]</i>	9.18.17			

TITLE OF DOCUMENT:

Follow-up discussion with Whatcom County Public Works regarding potential funding sources for Lake Whatcom programs.

ATTACHMENTS:

none

SEPA review required? () Yes (☒) NO
SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes (☒) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

As requested by Council, Public Works staff will provide additional information regarding potential funding sources for Lake Whatcom programs.

COMMITTEE ACTION:**COUNCIL ACTION:**

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	Weimer	9/19/2017		9/26/2017	Nat Res / Council
Division Head:					
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:

Res-Develop special funding District for Lk Whatcom Watershed

ATTACHMENTS:

Resolution

SEPA review required?	() Yes	() NO	Should Clerk schedule a hearing ?	() Yes	(X) NO
SEPA review completed?	() Yes	() NO	Requested Date:		

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Resolution requesting the Executive develop a special funding district to fund water quality improvements in the unincorporated Lake Whatcom Watershed to provide local fees to be used in conjunction with other funding to address water quality concerns specific to Lake Whatcom no later than November 8, 2017.

COMMITTEE ACTION:**COUNCIL ACTION:**

Related County Contract #;

Related File Numbers:

Ordinance or Resolution
Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

RESOLUTION NO. 2017-_____

**REQUESTING THAT THE EXECUTIVE DEVELOP A SPECIAL FUNDING DISTRICT
TO FUND WATER QUALITY IMPROVEMENTS IN THE UNINCORPORATED
LAKE WHATCOM WATERSHED**

WHEREAS, Lake Whatcom is the drinking water source for approximately 100,000 Whatcom County residents; and

WHEREAS, in 1992 the City of Bellingham, Whatcom County, and the predecessor to the Lake Whatcom Water and Sewer District jointly formed the Lake Whatcom Management Program and thereby declared their intention to work together to protect and manage Lake Whatcom; and

WHEREAS, Lake Whatcom was first listed on the 303(d) list of impaired water bodies under the federal Clean Water Act for low levels of dissolved oxygen and excessive levels of fecal coliform in tributaries in 1998; and

WHEREAS, the Lake Whatcom Management Program coordinates actions of the member governments to improve the Lake, including, but not limited to reducing phosphorus and fecal coliform entering the Lake; and

WHEREAS, a Total Maximum Daily Load (TMDL) Report of Findings for total phosphorus and fecal coliform in the Lake Whatcom Watershed was approved by the Washington State Department of Ecology (DOE) and the United States Environmental Protection Agency (EPA) in 2016; and

WHEREAS, the TMDL requires the development of an implementation plan identifying measures to be taken by the City of Bellingham and Whatcom County to reduce total phosphorus and fecal coliform in Lake Whatcom, which will become incorporated into the National Pollutant Discharge Elimination System (NPDES) stormwater permit for western Washington when that permit is renewed; and,

WHEREAS, as permittees, the City of Bellingham and Whatcom County have committed to substantial investments in stormwater infrastructure and private homeowner incentives to improve water quality; and

WHEREAS, in 2017 Whatcom County approved an update to the Lake Whatcom Comprehensive Stormwater Plan that identifies specific projects to reduce phosphorus-laden runoff entering the Lake to fulfill the requirements in the TMDL implementation plan; and

WHEREAS, Whatcom County has historically utilized county-wide funding sources to fund improvements that address water quality impacts originating from the unincorporated portion of the Lake Whatcom watershed; and

WHEREAS, the City of Bellingham has funding mechanisms in place to fund improvements that address water quality impacts originating from the portion of the Lake Whatcom watershed within the Bellingham city limits; and

WHEREAS, fifteen special funding districts finance local improvements for drainage, flood control, and water quality improvement elsewhere in Whatcom County; and

WHEREAS, Whatcom County Council Resolution 2014-015 created a Water Action Plan to steer the growth of water resource services, including greater reductions of phosphorus entering Lake Whatcom; and

WHEREAS, the Council authorized additional expenditures from the Flood Fund to accommodate new water resource services; and

WHEREAS, the long-term effect of continuing these additional expenditures is to diminish the Flood Fund balance unless preexisting services are reduced or additional revenues are secured; and

WHEREAS, Resolution 2016-049 requested the County Executive to develop long-term deficit reduction alternatives that maintain or enhance current levels of service and authorized the expenditure of \$40,000 in the 2017 FCZD budget to enable this work.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council request the County Executive to develop a special funding district in the unincorporated portion of the Lake Whatcom watershed to provide local fees to be used in conjunction with other funding to address water quality concerns specific to Lake Whatcom and bring forth an ordinance establishing such a district to the County Council for approval no later than November 8, 2017.

ADOPTED this _____ day of _____, 2017.

WHATCOM COUNTY COUNCIL

ATTEST:

WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-278

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	CE	September 13, 2017	<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	Sept 26, 2017	Nat. Resources Comm/ Council
Division Head:					
Dept. Head:	GER	9/13/17			
Prosecutor:	AK	9-13-17			
Purchasing/Budget:					
Executive	TKS	9.18.17			

TITLE OF DOCUMENT:

Resolution Authorizing Whatcom County Purchase of Development Rights Administrator to proceed with acquisition of conservation easements on ranked applications 1 through 6 (Exhibit 1); to proceed with appraisal on Sigurdson application; and to authorize County Executive to sign grant agreement with NRCS ACEP-ALE for 2017 match funding awards.

ATTACHMENTS:

Memo, Resolution, Purchase of Development Rights 2017 Applicant Ranked list (Exhibit 1) ,
NRCS Grant Agreement (Exhibit 2)

SEPA review required? () Yes (x) NO
SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

As required by the WCC 3.25A - Purchase of Agricultural Development Rights Ordinance, applications submitted by landowners interested in participating in the PDR program were reviewed for program eligibility, ranked pursuant to the PDR Guidelines Document, Ranking Criteria, by the PDR Oversight Committee, and matching funds pursued. The ranking by the PDR Oversight Committee is now being submitted to Council. County Council needs to review the ranking as submitted by the Oversight Committee and affirm or modify that ranking list and authorize the PDR Administrator and County Executive to proceed with the acquisition process for ranked applications 1 through 6 on Exhibit 1.

PDR program staff also request authorization to receive matching funds from the NRCS via the 2017 ACEP-ALE program, award identifying number 68-0546-17-521 (Exhibit 2).

COMMITTEE ACTION:**COUNCIL ACTION:**

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-778-5900, TTY 800-833-6384
360-778-5901 Fax



J.E. "Sam" Ryan
Director

RECEIVED

SEP 13 2017

Memorandum

JACK LOUWS
COUNTY EXECUTIVE

TO: Executive Louws, Honorable Councilmembers

FROM: Chris Elder, PDR Program Administrator *CE*

THROUGH: Sam Ryan, Director, PDS *SR*

DATE: September 13, 2017

SUBJECT: Request for Authorization for Whatcom County Purchase of Development Rights Administrator to proceed with acquisition of agricultural conservation easements on ranked applications 1 through 6 (Exhibit 1); to proceed with appraisal on Sigurdson application; and to authorize County Executive to sign grant agreement (Exhibit 2) with Natural Resource Conservation Service (NRCS) to receive 2017 match funding awarded to Whatcom County through the Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE).

The Purchase of Development Rights Program continues to be successful in receiving high quality applications and matching funds to support purchase of agricultural conservation easements on these applications.

At the August 25, 2017 Purchase of Development Rights Oversight Committee, staff received approval of the attached ranked list of PDR applications (Exhibit 1) and a recommendation to Council to authorize the Purchase of Development Rights Program Administrator and County Executive to move forward with the acquisition process on applications ranked 1 through 6. 50% matching funds have been secured for all 6 of these applications. Please note that the PDR Oversight Committee also recommended a pilot modification to the ranking criteria of the PDR Program Guidelines. Given that receipt of matching funds is a critical component of completing an agricultural conservation easement, the PDR Oversight Committee recommended adding 15 points to applications that have secured 50% matching funds. Thus, the attached rank list (Exhibit 1) is a more accurate representation of the priority applications for Whatcom County.

In order to complete the acquisition process, staff requests authorization to hire an appraisal of the Sigurdson/Neptune Beach Investments LLC application and authorization for the County Executive to sign a grant agreement with the NRCS (Exhibit 2) to receive matching funds in the amount of \$594,500.

Thank you very much for your time, consideration, and support.

SPONSORED BY: _____
PROPOSED BY: _____ Planning
INTRODUCTION DATE: _____

RESOLUTION # _____

**AFFIRMING THE PDR OVERSIGHT COMMITTEE RANKING AND AUTHORIZING
WHATCOM COUNTY PURCHASE OF DEVELOPMENT RIGHTS ADMINISTRATOR
AND WHATCOM COUNTY EXECUTIVE TO PROCEED WITH THE ACQUISITION
PROCESS FOR 2017 APPLICATIONS**

WHEREAS, Whatcom County government recognizes agriculture as a major contributor to the local economy and a high quality of life for Whatcom County citizens; and

WHEREAS, The Growth Management Act and the County Comprehensive Plan support the retention of agricultural lands of long term commercial significance and encourage the use of innovative techniques to do so; and

WHEREAS, Ordinance #92-002 enacted a property tax levy known as the Conservation Futures Tax as authorized by RCW 84.34.230 to provide a funding source to assist in acquiring "open space land, farm and agricultural land, and timber land, and a significant Conservation Futures fund balance is available for additional farm land protection efforts ;" and

WHEREAS, Ordinance #2002-054 adopted Whatcom County Code Title 3.25A that authorized the creation of a Purchase of Development Rights (PDR) program that offers voluntary farm agreements that include the purchase of agricultural conservation easements on farmable land within Whatcom County, and

WHEREAS, Ordinance #2002-054 and WCC 3.25A established a Purchase of Development Rights Oversight Committee to provide review and assistance to the PDR Administrator, and

WHEREAS, The Whatcom County Council adopted the PDR Guidelines Document through Resolution #2002-040 which includes specific direction for program administration and conservation easement acquisitions, and

WHEREAS, The Purchase of Development Oversight Committee met on August 25, 2017 to develop a ranking of all applications received to date and forwarded that ranking to Council; and

WHEREAS, Council, pursuant to PDR Guidelines Document, must affirm or modify the properties as submitted by the PDR Oversight Committee, and

WHEREAS, Council has reviewed the application ranking and background materials at a public meeting, with input by County staff and PDR Oversight Committee members, and

WHEREAS, Council has determined the ranking in accordance with their policy priorities and the requirements of Title 3.25A and the PDR Guidelines Document, and

WHEREAS, Council passed resolution 2015-032 & 2016-029 authorizing the PDR Administrator to acquire title and appraisal services for applicants Broad Leaf Farm (previously Williams 1), Carbee, Brar, Greenwood, and Sidhu, and

WHEREAS, The Nooksack Tribe acquired title and appraisal services for applicant Jacoby, and

WHEREAS, The PDR Administrator has contracted appraisal services for all properties listed above, and

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that:

1. The Executive is authorized to sign grant agreement 68-0546-17-521 (Exhibit 2) with the Natural Resource Conservation Service to receive matching funds in the amount of \$594,500 to support acquisition of the Carbee, Greenwood, Brar, and Sigurdson/Neptune Beach Investments LLC conservation easements.
2. The PDR Oversight Committee and Administrator proceed with the acquisition of title search and appraisal services of the Sigurdson/Neptune Beach Investments LLC property pursuant to the process outlined in the PDR Guidelines Document.
3. The PDR Oversight Committee and Administrator proceed with the acquisition of six (6) conservation easements in the order of the approved ranking (Exhibit 1) pursuant to the process outlined in the PDR Guidelines Document.
4. The Executive is authorized to enter into Purchase and Sale Agreements (for #s 1 through 6 listed in Exhibit 1), provided:
 - a. Appraisals are completed and conservation easements are drafted which meet the requirements of the Whatcom County Purchase of Development Rights program, and
 - b. Landowners have agreed to the offer price and conservation easement conditions.
5. Expenditure of Conservation Futures Funds are authorized to cover expenses associated with purchase of conservation easements, including title search and insurance, appraisal services and Whatcom Land Trust fees.

APPROVED this _____ day of _____, 2017

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chairperson

APPROVED as to form:



Civil Deputy Prosecutor

Exhibit 1 ~ September 2017 POR Applicant Ranking Summary

Rank	Property/Applicant	Parcel #s	Acres	# of DRs	Target Area	Zone	Final Score	Final score plus 15 for matching funds	Notes	Appraised Total Cost	Easement Cost to Whatcom County	Cost per DR	Cost per Acre	PEROC Approval	Appraisal Complete	Match Funding Secured	Date of Application	Date of Appraisal
Properties to be approved for purchase of agricultural conservation easement																		
1	Bar	356429142334	78.1	14	No	R5	70.27	85.27	1 house plus ag buildings, retaining 1 additional DR	\$350,000.00	\$175,000.00	\$25,000.00	\$4,481.43	Yes	Contracted	50% Match secured NRCS 2017 ACEP-ALE	December, 2015	
2	Greenwood	356405250298, 356405190236	93.77	16	No	R5	68.07	83.07	1 house plus ag buildings, retaining 1 additional DR	\$375,000	\$187,500	\$23,000	\$4,000.00	Yes	Contracted	50% Match secured NRCS 2017 ACEP-ALE	February, 2016	
3	Jacoby	376505210090, 376505213045, 376505371197	100.03	2	No	AG, RF	63.30	78.30	1 house plus ag buildings	\$330,000	\$165,000	\$150,000	\$2,999.10	Yes	Yes	50% Match Secured through Nookack Tribe NEP Grant & Sustainable Whatcom Fund Grant	January, 2016	Apr-17
4	Carbee	356421343125	73.31	13	No	R5	62.59	77.59	1 house, several outbuildings related to dairying	\$315,000	\$157,500	\$24,230	\$4,286.82	Yes	Contracted	50% Match secured NRCS 2017 ACEP-ALE	October, 2015	
5	Sigurdson/Negume Beach	359125494198	15.31	3	No	R5	48.06	64.06	no development, retaining 1 DR	\$61,240	\$30,620	\$50,000	\$4,000.00	Yes	Contracted	50% Match secured NRCS 2017 ACEP-ALE	June, 2016	
6	Williams 1 (Broad Leaf Farm)	406431102195	56.19	1	No	AG	48.21	63.21	no development	\$255,000	\$127,500	\$255,000	\$3,852.55	Yes	Yes	50% Match secured NRCS 2016 ACEP-ALE	May, 2014	January 8, 2015, appraisal update in May 2017
Total Number of Acres Protected			426.71		Total Number of Development Rights Extinguished			46		Total Easement Cost to Whatcom County		\$225,120						
Rank	Property/Applicant	Parcel #s	Acres	# of DRs	Target Area	Zone	Final Score	Notes	Appraised Total Cost	Easement Cost to Whatcom County	Cost per DR	Cost per Acre	PEROC Approval	Appraisal Complete	Match Funding Secured	Date of Application	Date of Appraisal	
Properties not currently being requested for purchase of agricultural conservation easement																		
7	McLeod	400311212079	16.59	7	No	R2	62.09	1 house, 1 ADU, 1 outbuilding	\$300,000		\$42,857	\$18,083.18	Yes	No		December, 2016		
8	VanderVeen	400418450581 400418450588 400418450527	36.9	2	No	AG	60.88	1 house plus ag buildings	\$150,000		\$75,000	\$4,065.04	Yes	No		June, 2017		
9	Newell	400222451435	20.2	3	No	R5	51.23	1 house plus outbuildings, 13.7 acres in CRP	\$80,000		\$26,667	\$3,860.40	Yes	No		January, 2017		
10	Vanderwerff	359431263168	19.77	3	No	R5	51.09	1 house, 1 ADU, additional barns	\$80,000		\$40,000	\$4,046.54	Yes	No		May, 2016		
11	Sidhu	400418303325	40	4	RSA	R10	47.44	no development, retaining 1 DR	\$160,000		\$40,000	\$4,000.00	Yes	Contracted		December, 2015		
Total Number of Acres Protected			133.46		Total Number of Development Rights Extinguished			19		Total Easement Cost to Whatcom County		\$0						

NRCS	Natural Resource Conservation Service
ACEP-ALE	Agricultural Conservation Easement Program - Agricultural Land Easement
RCO	Recreation and Conservation Office
WWRP	Washington Wildlife Recreation Program
NEP	National Estuary Program

Recommended Cutoff Score:
40 pts

Criteria	Weight
Land Evaluation	0.33
Site Evaluation	0.33
Special Considerations	0.22
Bargain Sale Opportunity	0
Bonus	0.12
Total	1.00

Exhibit 1 Properties to approve for Purchase of Agricultural Conservation Easement												
Rank	Property/Applicant	Acres	# of DRs	Zone	Final Score	Final score plus 15 for matching funds	Appraised Total Cost	Easement Cost to Whatcom County	Cost per DR	Cost per Acre	Appraisal Complete	Match Funding Secured
1	Brar	78.1	14	R5	70.27	85.27	\$350,000	\$175,000	\$25,000	\$4,481.43	Contracted	50% Match secured NRCS 2017 ACEP-ALE
2	Greenwood	93.77	16	R5	68.07	83.07	\$375,000	\$187,500	\$23,000	\$4,000.00	Contracted	50% Match secured NRCS 2017 ACEP-ALE
3	Jacoby	100.03	2	AG, RF	63.30	78.30	\$300,000	\$150,000	\$150,000	\$2,999.10	Yes	50% Match Secured through Nooksack Tribe NEP Grant & Sustainable Whatcom Fund Grant
4	Carbee	73.31	13	R5	62.59	77.59	\$315,000	\$157,500	\$24,230	\$4,296.82	Contracted	50% Match secured NRCS 2017 ACEP-ALE
5	Sigurdson/Neptune Beach	15.31	3	R5	49.06	64.06	\$61,240	\$30,620	\$50,000	\$4,000.00	Contracted	50% Match secured NRCS 2017 ACEP-ALE
6	Williams 1 (Broad Leaf Farm)	66.19	1	AG	48.21	63.21	\$255,000	\$127,500	\$255,000	\$3,852.55	Yes	50% Match secured NRCS 2016 ACEP-ALE
	Total Number of Acres Protected	426.71		Total Number of Development Rights Extinguished	46			Total Easement Cost	\$1,656,240		Total Easement Cost to Whatcom County	\$828,120

EXHIBIT 2

Grant Agreement #68-0546-17-521

**Natural Resource Conservation Service and Whatcom
County**

NOTICE OF GRANT AND AGREEMENT AWARD

1. Award Identifying Number 68-0546-17-521		2. Amendment No. n/a	3. Award/Project Period Date of final NRCS signature - 8/31/2020		4. Type of Award Instrument Cooperative																																
5. Agency: Natural Resources Conservation Service (NRCS) (Name and Address) NRCS - Washington State Office 316 W. Boone Ave., Suite 450 Spokane, WA 99201			6. Recipient Organization: (Name and Address) Whatcom County, 5280 Northwest Drive Bellingham, WA 98226 <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%;">DUNS: 060044641</td> <td style="width: 50%;">EIN: 91-6001383</td> </tr> </table>			DUNS: 060044641	EIN: 91-6001383																														
DUNS: 060044641	EIN: 91-6001383																																				
7. NRCS Program Contact: Kreft, Dave dave.kreft@wa.usda.gov		8. NRCS Administrative Contact:		9. Recipient Program Contact: Chris Elder (360) 778-5932	10. Recipient Administrative Contact: Chris Elder CElder@co.whatcom.wa.us																																
11. CFDA Number 10.931 ACEP	12. Authority Section 2301 of the Agricultural Act of 2014 (Public Law 113-79)		13. Type of Action i. New Agreement		14. Project Director																																
15. Project Title/Description: ACEP-ALE FY16 - NEST#: 6405461701NR0 Complete agreement includes this NRCS-ADS-093 (NOA) and attachments: A-Statement of Work, Attachment X:SOW & Y:GTC & A: List of Land Easement Parcels.																																					
16. Entity Type: <input type="checkbox"/> Profit <input type="checkbox"/> Nonprofit <input type="checkbox"/> Higher Education <input type="checkbox"/> Federal <input checked="" type="checkbox"/> State/Local <input type="checkbox"/> Indian/Native American <input type="checkbox"/> Other																																					
17. Select Funding Type: <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;"><input checked="" type="checkbox"/> Federal</td> <td style="width: 33%;"><input checked="" type="checkbox"/> Non-Federal</td> </tr> </table> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 20%;">Original Funds Total:</td> <td style="width: 20%;">\$ 594,500.00</td> <td style="width: 20%;">\$ 594,500.00</td> </tr> <tr> <td>Additional Funds Total:</td> <td></td> <td></td> </tr> <tr> <td>Grand Total:</td> <td>\$ 594,500.00</td> <td>\$ 594,500.00</td> </tr> </table>			<input checked="" type="checkbox"/> Federal	<input checked="" type="checkbox"/> Non-Federal	Original Funds Total:	\$ 594,500.00	\$ 594,500.00	Additional Funds Total:			Grand Total:	\$ 594,500.00	\$ 594,500.00	18. Accounting and Appropriation Data <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Financial Code</th> <th style="width: 25%;">Amount</th> <th style="width: 25%;">Fiscal Year</th> <th style="width: 25%;">Treasury Symbol</th> </tr> </thead> <tbody> <tr> <td>NR.SI.ACEA.53.0000.17 XXF</td> <td>\$ 594,500.00</td> <td>2017</td> <td>12X1004</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Financial Code	Amount	Fiscal Year	Treasury Symbol	NR.SI.ACEA.53.0000.17 XXF	\$ 594,500.00	2017	12X1004													
<input checked="" type="checkbox"/> Federal	<input checked="" type="checkbox"/> Non-Federal																																				
Original Funds Total:	\$ 594,500.00	\$ 594,500.00																																			
Additional Funds Total:																																					
Grand Total:	\$ 594,500.00	\$ 594,500.00																																			
Financial Code	Amount	Fiscal Year	Treasury Symbol																																		
NR.SI.ACEA.53.0000.17 XXF	\$ 594,500.00	2017	12X1004																																		
19. APPROVED BUDGET																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Personnel</td> <td style="width: 25%;">\$</td> <td style="width: 25%;">Fringe Benefits</td> <td style="width: 35%;">\$</td> </tr> <tr> <td>Travel</td> <td>\$</td> <td>Equipment</td> <td>\$</td> </tr> <tr> <td>Supplies</td> <td>\$</td> <td>Contractual</td> <td>\$</td> </tr> <tr> <td>Construction</td> <td>\$</td> <td>Other</td> <td>\$</td> </tr> <tr> <td>Total Direct Cost\</td> <td>\$ 594,500.00</td> <td>Total Indirect Cost</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td>Total Non-Federal Funds</td> <td>\$ 594,500.00</td> </tr> <tr> <td colspan="2"></td> <td>Total Federal Funds Awarded</td> <td>\$ 594,500.00</td> </tr> <tr> <td colspan="2"></td> <td>Total Approved Budget</td> <td>\$ 1,189,000.00</td> </tr> </table>						Personnel	\$	Fringe Benefits	\$	Travel	\$	Equipment	\$	Supplies	\$	Contractual	\$	Construction	\$	Other	\$	Total Direct Cost\	\$ 594,500.00	Total Indirect Cost	\$ 0.00			Total Non-Federal Funds	\$ 594,500.00			Total Federal Funds Awarded	\$ 594,500.00			Total Approved Budget	\$ 1,189,000.00
Personnel	\$	Fringe Benefits	\$																																		
Travel	\$	Equipment	\$																																		
Supplies	\$	Contractual	\$																																		
Construction	\$	Other	\$																																		
Total Direct Cost\	\$ 594,500.00	Total Indirect Cost	\$ 0.00																																		
		Total Non-Federal Funds	\$ 594,500.00																																		
		Total Federal Funds Awarded	\$ 594,500.00																																		
		Total Approved Budget	\$ 1,189,000.00																																		
This agreement is subject to applicable USDA NRCS statutory provisions and Financial Assistance Regulations. In accepting this award or amendment and any payments made pursuant thereto, the undersigned represents that he or she is duly authorized to act on behalf of the awardee organization, agrees that the award is subject to the applicable provisions of this agreement (and all attachments), and agrees that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by NRCS to have been overpaid, will be refunded or credited in full to NRCS.																																					

(Continuation)

NOTICE OF GRANT AND AGREEMENT AWARD			
Award Identifying Number	Amendment No.	Award/Project Period	Type of Award Instrument
68-0546-17-521	n/a	Date of final NRCS signature - 8/31/2020	Cooperative

Name and Title of Authorized Government Representative Roylene Rides At The Door, State Conservationist	Signature	Date
Name and Title of Authorized Recipient Representative Jack Louws, Whatcom County Executive	Signature	Date

NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. Section 522a).

INSTRUCTIONS FOR NOTICE OF GRANT/AGREEMENT AWARD

1. Award Identifying Number:
Agreement number
2. Amendment No.:
Amendment number (if applicable)
3. Award/Project Period:
Start and end date of project
4. Type of Award Instrument:
Cooperative, Grant, or Contribution
5. Agency:
Name, Address, City, State, ZIP Code
6. Recipient Organization:
Name, Address, City, State, ZIP Code, DUNS (Data Universal Numbering System), and EIN (employee identification number)
7. NRCS Program Contact:
Name and contact information of person to be contact on matters involving the programmatic aspects of the agreement
8. NRCS Administrative Contact:
Name and contact information of person to be contact on matters involving the administrative aspects of the agreement
9. Recipient Contact:
Name and contact information of person to be contact on matters involving the technical aspects of the agreement
10. Recipient Administrative Contact:
Name and contact information of person to be contact on matters involving the administrative aspects of the agreement
11. CFDA Number:
The Catalog of Federal Domestic Assistance number under which assistance is requested
12. Authority:
Authority under which the agreement is entered into
13. Type of Action:
Select one type of action:
 - i. New Agreement.—Agreement awarded for the first time
 - ii. Amendment/Revision.—Any change in financial obligation or deliverables
 - iii. Extension.—Extend performance period
14. Project Director:
Name and contact information of project director or principal investigator (if applicable)
15. Project Title/Description:
Brief description of the purpose of the agreement
16. Entity type:
Type of recipient
17. Funding:
Federal amount of the award and the non-Federal to be contributed to the project
18. Accounting/Appropriation Date:
Provide the following:
 - i. Financial Code.—Accounting classification code
 - ii. Amount.—Self explanatory
 - iii. Fiscal Year.—Self explanatory
 - iv. Treasury symbol.—Self explanatory
19. Approved Budget:
Totals for each budget category

STATEMENT OF WORK
to
COOPERATIVE AGREEMENT
between
THE COMMODITY CREDIT CORPORATION
and the
WHATCOM COUNTY
for the
AGRICULTURAL CONSERVATION EASEMENT PROGRAM
AGRICULTURAL LAND EASEMENTS

This Cooperative Agreement is entered into by and between the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), on behalf of the Commodity Credit Corporation (CCC), and **WHATCOM COUNTY** (hereinafter whether singular or plural **ENTITY**) for the purchase of agricultural land easements (ALE) under the Agricultural Conservation Easement Program (ACEP). The CCC will utilize the expertise and services of NRCS to perform its duties identified in this Cooperative Agreement. The term "Parties" as used herein refers collectively to NRCS and the **ENTITY**.

I. AUTHORITY

NRCS enters this Cooperative Agreement under the authorities of the Commodity Credit Corporation Charter Act, 15 U.S.C. Section 714 et seq., the Agricultural Conservation Easement Program, subtitle H of title XII of the Food Security Act of 1985, 16 U.S.C. Section 3865 et seq., and the Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. Section 6304 et seq. This Cooperative Agreement will be administered in accordance with the policies and procedures set forth in the ACEP regulation (7 CFR Part 1468) and uniform regulation for grants and agreements in 2 CFR Parts 25, 170, 200 and 400.

WHATCOM COUNTY enters this Cooperative Agreement under the authorities of RCW 64.104.130, RCW 84.34.230 and Whatcom County Ordinance No. 2002-054.

II. PURPOSE

This Cooperative Agreement stipulates the terms and conditions under which NRCS will provide ACEP cost-share assistance to the **ENTITY**. The **ENTITY** has signed the Notice of Grant and Agreement Award acknowledging that the award is subject to the terms and conditions of this Cooperative Agreement and all applicable laws, regulations, and policy.

THEREFORE, the Parties agree to enter into this Cooperative Agreement to purchase agricultural land easements from eligible landowners (Grantors) to protect the agricultural use, future viability, and related conservation values of eligible land by limiting nonagricultural uses of that land or to protect grazing uses and related conservation values by restoring and conserving eligible land. The Parties have identified these eligible lands on attachments to this Cooperative Agreement as Parcels, herein referred to collectively as "Parcels" or individually as "Parcel."

III. OBLIGATION OF FUNDS

- A. Upon execution of this Cooperative Agreement, NRCS will make cost-share assistance available up to the amount specified on the Notice of Grant and Agreement Award for the acquisition by the **ENTITY** of agricultural land easements on the Parcels listed on attachments to this Cooperative Agreement. To receive this cost-share, the **ENTITY** must close the agricultural land easements and request payment of the NRCS cost-share in accordance with section VII of this Cooperative Agreement.

- B. NRCS may make additional cost-share assistance available in future fiscal years through the execution of mutually acceptable amendments to this Cooperative Agreement that identify the additional cost-share assistance amount, the additional funded Parcels, and the terms and conditions of the funding if different from the terms and conditions identified herein, as provided in section IX.D.
- C. Upon mutual agreement of the Parties and execution of an amendment, as provided in section IX.D, NRCS may allow substitution of Parcels at any time, provided the Parcels are of comparable conservation value as determined by the NRCS.
- D. This Cooperative Agreement will be for a term of 3 years and not to exceed 5 years. The **ENTITY** must meet each performance schedule deadline in table 1 unless the **ENTITY** requests and NRCS grants an extension in writing prior to the original deadline. The performance schedule deadlines for an individual attachment may be extended for one consecutive 12-month period, as provided in section IX.B. Should the **ENTITY** not meet the performance schedule deadlines, NRCS may release any remaining funds from this Cooperative Agreement.

Table 1 – Performance Schedule

FY of Fund Obligation (Attachment)	Attachment Listing Parcels	Closing Deadline	Payment Request Deadline	Attachment Expiration Deadline
2017	A	March 31, 2019	July 31, 2019	August 31, 2019
2018	B	March 31, 2020	July 31, 2020	August 31, 2020

- E. Requests for an extension to the attachment expiration deadline must be submitted by the **ENTITY** to NRCS 30 days in advance of the attachment expiration date.
- F. Nothing in this document obligates NRCS or the **ENTITY** to purchase all or any of the agricultural land easement Parcels listed in the attachments.

IV. FEDERAL SHARE

Based on a determination by NRCS that the **ENTITY** has satisfied the terms and conditions of this agreement, NRCS will pay the **ENTITY** a cost-share amount for the purchase of each agricultural land easement acquired by the **ENTITY**. The Federal share will not exceed 50 percent of the fair market value of the agricultural land easement as determined using one of the methods set forth in 7 CFR § 1468.24.

V. COOPERATING ENTITY'S CONTRIBUTION

- A. The **ENTITY** will contribute an amount for the easement purchase at least equivalent to the Federal share. The **ENTITY** may include as part of its contribution a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986) from the eligible landowner if the **ENTITY** contributes its own cash resources in an amount that is at least 50 percent of the amount contributed by NRCS. If the NRCS State Conservationist has waived a portion of the **ENTITY** cash contribution requirement for individual projects of special significance, the Parcels receiving the waiver will be identified in the attachment and the **ENTITY** will provide a copy of the approved waiver at the time payment is requested. The **ENTITY**'s reduced contribution of its own cash resources for projects of special significance will be in an amount at least [SELECT ONE: 25 or 10] percent of the Federal share.
- B. The **ENTITY** must self-certify on NRCS Form 230, "Confirmation of Matching Funds" (exhibit 4), that the **ENTITY**'s contribution of its own cash resources has not come from additional donations, payments, loans, or fees made by or charged to the Grantor of the agricultural land easement,

immediate family members, or organizations controlled by or funded by the Grantor, either through formal or informal agreements. The **ENTITY** must provide a completed NRCS Form 230 to NRCS for a Parcel prior to the closing or an advance of funds for that Parcel.

VI. PAYMENTS

- A. The **ENTITY** must meet the terms and conditions set forth in this agreement and provide NRCS with the items identified in this section and section VII in order to receive the Federal share for a Parcel.
- B. The **ENTITY** may request payment of the Federal share as reimbursement after closing or as an advance payment prior to closing of an agricultural land easement on a Parcel.
- C. To obtain reimbursement or an advance payment of the Federal share, the **ENTITY** will submit the Form SF-270 (Request for Advance/Reimbursement of Funds (exhibit 5)), the SF-270 supplement for noncertified eligible entities (exhibit 6), and the information and documentation required by the supplement to the NRCS contact named on the Notice of Grant and Agreement Award. The **ENTITY** may submit the SF-270 payment request package:
 - 1. 60 days prior to the planned closing date when a payment is to be issued at closing (advance payment);
 - 2. After the agricultural land easement has been recorded and the landowners have been paid (reimbursement); or
 - 3. On a quarterly basis for each quarter that agricultural land easements have been recorded and the landowners have been paid (reimbursement).
- C. **ENTITY** will maintain current registration in the Dun and Bradstreet Data Universal Numbering System (DUNS) and meet the System for Award Management (SAM) registration requirements or successor registry for the duration of this Cooperative Agreement.
- D. NRCS will disburse payment following receipt of a fully complete and correct SF-270 payment request package from the **ENTITY** within 30 days if the Federal share for the individual easement is less than \$250,000 and within 60 days if the Federal share for the individual easement is \$250,000 or greater.
- E. If NRCS provides an advance payment the **ENTITY** will obtain a receipt for the Federal funds from the closing agent and provide it to NRCS prior to closing. The **ENTITY** will ensure the closing agent does not hold the Federal funds in escrow for more than 30 calendar days. If closing does not occur within 30 calendar days of advance payment, the **ENTITY** will ensure the Federal funds and any interest earned on those funds while in escrow are returned to NRCS by the 31st calendar day. The **ENTITY** must ensure that the Federal funds are fully insured while held in escrow.

VII. RESPONSIBILITIES

A. ENTITY Responsibilities:

- 1. **ENTITY** must purchase agricultural land easements on eligible land from eligible landowners for the Parcels identified on the attachments to this Cooperative Agreement consistent with the requirements identified in this Agreement. ACEP agricultural land easements are conservation easements conveyed for the purpose of protecting natural resources and the agricultural nature of the land and permit the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan, as specified in in this part.
- 2. **ENTITY** must, ensure that agricultural land easements acquired with funds made available under this Cooperative Agreement and that the deeds satisfy the following requirements:
 - a. Contain the "Minimum Terms for the Protection of Agricultural Use", attached to this Cooperative Agreement as exhibit 7 (ALE Minimum Deed Terms). The **ENTITY** is authorized to use its own terms and conditions in the agricultural land easements so long as the **ENTITY's** additional language does not alter or defeat the intent, purpose, or effective

- enforcement by the Parties of the ALE minimum deed terms, the Agricultural Conservation Easement Program, or the agricultural land easements acquired under this Cooperative Agreement.
- b. Address all of the minimum deed requirements identified at 7 CFR § 1468.25(d);
 - c. Address the disposition of the agricultural land easement and the Federal share in the event the agricultural land easement is ever extinguished, terminated, or condemned in whole or in part.
 - d. Are conveyed for the purpose of protecting natural resources and the agricultural nature of the land;
 - e. Run with the land in perpetuity or where State law prohibits a permanent easement, for the maximum duration allowable under State law;
 - f. Protect the agricultural use, future viability, and related conservation value, of the Parcels by limiting nonagricultural uses of that land or protect grazing uses and related conservation values by restoring and conserving eligible land, including grasslands of special environmental significance;
 - g. Provide for the administration, management, and enforcement of the agricultural land easement by the **ENTITY** or its successors and assigns;
 - h. Permit effective enforcement of the conservation purposes of such easements; and
 - i. Subject the Parcel to an agricultural land easement plan that meets the requirements of this Section.
3. The **ENTITY** has the following three options for ensuring that the agricultural land easement contains the ALE Minimum Deed Terms required in paragraph VII.A.2 above:
- a. Attach the ALE Minimum Deed Terms Addendum as an Exhibit to the Agricultural Land Easement Deed. Under this option the **ENTITY** does not need to have the entire agricultural land easement deed reviewed by NRCS, instead NRCS at the State level will verify prior to the **ENTITY** requesting an advance of the Federal share or closing on an agricultural land easement that the **ENTITY** satisfies all of the following requirements:
 - (i) The ALE Minimum Deed Terms addendum is signed by the landowner and the **ENTITY** and will be attached to the agricultural land easement deed at the time of closing and recordation;
 - (ii) The terms of the ALE Minimum Deed Terms addendum are not modified; and
 - (iii) The paragraph below is inserted at the bottom of the agricultural land easement deed:
This Agricultural Land Easement is acquired with funds provided, in part, by the Agricultural Conservation Easement Program, (ACEP). The EXHIBIT _____ is attached hereto and incorporated herein by reference and will run with the land in perpetuity [or for the maximum duration allowed under applicable State laws]. As required by 16 U.S.C. Section 3865 et seq. and 7 CFR Part 1468, and as a condition of receiving ACEP funds, all present and future use of the Protected Property identified in EXHIBIT _____ is and will remain subject to the terms and conditions described forthwith in this Addendum entitled Minimum Terms For The Protection Of Agricultural Use in EXHIBIT _____ that is appended to and made a part of this easement deed.
 - b. Incorporate the ALE Minimum Deed Terms into the Body of the Agricultural Land Easement Deed. Under this option, the **ENTITY** shall ensure the terms as stated in in the ALE Minimum Deed Terms addendum are included in the body of the agricultural land easement deed. The ALE Minimum Deed Terms may be formatted to select options where instructed, conform terms to deed formatting, complete terms with required information, and delete instructions to drafters. Each individual agricultural land easement deed must be reviewed and approved by

NRCS National Headquarters prior to the **ENTITY** requesting an advance of the Federal share or closing on an agricultural land easement.

- c. Entity Agricultural Land Easement Deed Template Approved by NRCS. Upon mutual agreement of the **Parties**, the Cooperative Agreement may be amended to replace or supplement the attached exhibit 7 with an agricultural land easement deed template to be used for every Parcel listed on attachments to this Cooperative Agreement. The terms and conditions of the agricultural land easement deed template must contain the ALE minimum deed terms as stated and must be approved by NRCS National Headquarters in advance of the amendment. If the **ENTITY** uses the approved NRCS NHQ-approved deed template without changing any terms or conditions, then the **ENTITY** is not required to obtain NRCS NHQ review and approval of the individual, final agricultural land easement deeds. NRCS at the State level will verify prior to the **ENTITY** requesting an advance of the Federal share or prior to closing on an agricultural land easement that the individual, final agricultural land easement deed is the same as the NHQ-approved template.
4. The **ENTITY** must provide to NRCS a copy of the agricultural land easement deed and all exhibits at least 90 days before the planned closing date.
5. NRCS may require adjustments to the provisions identified in paragraph VII.A.2 above and require the addition of other provisions if NRCS determines that they are necessary to meet the purposes of ACEP and protect the conservation values of the Protected Property.
6. The **ENTITY** must perform necessary legal and administrative actions to ensure proper acquisition and recordation of valid agricultural land easements.
7. The **ENTITY** must pay all costs of agricultural land easement acquisition and will operate and manage each agricultural land easement in accordance with its easement program, this Cooperative Agreement, 16 U.S.C. Section 3865 et seq. and applicable regulations. NRCS will have no responsibility for the costs or management of the agricultural land easements purchased by the **ENTITY** unless NRCS exercises the rights of the United States under an agricultural land easement.
8. NRCS is not responsible for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the **ENTITY** in connection with its acquisition or management of the agricultural land easements acquired pursuant to this Cooperative Agreement. This includes but is not limited to acts and omissions of the **ENTITY** agents, successors, assigns, employees, contractors, or lessees that result in violations of any laws and regulations that are now or that may in the future become applicable.
9. The **ENTITY** must prepare a baseline documentation report documenting the condition of the Parcel as of the time the easement is acquired and include a completed baseline documentation report in the payment request package submitted to NRCS pursuant to part VI. The baseline documentation report must contain maps, full descriptions and pictures of the Parcel location, existing structures and infrastructure, land use, land cover and its condition, and any special features for which the Parcel is being protected. The **ENTITY** must provide NRCS a draft baseline documentation report at least 90 days before the planned closing date of the agricultural land easement deed.
10. **ENTITY** must ensure completion of an agricultural land easement plan for each Parcel that must:
 - a. Meet the requirements for an agricultural land easement plan specified in 7 CFR § 1468.26(a);
 - b. Describe the activities that promote the long-term viability of the land to meet the purposes for which the Parcel was selected;
 - c. Identify required or recommended conservation or management practices or activities that address the purposes and resource concerns for which the Parcel was selected;
 - d. Require the management of any grasslands according to a grassland management plan or forest lands that exceed the greater of 40 acres or 20 percent of the Parcel according to a forest management plan;

- e. Require a conservation plan that meets the requirements of 7 CFR Part 12 for any highly erodible cropland; and
 - f. Require, if specified prior to closing, the conversion of highly erodible cropland to less intensive uses.
11. **ENTITY** will choose one of the options below for completing the agricultural land easement plan by initialing the appropriate box when signing this Cooperative Agreement. **(Initial only one option):**
- ☐ a. **ENTITY** requests that NRCS personnel complete the agricultural land easement plan and **ENTITY** will coordinate with NRCS State office and landowner to ensure that the plan is completed and signed by the landowner prior to closing.
 - ☐ b. **ENTITY** will complete the agricultural land easement plan without the assistance of NRCS personnel and at its own expense. **ENTITY** will ensure the plan meets NRCS standards and specification or other applicable industry standards. **ENTITY** will provide the plan to NRCS at least 90 days prior to the planned closing date and must obtain NRCS approval of the plan prior to closing. **ENTITY** will ensure NRCS has authorized access to the property and landowner if needed to review and approve plans prepared using this option. **ENTITY** will ensure the approved plan is signed by the landowner prior to closing.
12. In acquiring agricultural land easements, the **ENTITY** will ensure that the title to the lands or interests therein will be unencumbered or that outstanding or reserved interests are subordinated to the agricultural land easement. The **ENTITY** and NRCS will review the title commitment to ensure there are no encumbrances that would allow nonagricultural uses of the property that are not acceptable to the **ENTITY** and NRCS. The **ENTITY** must provide NRCS a copy of the title commitment or title report, a summary of the **ENTITY** title review findings, and any other requested documentation related to title at least 90 days before the planned closing date. Any exceptions to the requirement to remove or subordinate outstanding or reserved interests must be consistent with this Cooperative Agreement, 16 U.S.C. Section 3865, and applicable regulations, and approved by NRCS and documented on the certificate of use and consent.
13. The **ENTITY** must secure proper title evidence and insurance using an owner's American Land Title Association (ALTA) policy with the **ENTITY** listed as the insured on the policy and the policy issued for the full amount of the agricultural land easement purchase price.
14. The **ENTITY** must obtain a determination of the fair market value of the agricultural land easement for each Parcel at its own cost using one of the methods set forth in 7 CFR § 1468.24. Individual appraisals conducted by a certified general appraiser that conform to the NRCS Appraisal Specifications provided as exhibit 8 and either the Uniform Standards of Professional Appraisals Practices (USPAP) or the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference, 2000) (USFLA). The effective date of the appraised value must be within 6 months prior to or after the date the Parcel is added to this agreement as a funded Parcel or within 12 months of the closing date of the agricultural land easement on the Parcel. Use of fair market valuation methodologies other than individual USPAP or UASFLA appraisals must be approved by NRCS in writing prior to entering into this Cooperative Agreement.
15. The **ENTITY** must provide the appraiser the NRCS appraisal specifications (exhibit 8) and all of the items required to be provided by the **ENTITY** as identified in the NRCS appraisal specifications. The **ENTITY** must receive a separate appraisal report for each funded Parcel identified on an attachment. Under no circumstances may the **ENTITY** allow the landowner to approve or disapprove of the appraiser selected to prepare the appraisal report. The landowner may not be listed as the client.
16. The **ENTITY** must provide NRCS a completed appraisal report at least 90 days before the planned closing of the agricultural land easement so that NRCS may conduct a technical review of the appraisal. The **ENTITY** may not close the agricultural land easement until the technical reviewer

approves the appraisal report. If the **ENTITY** closes the agricultural land easement prior to the approval of the appraisal by the technical reviewer NRCS may not provide the Federal share for the agricultural land easement and may terminate this agreement.

17. The **ENTITY** may not use ACEP funds to acquire an easement on a property in which the **ENTITY**'s employee or board member with decision-making involvement in easement acquisition and management matters has a property interest or whose immediate family member or household member has a property interest. The **ENTITY** agrees to conduct itself in a manner so as to protect the integrity of agricultural land easements it holds and avoid the appearance of impropriety or actual conflicts of interest in its acquisition and management of agricultural land easements.
18. The **ENTITY** may not at any time, when the **ENTITY** is named as a Grantee on the agricultural land easement, seek to acquire the remaining fee interest in the Parcel. Likewise, if the **ENTITY** enters into an agreement with another entity to manage or monitor the agricultural land easement, and that entity seeks to acquire the underlying fee, the **ENTITY** agrees to immediately terminate such agreement and arrange for an uninterested party to manage or monitor the Parcel.
19. The **ENTITY** must implement easement enforcement procedures when a violation of the agricultural land easement or agricultural land easement plan is identified by or reported to the **ENTITY**. **ENTITY** enforcement procedures resulting from a violation of a conservation plan can only be initiated after all administrative and appeal rights have been exhausted by the landowner in accordance with 7 CFR Part 12 and 7 CFR Part 614.
20. The **ENTITY** must submit a completed Federal Financial Report Standard Form 425 (FFRs) (exhibit 2) to the NRCS State office at least 5 business days prior to the end of each fiscal quarter (December 31, March 31, June 30, and September 30) for each quarter the **ENTITY** closes an agricultural land easement on a Parcel. Reports must be submitted on an accrual accounting basis. Failure to submit complete reports in accordance with the above schedule may result in suspension or termination of the Cooperative Agreement. A final FFR must be submitted no later than 90 days after the end date of the Cooperative Agreement.
21. At a minimum, the **ENTITY** must monitor every agricultural land easement on an annual basis to ensure and document compliance with the easement deed and agricultural land easement plan provisions. Each year the **ENTITY** will submit the annual monitoring report for that year to the appropriate NRCS State office in the format required by NRCS.
22. Nongovernmental organizations must continue to meet the definition of nongovernmental organization in 7 CFR § 1468.3 for the entire term of this agreement.
23. This paragraph and paragraphs 2, 7, 8, 9, 10, 17, 18, 19, 20, and 21 of this section VII.A will survive the closing of the agricultural land easement and the termination or expiration of this Cooperative Agreement.

B. NRCS Responsibilities:

1. The United States, by and through NRCS, will review applications submitted by the **ENTITY**, determine land and landowner eligibility, rank eligible applications, obtain and review a hazardous substance record search, conduct an onsite visit, and authorize Parcels to be added to the attachments to this Cooperative Agreement as tentatively selected for funding or as substitutes.
2. NRCS will provide technical and other services as requested and to the extent resources allow to assist in developing an agricultural land easement plan that meets ACEP requirements and NRCS standards and specifications or other applicable industry standards.
3. NRCS will manage the funds obligated to this Cooperative Agreement and subject to the availability of funds, disburse the appropriate funds to the **ENTITY** in accordance with this Cooperative Agreement.
4. After the required materials have been submitted by the **ENTITY**, prior to closing, NRCS will:

NRCS Representative Initial _____

Entity Representative Initial _____

- a. Review the agricultural land easement deed based on the option selected by the **ENTITY** for incorporating the ALE minimum deed terms, and provide the **ENTITY** with any approval instructions or items requiring resolution,
 - b. Review the title documents submitted by the **ENTITY**, complete a certificate of use and consent, and provide the findings to the **ENTITY** for information or remedy as necessary,
 - c. Conduct a technical review of the appraisal submitted by the **ENTITY** and provide the findings to the **ENTITY** for information or resolution as necessary,
 - d. As requested by the **ENTITY**, either develop or review the agricultural land easement plan and identify any items for resolution to the **ENTITY**,
 - e. Review the draft baseline documentation report provided by the **ENTITY** and notify the **ENTITY** if additional information is needed; and
 - f. Review and provide notice of determination on any waiver requests submitted by the **ENTITY** in accordance with ACEP policy.
 - g. After NRCS reviews are completed and the materials are determined acceptable, provide the **ENTITY** with an "Approval for a Non-Certified Eligible Entity to Proceed with the ALE Acquisition" letter and the NRCS-signed "Confirmation of Matching Funds."
5. If an advance payment is requested, NRCS will also provide a copy the NRCS closing agent requirements to the **ENTITY**.
 6. Prior to NRCS disbursement of funds, the NRCS State Conservationist will verify that the **ENTITY** has provided all documentation, certifications and information required by sections VI and VII.A. NRCS will conduct an internal review the SF-270 payment request package in accordance with NRCS easement acquisition internal controls policy. The NRCS State office will submit a copy of the payment request package for national review and approval for all agricultural land easement payments that meet the national review threshold. Complete payment request packages for national review must be submitted by NRCS at the State level to NRCS NHQ no less than 30 days before the planned closing date.
 7. NRCS will certify payment and disburse funds, for Parcels listed as funded on the attachments to this Cooperative Agreement when the **ENTITY** has requested payment by the payment request deadline and acquired agricultural land easements on the funded Parcels by the closing deadline, consistent with the requirements of the this agreement.
 8. NRCS will review the annual monitoring reports provided by the **ENTITY** to ensure monitoring is conducted annually and reports are sufficient and submitted to NRCS annually for every NRCS-funded conservation easement held by the **ENTITY**.

VIII. PUBLIC INFORMATION

- A. The **ENTITY** agrees to acknowledge NRCS cost-share assistance in any public outreach materials or events related to agricultural land easements acquired pursuant to this Cooperative Agreement and to provide draft copies of such information to the NRCS State office for review and comment before public release.
- B. The **ENTITY** agrees to comply with NRCS guidelines and requirements regarding the disclosure of information protected under Federal law, including section 1244 of the Food Security Act of 1985, 16 U.S.C. Section 3844, and section 1619 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), 7 U.S.C. Section 8791.

IX. GENERAL PROVISIONS

- A. This Cooperative Agreement constitutes financial assistance and, therefore, all Federal laws, regulations, and Executive orders applicable to Federal financial assistance, including but not limited to 2 CFR Parts 25, 170, 200, and 400.

- B. It is the intent of NRCS to fulfill its obligations under this Cooperative Agreement. However, NRCS may not make commitments in excess of funds authorized by law or made administratively available. If NRCS cannot fulfill its obligations under this Cooperative Agreement because of the unavailability of funds, this Cooperative Agreement will automatically terminate.
- C. No assignment, in whole or in part, will be made of any right or obligation under this Cooperative Agreement without the joint approval of both NRCS and the **ENTITY**. Nothing herein will preclude NRCS or the **ENTITY** from entering into other mutually acceptable arrangements or agreements, except as identified in section VII.A.18 of this Cooperative Agreement. Such documents will be in writing, will reference this Cooperative Agreement, and will be maintained as part of the official Cooperative Agreement file.
- D. This Cooperative Agreement may be amended or modified by written amendment signed by the authorized officials of the NRCS and the **ENTITY**.
- E. NRCS may terminate this Cooperative Agreement if NRCS determines that the **ENTITY** has failed to comply with the provisions of this Cooperative Agreement or if it determines that it is in the best interests of the Federal Government to terminate. In the event that this Cooperative Agreement is terminated for any reason, the financial obligations of the Parties will be as set forth in 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."
- F. If any recipient of Federal funds under this Cooperative Agreement fails to comply with the terms and conditions of this Cooperative Agreement, NRCS reserves the right to wholly or partially recapture funds provided in accordance with applicable regulations.

X. ATTACHMENTS and EXHIBITS

Signature Page - NRCS-ADS-093, Notice of Grant and Agreement Award

Attachment A – List of Agricultural Land Easement Parcels funded by NRCS

Exhibit 1 – NRCS General Terms and Conditions – Grants and Cooperative Agreements

Exhibit 2 – Standard Form 425 (SF-425), "Federal Financial Report"

Exhibit 3 – Representation Regarding Felony Convictions and Tax Delinquent Status for Corporate Applicants (AD-3031) (applicable to corporate eligible entities only)

Exhibit 4 - NRCS Form 230, "Confirmation of Matching Funds"

Exhibit 5 - SF-270, "Request for Advance/Reimbursement of Funds"

Exhibit 6 - SF-270 Supplement for Noncertified Eligible Entities

Exhibit 7 - Minimum Terms for the Protection of Agricultural Use (ALE Minimum Deed Terms addendum)

Exhibit 8 - Appraisal Specifications

NRCS Representative Initial _____

Entity Representative Initial _____

Attachment A - Fiscal Year (FY) 2017

List of Agricultural Land Easement Parcels Funded by NRCS With Fiscal Year 2017 Funds and Identified Substitute Parcels.

NRCS has made cost-share assistance available up to the amount specified on the NRCS-ADS-093, "Notice of Grant and Agreement Award," for parcels on this attachment that have been selected for funding. Parcels listed and not currently selected for funding and parcels identified at the time of the proposed substitution may be substituted for funded parcels that are cancelled upon mutual agreement of the Parties and removed from this attachment.

Funding obligated under this attachment will expire on August 31, 2019, unless a request for extension for this funding year has been approved by the State Conservationist and the agreement is amended with a new attachment expiration date of August 31, 2020, for this attachment A.

Landowner's Name(s)	Total Acres	Estimated Agricultural Land Easement Value	Estimated Federal Contribution	NEST Parcel ID Number	Selected for Funding (check)	Received a Cash Contribution Waiver
Harbinder Brar, et al	78.1	350,000	175,000	01NR1	XX <input type="checkbox"/>	<input type="checkbox"/>
Harold Carbee	73.31	314,000	157,000	01NR4	XX <input type="checkbox"/>	<input type="checkbox"/>
Michael Greenwood	93.77	375,000	187,500	01NR6	XX <input type="checkbox"/>	<input type="checkbox"/>
Neptune Beach Investments LLC	15.31	150,000	75,000	01NR7	XX <input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>

NRCS Representative Initial _____

Entity Representative Initial _____

[illegible]

¹ Note: the original expiration date entered will be August 31 of the year 2 years following the fiscal year the attachment is added to the agreement. The extension date entered will be August 31 of the following year. Therefore, if an attachment is approved by NRCS in FY 2017, the expiration date would be August 31, 20179 and the extension date would be August 31, 2020.

**NATURAL RESOURCES CONSERVATION
SERVICE
U.S. DEPARTMENT OF AGRICULTURE**

**GENERAL TERMS AND CONDITIONS
GRANTS AND COOPERATIVE AGREEMENTS**

I. APPLICABLE REGULATIONS

- a. The recipient, and recipients of any subawards under this award, agree to comply with the following regulations, as applicable. The full text of Code of Federal Regulations references may be found at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR> and <http://www.ecfr.gov/>.
- (1) 2 CFR Part 25, "Universal Identifier and System of Award Management"
 - (2) 2 CFR Part 170, "Reporting Subaward and Executive Compensation Information"
 - (3) 2 CFR Part 180, "OMB Guidelines To Agencies On Governmentwide Debarment And Suspension (Nonprocurement)"
 - (4) 2 CFR Part 182, "Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)"
 - (5) 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards"
- b. The recipient, and recipients of any subawards under this award, assure and certify that they have and/or will comply with the following regulations, as applicable. The full text of Code of Federal Regulations references may be found at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR> and <http://www.ecfr.gov/>.
- (1) 2 CFR Part 175, "Award Term for Trafficking in Persons"
 - (2) 2 CFR Part 417, "Nonprocurement Debarment and Suspension"
 - (3) 2 CFR Part 418, "New Restrictions on Lobbying"
 - (4) 2 CFR Part 421, "Requirements for Drug-Free Workplace (Financial Assistance)"
- c. Allowable project costs will be determined in accordance with the authorizing statute, the purpose of the award, and to the extent applicable to the type of organizations receiving the award, regardless of tier. The following portions of the Code of Federal Regulations are hereby incorporated by reference. The full text of Code of Federal Regulations references may be found at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR> and <http://www.ecfr.gov/>.
- (1) 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles And Audit Requirements For Federal Awards"
 - (2) 48 CFR Part 31, "Contract Cost Principles and Procedures"

II. UNALLOWABLE COSTS

The following costs are not allowed:

- a. Costs above the amount authorized for the project
- b. Costs incurred after the expiration of the award including any no-cost extensions of time
- c. Costs that lie outside the scope of the approved project and any amendments thereto
- d. Compensation for injuries to persons or damage to property arising from project activities

This list is not exhaustive. For general information about the allowability of particular items of costs, please see 2 CFR Part 200, "Subpart E - Cost Principles", or direct specific inquiries to the NRCS administrative contact identified in the award.

III. CONFIDENTIALITY

- a. Activities performed under this award may involve access to confidential and potentially sensitive information about governmental and landowner issues. The term "confidential information" means proprietary information or data of a personal nature about an individual, or information or data submitted by or pertaining to an organization. This information must not be disclosed without the prior written consent of NRCS.
- b. The recipient's personnel will follow the rules and procedures of disclosure set forth in the Privacy Act of 1974, 5 U.S.C. Section 552a, and implementing regulations and policies with respect to systems of records determined to be subject to the Privacy Act. The recipient's personnel must also comply with privacy of personal information relating to natural resources conservation programs in accordance with section 1244 of Title II of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171).
- c. The recipient agrees to comply with NRCS guidelines and requirements regarding the disclosure of information protected under Section 1619 of the Food, Conservation, and Energy Act of 2008 (PL 110-246), 7 U.S.C. 8791.
- d. The recipient agrees to comply with the **"Prohibition Against Certain Internal Confidentiality Agreements:"**
 1. You may not require your employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
 2. You must notify your employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (1) of this award provision are no longer in effect.
 3. The prohibition in paragraph (1) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
 4. If NRCS determines that you are not in compliance with this award provision, NRCS:
 - a. Will prohibit your use of funds under this award, in accordance with sections 743 and 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law;
 - b. May pursue other remedies available for your material failure to comply with award terms and conditions.

IV. PRIOR APPROVAL REQUIREMENTS

The following are the most common situations requiring prior approval. However, the recipient is also bound by any other prior approval requirements of the applicable administrative provisions and Federal cost principles.

- a. Purpose or Deliverables.—When it is necessary for the recipient to modify the purpose or deliverables, the recipient must submit a written request and justification for the change along with the revised purpose or deliverables of the award to the NRCS administrative contact. The request should contain the following:
 1. Grant or agreement number
 2. Narrative explaining the requested modification to the project purpose or deliverables
 3. A description of the revised purpose or deliverables
 4. Signatures of the authorized representative, project director, or both
- b. Subaward/contractual Arrangement.—The recipient must submit a justification for the proposed subaward/contractual arrangements, a statement of work to be performed, and a detailed budget for the subaward/contract to the NRCS administrative contact. Subaward/contractual arrangements disclosed in the application do not require additional postaward approval.
- c. Absence or Change in Project Leadership.—When a project director or the person responsible for the direction or management of the project—
 1. Relinquishes active direction of the project for more than 3 consecutive months or has a 25 percent or more reduction in time devoted to the project, the grantee must notify the NRCS administrative contact in writing, identifying who will be in charge during the project director's absence. The notification must include the qualifications and the signature of the replacement, signifying his or her willingness to serve on the project.
 2. Severs his or her affiliation with the grantee, the grantee's options include—
 - i. Replacing the project director. The grantee must request written approval of the replacement from the NRCS administrative contact and must include the qualifications and the signature of the replacement signifying his or her willingness to serve on the project.
 - ii. Subcontracting to the former project director's new organization. The grantee must request approval from the administrative contact to replace the project manager and retain the award, and to subcontract to the former project director's new organization certain portions of the project to be completed by the former project director.
 - iii. Relinquishing the award. The grantee must submit to the NRCS administrative contact a signed letter by the grantee and the project director that indicates that the grantee is relinquishing the award. The letter must include the date the project director is leaving and a summary of progress to date. A final Standard Form (SF) 425 reflecting the total amount of funds spent by the recipient must be attached to the letter.
 3. Transfers the award to his or her new organization, the authorized organization's representative at the new organization must submit the following to the NRCS administrative contact as soon as the transfer date is firm and the amount of funds to be transferred is known:

- i. The forms and certifications included in the application package
- ii. A project summary and work statement covering the work to be completed under the project (deliverables and objectives must be the same as those outlined in the approved proposal)
- iii. An updated qualifications statement for the project director showing his or her new organizational affiliation
- iv. Any cost-sharing requirements under the original award transfer to the new institution; therefore, cost-sharing information must be included in the proposal from the new organization

Note: The transfer of an award from one organization to another can take up to 90 calendar days to accomplish, which may result in a delay in the project director resuming the project at the new organization.

- d. **Budget Revisions.**—Budget revisions will be in accordance with 2 CFR Part 200.308.
- e. **No-Cost Extensions of Time.**—When a no-cost extension of time is required, the recipient must submit a written request to the NRCS administrative contact no later than 30 calendar days before the expiration date of the award. The request must contain the following:
 - The length of additional time required to complete the project and a justification for the extension
 - A summary of progress to date
 - An estimate of funds expected to remain unobligated on the scheduled expiration date
 - A projected timetable to complete the portions of the project for which the extension is being requested
 - Signature of the grantee and the project director
 - A status of cost sharing to date (if applicable)

Note: An extension will not exceed 12 months. Requests for no-cost extensions received after the expiration of the award will not be granted.

V. PAYMENTS

- a. Payment by NRCS to the entity will be made monthly or quarterly (whichever is mutually agreed upon by both parties) on a reimbursable or advanced basis upon completion of work outlined herein. Payment will be executed upon the submission of a properly executed form SF-270 with supporting documentation. The SF-270 must cite the agreement number, remittance address, and billing period. The SF-270 must be sent to the NRCS administrative contact at the email address identified in block 8 of the Notice of Grant/Agreement Award.
- b. Unless otherwise specified in the award, the recipient must receive payments through electronic funds transfers.
- c. Recipients requesting advances should request payments in amounts necessary to meet their current needs pursuant to procedures contained in the Federal administrative provisions and **31 CFR Part 205**.
- d. The method of payment between the recipient and its contractors will be in accordance with the policies and procedures established by the recipient except that the contractors may not use the USDA Office of Financial Management/National Finance Center method to request payments. If the grantee makes advance payments to contractors, the grantee must ensure

that the timing of such payments is designed to minimize elapsed time between the advance payment and the disbursement of funds. Payment requests from the grantee's contractors will not be sent to NRCS for review or approval.

- e. Accounting records for all costs incurred under this award must be supported by source documentation. Such documentation includes, but is not limited to, canceled checks, paid bills, payroll records, and subaward documents. Labor cost charges to this award must be based upon salaries actually earned and the time actually worked on this award. All project costs must be incurred within the approved project period of this award, including any approved no-cost extension of time. Costs that cannot be supported by source documentation or that are incurred outside of the approved project period and budget may be disallowed and may result in award funds being returned to the Federal Government by the recipient.

VI. ACCRUALS

- a. Recipients must submit an accrual estimate to the NRCS Program/Technical no later than 15 calendar days prior to the end of the quarter (submit by March 15, June 15, September 15 and December 15th).
- b. An accrual represents the value of goods or services provided to NRCS for which you have not requested payment. The quality and completeness of NRCS audited financial statements depends on your continuing cooperation and timely information.
- c. At a minimum, the signed accrual statement should include, "Under agreement number _____, at the close of the quarter ending _____, we have provided or anticipate providing goods or services that we have not requested payment for in the amount of \$ _____." Include the name and title of the person preparing the accrual estimate.

VII. FINANCIAL REPORTING

- a. Recipients must submit a Federal Financial Report (FFR), SF 425 and 425A, in accordance with the following schedule:

<u>Quarterly Schedule</u>	<u>Report Due Date</u>
October 1 to December 31	January 31
January 1 to March 31	April 30
April 1 to June 30	July 31
July 1 to September 30	October 31

Reports must be submitted on an accrual accounting basis. Failure to submit reports in accordance with the above schedule may result in suspension or termination of award.

- b. A final Report must be submitted no later than 90 calendar days after the completion of the award. For final FFRs, reporting end date must be the end date of the project or agreement period. The reports should be submitted to the NRCS administrative contact identified in award notifications.

VIII. PERFORMANCE MONITORING AND REPORTING

- a. The recipient is responsible for monitoring day-to-day performance and for reporting to NRCS. If the project involves subaward arrangements, the recipient is also responsible for

monitoring the performance of project activities under those arrangements to ensure that approved goals and schedules are met.

- b. Every 6 months the recipient must submit a written progress report. Each report must cover—
 - 1. A comparison of actual accomplishments with the goals and objectives established for the reporting period and, where project output can be quantified, a computation of the costs per unit of output.
 - 2. The reasons why goals and objectives were not met, if appropriate.
 - 3. Additional pertinent information including, where appropriate, analysis and explanation of cost overruns or high unit cost.
- c. The recipient must submit a final performance report within 90 calendar days after completion of project.

IX. AUDIT REQUIREMENTS

The recipient is responsible for complying with audit requirements in accordance with 2 CFR 200, Subpart F. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year.

X. SPECIAL PROVISIONS

- a. The recipient assures and certifies that it will comply with the minimum-wage and maximum-hour provisions of the Federal Fair Labor Standards Act.
- b. Employees of NRCS will participate in efforts under this agreement solely as representatives of the United States. To this end, they may not participate as directors, officers, employees, or otherwise serve or hold themselves out as representatives of the recipient. They also may not assist the recipient with efforts to lobby Congress or to raise money through fundraising efforts. Further, NRCS employees must report to their immediate supervisor any negotiations with the recipient concerning future employment and must refrain from participation in efforts regarding such parties until approved by the agency.
- c. Employees of the recipient will not be considered Federal employees or agents of the United States for any purposes under this agreement.

XI. PATENTS, INVENTIONS, COPYRIGHTS, AND ACKNOWLEDGMENT OF SUPPORT AND DISCLAIMER

- a. Allocation of rights of patents, inventions, and copyrights must be in accordance with 2 CFR Part 200.315. This regulation provides that small businesses normally may retain the principal worldwide patent rights to any invention developed with USDA support.
- b. In accordance with 37 CFR Section 401.14, each subject invention must be disclosed to the Federal agency within 2 months after the inventor discloses it in writing to contractor personnel responsible for patent matters. Invention disclosure statements pursuant to 37 CFR Section 401.14(c) must be made in writing to:

Acquisitions Division

Grants and Agreements Services Branch
1400 Independence Avenue, SW.
Room 6823 South Building
Washington, DC 20250

- c. USDA receives a royalty-free license for Federal Government use, reserves the right to require the patentee to license others in certain circumstances, and requires that anyone exclusively licensed to sell the invention in the United States must manufacture it domestically.
- d. The following acknowledgment of NRCS support must appear in the publication of any material, whether copyrighted or not, and any products in electronic formats (World Wide Web pages, computer programs, etc.) that is substantially based upon or developed under this award:
 - “This material is based upon work supported by the Natural Resources Conservation Service, U.S. Department of Agriculture, under number [recipient should enter the applicable award number here].”

In addition, all publications and other materials, except scientific articles or papers published in scientific journals, must include the following statement:

- “Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Agriculture.”
- e. All publications printed with Federal Government funds will include the most current USDA nondiscrimination statement, available from the Public Affairs Division, Civil Rights Division, or on the USDA and NRCS home pages. If the material is too small to permit the full nondiscrimination statement to be included, the material must, at a minimum, include the statement:
 - “USDA is an equal opportunity provider and employer.” Any publication prepared with funding from this agreement must include acknowledgement to USDA, Natural Resources Conservation Service.”

The recipient is responsible for ensuring that an acknowledgment of NRCS is made during news media interviews, including popular media such as radio, television, and news magazines, that discuss in a substantial way work funded by this award.

XII. COST-SHARING REQUIREMENTS

- a. If the award has specific cost-sharing requirements, the cost-sharing participation in other projects may not be counted toward meeting the specific cost-share requirement of this award, and must come from non-Federal sources unless otherwise stated in the applicable program announcement.
- b. Should the recipient become aware that it may be unable to provide the cost-sharing amount identified in this award, it must—
 - 1. Immediately notify the NRCS administrative contact of the situation.
 - 2. Specify the steps it plans to take to secure replacement cost sharing.
 - 3. Indicate the plans to either continue or phase out the project in the absence of cost sharing.

- c. If NRCS agrees to the organization's proposed plans, the recipient will be notified accordingly. If the organization's plans are not acceptable to NRCS, the award may be subject to termination. NRCS modifications to proposed cost sharing revisions are made on a case-by-case basis.
- d. Failure by the recipient to notify NRCS in accordance with paragraph (b) above may result in the disallowance of some or all the costs charged to the award, the subsequent recovery by NRCS of some of the NRCS funds provided under the award, and possible termination of the award, and may constitute a violation of the terms and conditions of the award so serious as to provide grounds for subsequent suspension or debarment.
- e. The recipient must maintain records of all project costs that are claimed by the recipient as cost sharing as well records of costs to be paid by NRCS. If the recipient's cost participation includes in-kind contributions, the basis for determining the valuation for volunteer services and donated property must be documented.

XIII. PROGRAM INCOME

Income derived from patents, inventions, or copyrights will be disposed of in accordance with the recipient's own policies. General program income earned under this award during the period of NRCS support must be added to total project funds and used to further the purpose and scope of this award or the legislation under which this award is made.

XIV. NONEXPENDABLE EQUIPMENT

Recipients purchasing equipment or products with funds provided under this award are encouraged to use such funds to purchase only American-made equipment and products. Title to nonexpendable equipment purchased with award funds will vest in the recipient upon completion of the award project and acceptance by NRCS of required final reports. When equipment is no longer needed by the recipient and the per-unit fair market value is less than \$5,000, the recipient may retain, sell, or dispose of the equipment with no further obligation to NRCS. However, if the per-unit fair market value is \$5,000 or more, the recipient must submit a written request to the NRCS administrative contact for disposition instructions.

XV. LIMIT OF FEDERAL LIABILITY

The maximum financial obligation of NRCS to the recipient is the amount of funds indicated in the award as obligated by NRCS. However, in the event that an erroneous amount is stated on the approved budget, or any supporting document relating to the award, NRCS will have the unilateral right to make the correction and to make an appropriate adjustment in the NRCS share of the award to align with the Federal amount authorized.

XVI. MODIFICATIONS AND TERMINATIONS

NRCS may amend or modify the award through an exchange of correspondence between authorized officials of the recipient and NRCS. The award is subject to termination if NRCS determines that the recipient has failed to comply with the terms and conditions of the award. In the event that the award is terminated, the financial obligations of the parties will be those set forth in 2 CFR Part 200.339.

XVII. AWARD CLOSEOUT

Award closeout is the process by which NRCS determines that all required project activities have been performed satisfactorily and all necessary administrative actions have been completed.

AGRICULTURAL CONSERVATION EASEMENT PROGRAM
AGRICULTURAL LAND EASEMENT
MINIMUM DEED TERMS FOR THE PROTECTION OF AGRICULTURAL USE

1) When these terms are appended as an exhibit to the Agricultural Land Easement deed, as opposed to being inserted directly into an Agricultural Land Easement deed, this paragraph will be inserted at the bottom of the ACEP funded Agricultural Land Easement deed:

This Agricultural Land Easement is acquired with funds provided, in part, under the Agricultural Conservation Easement Program (ACEP). The EXHIBIT ____ is attached hereto and incorporated herein by reference and will run with the land [**SELECT ONE: *in perpetuity* OR *for the maximum duration allowed under applicable State laws***]. As required by 16 U.S.C. Section 3865 et seq. and 7 CFR Part 1468, and as a condition of receiving ACEP funds, all present and future use of the Protected Property identified in EXHIBIT ____ (legal description or survey) is and will remain subject to the terms and conditions described forthwith in this Addendum entitled Minimum Deed Terms For The Protection Of Agricultural Use in EXHIBIT ____ that is appended to and made a part of this easement deed.

2) When these terms are being inserted directly into an Agricultural Land Easement deed the following will be included in the deed's introductory paragraph and recitals:

[Include in introductory paragraph after Grantor and Grantee:]

and with a right of enforcement to the United States of America (the United States), acting by and through the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) on behalf of the Commodity Credit Corporation (CCC).

[Include in Recitals:]

This [**INSERT DEFINED TERM FOR EASEMENT DEED**] is acquired with funds provided, in part, under the Agricultural Conservation Easement Program (ACEP) 16 U.S.C. Section 3865 et seq. and 7 CFR Part 1468 for the purpose of [**SELECT ONE: *protecting the agricultural use and future viability, and related conservation values, by limiting nonagricultural uses of* OR *protecting grazing uses and related conservation values by restoring and conserving***] the Protected Property.

Baseline conditions of the Protected Property are set forth in a Baseline Documentation Report, a copy of which is [**SELECT ONE: *appended to this easement deed* OR *maintained in the files of the Grantee***].

3) A fully executed copy of the Exhibit below must be attached to the ACEP funded Agricultural Land Easement deed at the time of closing and recordation or, with NRCS approval, the Section I and II terms below must be incorporated into the body of the Eligible Entity's Agricultural Land Easement deed unmodified except for appropriate formatting changes, selecting options, removing instructional provisions, and substituting as needed, the defined term for the Parcel instead of "Protected Property".

EXHIBIT _____

MINIMUM TERMS FOR AGRICULTURAL LAND EASEMENTS

The Agricultural Conservation Easement Program, 16 U.S.C Section 3865 et seq., facilitated and provided funding for the purchase of an Agricultural Land Easement (ALE) on real property described in Exhibit _____, hereafter referred to as “the Protected Property”, for the purpose of [**SELECT ONE:** *protecting the agricultural use and future viability, and related conservation values, by limiting nonagricultural uses of* **OR** *protecting grazing uses and related conservation values by restoring and conserving*] the Protected Property.

The [**LANDOWNER NAMES**] (collectively Grantor), the [**ELIGIBLE ENTITY NAMES**] (collectively Grantee), and the **United States of America** (the United States), acting by and through the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) on behalf of the Commodity Credit Corporation (CCC) (jointly referred to as the “Parties”) acknowledge that the ALE is acquired by the Grantee to [**SELECT ONE:** *protect the agricultural use and future viability, and related conservation values, by limiting nonagricultural uses of* **OR** *protect grazing uses and related conservation values by restoring and conserving*] the Protected Property. Baseline conditions of the Protected Property are set forth in a Baseline Documentation Report, a copy of which is [**SELECT ONE:** *appended to this easement deed* **OR** *maintained in the files of the Grantee*].

In order to ensure compliance with the Agricultural Conservation Easement Program, 16 U.S.C Section 3865 et seq. and 7 CFR Part 1468, the following rule of interpretation will govern any and all inconsistencies between the ALE and this Exhibit. Notwithstanding any other provision of the ALE, the Parties agree that all present and future use of the Protected Property is and will remain subject to all of the following terms and conditions identified in Section I and II. If the terms and conditions in Section I and II are inconsistent with terms and conditions in other sections of the ALE, Section I and II will control; provided however, if other sections of the ALE have terms and conditions that are consistent with, but more restrictive to the rights of the Grantor than the terms and conditions in Section I, Paragraphs 1, 2, and 3, those more restrictive terms and conditions will control. If other sections of the ALE are more restrictive to the rights of the Grantor than Section I Paragraph 4 and 5 and Section II then Section I Paragraph 4 and 5 and Section II will control.

SECTION I - MINIMUM CONSERVATION DEED RESTRICTIONS

Even if the Protected Property consists of more than one parcel for real estate tax or any other purpose or if it was acquired previously as separate parcels, it will be considered one parcel for purposes of this Easement, and the restrictions and covenants of this Easement will apply to the Protected Property as a whole.

The terms and conditions of the ALE run with the land and are binding upon the Grantor and Grantee and their respective heirs, successors, agents, assigns, lessees, and any other person claiming under them must comply with all terms and conditions of this easement, including the following:

1. Agricultural Land Easement Plan. As required by 16 U.S.C. Section 3865a, agricultural production and related uses of the Protected Property are subject to an ALE Plan, as approved by NRCS, to promote the long-term viability of the land to meet the ALE purposes. The ALE Plan must also be approved by the Grantor and the Grantee. Grantor agrees the use of the property will be subject to the ALE Plan on the Protected Property.

The ALE Plan is incorporated by reference and must not include any provisions inconsistent with the conservation purposes of this ALE. The Grantee and Grantor agree to update the ALE Plan in the event the agricultural uses of the Protected Property change. A copy of the current ALE Plan is kept on file with the Grantee.

The Grantee must take all reasonable steps to secure compliance with the ALE Plan. In the event of substantial or ongoing noncompliance with the ALE Plan or the requirement to update the ALE Plan, NRCS may notify the Grantee. NRCS will give the Grantee and Grantor a reasonable amount of time, not to exceed 180 days, to take corrective action. If Grantee fails to enforce the terms of the ALE, including, but not limited to compliance with the ALE Plan, the United States may exercise its right of enforcement.

2. Limitation on Impervious Surfaces. Impervious surfaces will not exceed **[Insert approved impervious surface percentage]** *[Note: if greater than 2 percent, a written waiver from the Chief of NRCS or authorized designee (Chief of NRCS) is required]*, of the Protected Property, excluding NRCS-approved conservation practices. Impervious surfaces are defined as material that does not allow water to percolate into the soil on the Protected Property, including, but not limited to, buildings with or without flooring, paved areas, and any other surfaces that are covered by asphalt, concrete, or roofs. This limitation does not include public roads or other roads owned and controlled by parties with rights superior to those rights conveyed to Grantee by this ALE.

Include the following if limited subdivision is allowed below: [In the event the Protected Property is subdivided as provided for in Section I, Paragraph (3)(A), the total cumulative impervious surface of the subdivided parcels must not exceed the impervious surface limitation referenced above. The Grantor, with Grantee approval, will allocate the impervious surface limit among the subdivided parcels and ensure said impervious surface limitation is clearly defined in each subdivided parcel's recorded instrument.]

3. Limitations on Nonagricultural Uses. Any activities inconsistent with the purposes of the ALE are prohibited. *[Note: The term "ALE grassland enrollments" refers to both general ALE grazing uses enrollments or ALE Grassland of Special Environmental Significance enrollments (GSS).]* **[Also include the following sentence for ALE grassland enrollments:** *The provisions of this ALE limit the types of agricultural operations that can occur on the Protected Property to those that restore or conserve grassland, and protect grazing uses, and related conservation values*]. The following activities are inconsistent with the purposes of ALE and are specifically prohibited, subject to the qualifications stated below:

(A) Subdivision – [Select Option 1, 2, or 3.]

[Option 1] Separate conveyance of a portion of the Protected Property or division or subdivision of the Protected Property is prohibited **[Where required by State law the following may be inserted:** *except where State or local regulations explicitly require subdivision to construct residences for employees working on the Protected Property*]. Grantor must provide written notice and evidence of such requirements to Grantee and the Chief of NRCS or his or her authorized designee (Chief of NRCS) prior to division of the Protected Property.

[Option 2] The Protected Property must not be divided or subdivided into, or separately conveyed as, more than _____ farm or ranch parcels (_____ divisions allowed), the boundaries and the allocation of

Dated 4-29-2016

the impervious surface limitation of which have been identified in EXHIBIT ____, which is appended to and made a part of this ALE. To protect the [**SELECT ONE:** *agricultural use and future agricultural viability* **OR** *the grassland, grazing uses*], and related conservation values of the Protected Property, the boundaries of such divisions have been preapproved in writing by Grantee and the Chief of NRCS or authorized designee of the Chief of NRCS. Deviations from the identified boundaries will not be allowed. Grantor must give Grantee and the Chief of NRCS written notice prior to subdividing, dividing, or separately conveying a parcel of the Protected Property.

[Option 3] The Protected Property must not be divided or subdivided into, or separately conveyed as, more than ____ farm or ranch parcels (____ divisions allowed). To protect the [**SELECT ONE:** *agricultural use and future agricultural viability* **OR** *the grassland, grazing uses*], and related conservation values of the Protected Property, the boundaries of such divisions must be approved in writing by Grantee and the Chief of NRCS or the authorized designee of the Chief of NRCS before any such division, subdivision, or separate conveyance occurs. The Chief of NRCS may only approve the division, subdivision, or separate conveyance of the Protected Property into separately conveyable farm or ranch parcels when—

1. The Grantee requests the Chief of NRCS approval to subdivide the Protected Property into separate farm or ranch parcels, after receiving a request from the Grantor;
2. The Grantor certifies to the Chief of NRCS that the requested subdivision is required to keep all farm or ranch parcels in production and viable for agriculture use and that separate conveyance of the Protected Property farm or ranch parcels will move the land from one agricultural operation to another; and
3. The Chief of NRCS determines that the—

a. Parcels resulting from the subdivision of the Protected Property will meet ACEP land eligibility requirements of 16 U.S.C. Section 3865 et seq. as enacted on the date the original parcel was enrolled in ACEP, including the allocation of the impervious surface limitation between the subdivided parcels, and

b. The resulting parcel will not be below the median size of farms in the county or parish as determined by most recent United States Department of Agriculture's National Agricultural Statistical Survey (NASS).

(B) *Industrial or Commercial Uses* – Industrial or commercial activities on the Protected Property are prohibited except for the following:

- (i) agricultural production and related uses conducted as described in the ALE Plan;
- (ii) the sale of excess power generated in the operation of renewable energy structures and associated equipment or other energy structures that Grantee approves in writing as being consistent with the conservation purposes of this Easement;
- (iii) temporary or seasonal outdoor activities or events that do not harm the agricultural use, future viability, and related conservation values of the Protected Property herein protected;

Dated 4-29-2016

(iv) commercial enterprises related to agriculture or forestry including but not limited to **[Select those consistent with ALE purposes for the Protected Property: agritourism, processing, packaging, and marketing of farm or forest products, farm machinery repair, and farm wineries.]** **[For properties that contain historical or archaeological resources the following may be inserted: Commercial enterprise activities related to interpretation of the Protected Property's historic or archaeological resources.]**

(v) small-scale commercial enterprises compatible with agriculture or forestry, including but not limited to cafés, shops, and studios for arts or crafts.

(C) *Construction on the Protected Property* – All new structures and improvements must be located within the Building Envelopes, containing approximately _____ acres and described in EXHIBIT _____, which is appended to and made a part of the ALE.

[Include the following subparagraph if future building envelope adjustments may be considered: The boundaries and location of the Building Envelopes may be adjusted if Grantee and the Chief of NRCS provide prior written approval of the adjusted boundaries and location. The Building Envelopes may not increase in size and the adjusted Building Envelopes must provide equal or greater protection of the **[SELECT ONE: agricultural use and future viability OR the grassland, grazing uses]**, and related conservation values of the Protected Property.]

Agricultural structures and utilities to serve approved buildings or structures, including on-farm energy structures allowed under **Section I, Paragraph (4)(C)** that neither individually nor collectively have an adverse impact on the **[SELECT ONE: agricultural use and future viability OR grassland, grazing uses]** and related conservation values of the Protected Property, may be built outside of the Building Envelope with prior written approval of the Grantee provided that the utilities or agricultural structures are consistent with the ALE Plan described Section I, Paragraph 1.

New roads may be constructed if they are approved in advance by Grantee, within impervious surface limits, and necessary to carry out the agricultural operations or other allowed uses on the Protected Property. **[The preceding sentence must be struck for ALE grassland enrollments].**

Maintenance of existing roads documented on the Baseline Documentation Report is allowed; however, existing roads may not be widened or improved unless widening and improving is within impervious surface limits, approved in advance by Grantee, and necessary to carry out the agricultural operations or other allowed uses on the Protected Property.

Fences may be maintained and replaced and new fences installed if they are necessary for agricultural operations on the Protected Property or to mark boundaries of the Protected Property. **[For ALE grassland enrollments replace the preceding sentence with: Fences may be maintained and replaced and new fences installed only in accordance with the ALE Plan and consistent with grassland species management requirements.]**

(D) *Granting of easements for utilities and roads* – The granting or modification of easements for utilities and roads is prohibited when the utility or road will adversely impact **[SELECT ONE: the agricultural**

Dated 4-29-2016

use and future viability OR the protection of the grazing uses, grassland conservation value], and related conservation values of the Protected Property as determined by the Grantee in consultation with the Chief of NRCS.

(E) *Surface Alteration* – Grading, blasting, filling, sod farming, earth removal, or any other activity that will disturb the soil surface or materially alter the topography, surface or subsurface water systems, or wetlands of the Protected Property is prohibited, except as follows:

(i) dam construction in accordance with an ALE plan to create ponds for agricultural use, fire protection, or wildlife enhancement, including enhancement through wetland restoration, enhancement or creation;

(ii) erosion and sediment control pursuant to a plan approved by the Grantee;

(iii) soil disturbance activities required in the construction of approved buildings, structures, roads, and utilities provided that the required alteration has been approved in writing by Grantee as being consistent with the conservation purpose of this Easement; or

(iv) **[SELECT ONE: Agricultural activities OR Grazing uses or grassland restoration and conservation activities]** conducted in accordance with the ALE Plan.

(F) *Oil, Gas, or Mineral Exploration and Extraction* – Mining or extraction of soil, sand, gravel, oil, natural gas, fuel, coal, or any other mineral substance owned by Grantor as of the date of this ALE or later acquired by Grantor, using any surface mining, subsurface mining, or dredging method, from Protected Property is prohibited. **[Include the following subparagraph if a limited allowance for agricultural purposes may be authorized:** *Provided however, limited mining activities for materials (e.g., sand, gravel, or shale) used for agricultural operations on the Protected Property is allowed where the extraction of materials used for such agricultural operations is limited, localized, and small with a defined area and acreage identified in EXHIBIT _____ and does not harm the conservation values or the agricultural uses of the Protected Property.*]

If a third party owns or leases the oil, natural gas, or any other mineral substance at the time this ALE is executed, and their interests have not been subordinated to this ALE, the Grantor must require, to the greatest extent possible, that any oil, natural gas, and mineral exploration and extraction conducted by such third party is conducted in accordance with this paragraph (F).

The following may be inserted to qualify the above if Grantee chooses to allow oil and gas exploration and extraction as an alternative to a complete prohibition on oil or gas exploration and extraction on the Parcel – Beginning of Optional Additional Oil and Gas Language: *Oil and gas exploration and extraction on the Protected Property is allowed in accordance with this Paragraph (F), if approved by Grantee and Chief of NRCS. Grantee and Grantor must demonstrate that such exploration and extraction of oil and gas is—*

(i) not accomplished by any surface mining method;

Dated 4-29-2016

(ii) accomplished by a method of extraction, production, and transport that has no more than a limited and localized impact that does not harm the agricultural use or conservation values of the Protected Property;

(iii) within the impervious surface limits of the ALE; and

(iv) subject to a plan that includes provisions for oil and gas exploration and extraction.

Any mineral leases or other conveyances of minerals entered into or renewed after the date of this ALE Deed are subordinate to the terms of this Deed and will incorporate by reference this Deed.

Impervious surfaces as defined in [Insert Citation to Impervious Surface Limitation] of this Easement will include any surface disturbance or impervious surfaces associated with oil and gas exploration and extraction associated with uses allowed by this paragraph. End of Alternate Oil and Gas Language]

[Include the following paragraph for ALE Grassland Enrollments: (G) Crop Cultivation. Except for grazing uses and grassland restoration and conservation, the cultivation or production of crops, nonperennial forages for human or domestic animal consumption, crop seed production, or planting of orchards, vineyards, berries, tree farms, or other perennial nongrassland agricultural product is prohibited.]

4. Preserving Agricultural Uses. The provisions of this ALE Deed and associated exhibits will not be interpreted to restrict the types of agricultural operations that can function on the Protected Property, so long as the agricultural operations are consistent with the long-term viability of the Protected Property, ALE Plan and ALE purposes, and do not violate Federal laws, including Federal drug laws. **[The preceding sentence must be struck for ALE grassland enrollments.]** No uses will be allowed that decrease the ALE's protection for **[SELECT ONE: the agricultural use and future viability, and related conservation values OR the grazing uses and related conservation values or adversely impact the restoration or conservation of the grassland, and related conservation values]** of the Protected Property. Allowed uses of the Protected Property include, the specific uses allowed in Section I, Paragraph (3)(B) (i)-(v) and the following activities, subject to the qualifications stated below:

(A) Agricultural Production – The production, processing, and marketing of **[SELECT ONE: agricultural crops and livestock OR livestock and agricultural products compatible with restoration and conservation of grassland, grazing uses, and related conservation values]** is allowed provided it is conducted in a manner consistent with the terms of the ALE Plan described in Section I, Paragraph 1.

(B) Forest Management and Timber Harvest – Forest management and timber harvesting is allowed, provided it is carried out to the extent practicable, in accordance with current, generally accepted best management practices for the sites, soils, and terrain of the Protected Property. In addition, if the Protected Property contains 40 contiguous acres of forest or 20 percent of the Protected Property is forestland then forest management and timber harvesting must be performed in accordance with a written forest management plan. The forest management plan must be prepared by a professional resource manager, in consultation with the Grantee. A forest management plan will not be required for the

Dated 4-29-2016

following allowed noncommercial activities: (i) cutting of trees for the construction of allowed roads, utilities, buildings, and structures on the Protected Property, (ii) cutting of trees for trail clearing, (iii) cutting of trees for domestic use as firewood or for other domestic uses by Grantor, (iv) removal of trees posing an imminent hazard to the health or safety of persons or livestock, or (v) removal of invasive species.

(C) *On-Farm Energy Production* – Renewable energy production is allowed for the purpose of generating energy for the agricultural and residential needs of the Protected Property. Renewable energy sources must be built and maintained within impervious surface limits, with minimal impact on the conservation values of the Protected Property and consistent with the purposes of the ALE.

[Include the following paragraph any time the property is in grassland use, an ALE grassland enrollment, or funded for conservation purposes that include conserving or restoring grassland uses or grassland dependent species: (D) *Grassland Uses of the Protected Property* – Grantors are allowed to graze, hay, harvest for hay and noncrop seed production, mow, construct fire breaks, conduct fire suppression and rehabilitation activities, and conduct common grazing practices, including cultural practices, consistent with the provisions and conservation purposes of this ALE. The term "common grazing practices" means those practices customary to the region where the Protected Property is located related to livestock grazing, forage management, and maintenance of infrastructure required to conduct livestock grazing on the Protected Property. Grantors must not hay, mow, or harvest for seed during certain nesting seasons for birds whose populations are in significant decline as identified in the ALE Plan. Determinations of nesting seasons for birds whose populations are in significant decline and the areas of the property affected by this restriction will be set forth within the ALE Plan for the Protected Property that has been approved by Grantor, Grantee, and NRCS.]

[Include the following paragraph if Land Eligibility is based on the presence of historical or archaeological resources or the project received ranking points for the multifunctional benefits of agricultural land protection for historical and archaeological resources:

5. *Historic or Archaeological Resources.* *Existing archaeologically, culturally, or historically significant features on the Protected Property including, but not limited to, such features as documented in the Baseline Documentation Report, must be maintained consistent with the guidelines provided in The Secretary of Department of the Interior's Standards for the Treatment of Historic Properties pursuant to 36 CFR Part 68, as amended. The up-to-date version of such guidelines must be maintained by Grantee in the Baseline Documentation and made available to Grantor upon request. The archaeologically, culturally, or historically significant features may not be altered or removed without Grantee's prior written approval, which approval will not be given except where the proposed activity is accomplished in accordance with the guidelines provided in The Secretary of The Department of the Interior's Standards for the Treatment of Historic Properties.]*

SECTION II - PROTECTION OF THE UNITED STATES' INTERESTS

1. United States Right of Enforcement. Pursuant to 16 U.S.C. Section 3865 et seq., the United States is granted the right of enforcement that it may exercise only if the terms of the ALE are not enforced by the holder of the ALE. The Secretary of the United States Department of Agriculture (the Secretary) or his or her assigns, on behalf of the United States, may exercise this right of enforcement under any authority available under State

or Federal law if the Grantee, or its successors or assigns, fails to enforce any of the terms of this ALE, as determined in the sole discretion of the Secretary.

In the event the United States exercises this right of enforcement, it is entitled to recover any and all administrative and legal costs associated with any enforcement or remedial action related to the enforcement of this Easement from the Grantor, including, but not limited to, attorney's fees and expenses related to Grantor's violations. In the event the United States exercises this right of enforcement, it is entitled to recover any and all administrative and legal costs associated with any enforcement of this Easement from the Grantee, including, but not limited to, attorney's fees and expenses related to Grantee's violations or failure to enforce the easement against the Grantor up to the amount of the United States contribution to the purchase of the ALE.

The Grantee will annually monitor compliance and provide the United States with an annual monitoring report that documents that the Grantee and Grantor are in compliance with the ALE and ALE Plan. If the annual monitoring report is insufficient or is not provided annually, or if the United States has evidence of an unaddressed violation, as determined by the Secretary, the United States may exercise its right of inspection. For purposes of inspection and enforcement of the ALE, the ALE Plan, and the United States Cooperative Agreement with the Grantee, the United States will have reasonable access to the Protected Property with advance notice to Grantee and Grantor or Grantor's representative.

In the event of an emergency, the United States may enter the Protected Property to prevent, terminate, or mitigate a potential or unaddressed violation of these restrictions and will give notice to Grantee and Grantor or Grantor's representative at the earliest practicable time.

2. General Disclaimer and Grantor Warranty. The United States, its employees, agents, and assigns disclaim and will not be held responsible for Grantee's or Grantor's negligent acts or omissions or Grantee's or Grantor's breach of any representation, warranty, covenant, or agreements contained in this ALE Deed, or violations of any Federal, State, or local laws, including all Environmental Laws including, without limitation, those that give rise to liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions, costs of actions, or sanctions asserted by or on behalf of any person or governmental authority, and other liabilities (whether legal or equitable in nature and including, without limitation, court costs, and reasonable attorneys' fees and attorneys' fees on appeal) to which the United States may be subject or incur relating to the Protected Property.

Grantor must indemnify and hold harmless United States, their employees, agents, and assigns for any and all liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions and costs of actions, sanctions asserted by or on behalf of any person or governmental authority, and other liabilities (whether legal or equitable in nature and including, without limitation, court costs, and reasonable attorneys' fees and attorneys' fees on appeal) to which United States may be subject or incur relating to the Protected Property, which may arise from, but are not limited to, Grantor's negligent acts, omissions, or breach of any representation, warranty, covenant, agreements contained in this Agricultural Land Easement Deed or violations of any Federal, State, or local laws, including all Environmental Laws.

3. Environmental Warranty. Grantor warrants that it is in compliance with, and will remain in compliance with, all applicable Environmental Laws. Grantor warrants that there are no notices by any governmental authority of any violation or alleged violation of, noncompliance or alleged noncompliance with,

Dated 4-29-2016

or any liability under, any Environmental Law relating to the operations or conditions of the Protected Property. Grantor further warrants that it has no actual knowledge of an undisclosed release or threatened release of Hazardous Materials, as such substances and wastes are defined by applicable Federal and State law.

Furthermore, Grantor warrants the information disclosed to Grantee and United States regarding any past violations or non-compliance with Environmental Laws and associated remedial actions, or any past releases of Hazardous Materials and any associated remedial actions is complete and accurate.

Moreover, Grantor hereby promises to hold harmless and indemnify Grantee and the United States against all litigation, claims, demands, penalties and damages, including reasonable attorneys' fees, arising from or connected with the release or threatened release of any hazardous materials on, at, beneath or from the Protected Property, or arising from or connected with a violation of any Environmental Laws by Grantor or any other prior owner of the Protected Property. Grantor's indemnification obligation will not be affected by any authorizations provided by Grantee or the United States to Grantor with respect to the Protected Property or any restoration activities carried out by Grantee at the Protected Property; provided, however, that Grantee will be responsible for any Hazardous Materials contributed after this date to the Protected Property by Grantee.

"Environmental Law" or "Environmental Laws" means any and all Federal, State, local or municipal laws, rules, orders, regulations, statutes, ordinances, codes, guidelines, policies, or requirements of any governmental authority regulating or imposing standards of liability or standards of conduct (including common law) concerning air, water, solid waste, hazardous materials, worker and community right-to-know, hazard communication, noise, radioactive material, resource protection, subdivision, inland wetlands and watercourses, health protection, and similar environmental health, safety, building, and land use as may now or at any time hereafter be in effect.

"Hazardous Materials" means any petroleum, petroleum products, fuel oil, waste oils, explosives, reactive materials, ignitable materials, corrosive materials, hazardous chemicals, hazardous wastes, hazardous substances, extremely hazardous substances, toxic substances, toxic chemicals, radioactive materials, infectious materials, and any other element, compound, mixture, solution, or substance that may pose a present or potential hazard to human health or the environment.

4. Extinguishment, Termination, and Condemnation. The interests and rights under this Agricultural Land Easement may only be extinguished or terminated with written approval of the Grantee and the United States. Due to the Federal interest in this ALE, the United States must review and approve any proposed extinguishment, termination, or condemnation action that may affect its Federal interest in the Protected Property.

With respect to a proposed extinguishment, termination, or condemnation action, the Grantee and the United States stipulate that the fair market value of the ALE is _____ percent, hereinafter the "Proportionate Share," of the fair market value of the land unencumbered by this ALE. The Proportionate Share will remain constant over time.

If this ALE is extinguished, terminated, or condemned, in whole or in part, then the Grantor must reimburse Grantee and the United States an amount equal to the Proportionate Share of the fair market value of the land unencumbered by this ALE. The fair market value will be determined at the time all or a part of this ALE is terminated, extinguished, or condemned by an appraisal that meets the Uniform Standards of Professional

Appraisal Practice (USPAP) or Uniform Acquisition Standards or Federal Land Acquisition (UASFLA). The appraisal must be completed by a certified general appraiser and be approved by the Grantee and the United States.

The allocation of the Proportionate Share between the Grantee and the United States will be as follows: (a) to the Grantee or its designee, _____ percent of the Proportionate Share; and (b) to the United States _____ percent of the Proportionate Share. Until such time as the Grantee and the United States receive the Proportionate Share from the Grantor or the Grantor's successor or assign, the Grantee and the United States each have a lien against the Protected Property for the amount of the Proportionate Share due each of them. If proceeds from termination, extinguishment, or condemnation are paid directly to Grantee, the Grantee must reimburse the United States for the amount of the Proportionate Share due to the United States.

5. Amendment. This ALE may be amended only if, in the sole and exclusive judgment of the Grantee and United States, by and through the Chief of NRCS, such amendment is consistent with the purposes of this ALE and complies with all applicable laws and regulations. The Grantee must provide timely written notice to the Chief of NRCS of any proposed amendments. Prior to the signing and recordation of the amended ALE, such amendments must be mutually agreed upon by the Grantee, Grantor, and United States, by and through the Chief of NRCS. Any purported amendment that is recorded without the prior approval of the United States is null and void

NO. 2017-068

84

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-279

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:			<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	09/26/2017	Finance Committee
Division Head:					
Dept. Head:	KW PR	09/15/2017			
Prosecutor:					
Purchasing/Budget:					
Executive: TNS		9.18.17			

TITLE OF DOCUMENT: Land Records GIS Vendor Presentation

ATTACHMENTS:

SEPA review required? () Yes (X) NO
 SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (X) NO
 Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

A brief presentation by Bruce Harris & Associates, Inc. (BHA) will be given to the Council on the proposed contract between BHA and Whatcom County to assist with converting existing Assessor's Office Mylar maps and processes to Geographic Information Systems (GIS).

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-279A

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:			<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	09/26/2017	Finance / Council
Division Head:					
Dept. Head:	KW PR	9/26/17 9/18/2017			
Prosecutor:	KNF	9/18/17			
Purchasing/Budget:	TRZ BB	9/18/17			
Executive:	TR5	9.18.17			

TITLE OF DOCUMENT: Land Records GIS Conversion and Automation Services

ATTACHMENTS:

1. Cover Memo on Integrated Land Records and Permit System Project
2. Cover Memo on Contract
3. Contract Information Sheet
4. Contract for Services Agreement

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (X) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Request approval for the County Executive to enter into an agreement between Whatcom County and Bruce Harris & Associates, Inc. in the amount of \$758,750.00 for professional services to assist with converting existing Assessor's Office mylar maps and processes to Geographic Information Systems (GIS).

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**WHATCOM COUNTY
EXECUTIVE'S OFFICE**


County Courthouse
311 Grand Avenue, Suite #108
Bellingham, WA 98225-4082



Jack Louws
County Executive

MEMORANDUM

TO: Whatcom County Council

FROM: Jack Louws, County Executive 

RE: Integrated Land Records and Permit System Project

DATE: September 18, 2017

Background

Going into the 2017/2018 Biennium budget process we focused on continued investments in technologies to increase efficiencies, effectiveness and value to our citizens. I am encouraged by the progress that we have made in 2017 as it relates to the Integrated Land Records and Permit System Project. The following items will be before Council over the next few Council meetings:

- Contract with Bruce Harris and Associates for Land Records Geographic Information Systems (GIS) Conversion and Automation
- Supplemental Budget Request for New Permit System
- Contract for New Permit System

Land Records GIS

We established the Integrated Land Records and Permit Management System Fund with the anticipation of contracting for the land records GIS and hiring a consultant to assist with requirements and a Request for Proposal (RFP) for a new permit system. A proposed contract is now in place with Bruce Harris and Associates in the amount of \$758,750 to assist the Assessor's Office with the Land Records GIS piece of this integrated project. We are seeking Council concurrence for Executive execution of this project budget based contract on the September 26, 2017 Council Agenda.

Permit System

The next step is to complete the budgeting and contracting for the new permit system project. In the 2017/2018 Biennium, the Executive and Council made a preliminary budget transfer of \$783,092 towards a new permit system. Budgeting for the overall project was deferred until the County completed its needs assessment and received cost estimates from the RFP process. A top vendor has now been identified for a new permit system and overall costs for software, hardware and implementation services is estimated to be \$1.6 Million. A budget supplemental of approximately \$700,000 to fund the overall project is anticipated to be before Council in October 2017 along with a contract with our top vendor.

I look forward to continuing to work with Council to complete the Integrated Land Records and Permit System Project.

**WHATCOM COUNTY
ASSESSOR'S OFFICE**

Whatcom County Courthouse
311 Grand Avenue, Suite 106
Bellingham, WA 98225-4038



**WHATCOM COUNTY
INFORMATION TECHNOLOGY**

Whatcom County Courthouse
311 Grand Avenue, Suite 305
Bellingham, WA 98225-4038

KEITH M. WILLNAUER
Assessor

PERRY L. RICE
IT Manager

MEMORANDUM

RECEIVED

SEP 14 2017

TO: Jack Louws, County Executive
Whatcom County Council

FROM: Keith Willnauer, Assessor
Perry Rice, IT Manager

RE: Land Records GIS Conversion and Automation Contract

DATE: August 30, 2017

JACK LOUWS
COUNTY EXECUTIVE

Enclosed for your consideration is the proposed agreement between Whatcom County and Bruce Harris & Associates, Inc. for land records geographic information systems (GIS) conversion and automation.

▪ **Background and Purpose**

The Assessor's Office currently uses traditional "ink and mylar" to produce and maintain the statutorily required Assessor's Map. The purpose of this contract is to assist the Assessor's Office transition to using GIS as the primary method of maintaining the Assessor's Map. Approximately 115,000 parcels and other map features on existing mylar maps will be converted to GIS utilizing an industry standard design. Automated workflows will be created in GIS to help Assessor's Office staff efficiently maintain and publish land records datasets.

In 2016, Whatcom County contracted with Environmental Systems Research Institute (ESRI). ESRI introduced the ArcGIS for Land Records Data Model and then performed a preliminary conversion of Assessor's Office land records data to help validate the design. The design was then incorporated into a Request for Proposal (RFP).

In 2017, Whatcom County issued RFP #17-42 for Land Records GIS Conversion and Automation and selected Bruce Harris & Associates, Inc. (BHA). BHA has extensive expertise in land records GIS and has successfully completed many similar projects.

In addition to the Assessor's Office, this overall effort will benefit numerous County departments and regional entities that depend on a countywide GIS parcel layer. This project is also critical to the successful implementation of a new Permit System and Web GIS planned for 2018 – 2019.

▪ **Funding Amount and Source**

The maximum consideration for the initial term of this contract is \$758,750.00. The Integrated Land Records and Permit Management System Fund (project budget) was established in Ordinance 2014-085 to fund this and other projects.

Please contact Keith Willnauer at x5050 or Perry Rice at x5235 if you have any questions or concerns regarding the terms of this agreement.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

201709004

Originating Department:	Assessor's Office & Information Technology		
Division/Program: (i.e. Dept. Division and Program)	Geographic Information Systems		
Contract or Grant Administrator:	Keith Willnauer / Perry Rice		
Contractor's / Agency Name:	Bruce Harris & Associates, Inc.		
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____			
Does contract require Council Approval? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If No, include WCC: 3.08.100 (Project Budget) (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)			
Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____			
Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, Whatcom County grant contract number(s): _____			
Is this contract the result of a RFP or Bid process? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, RFP and Bid number(s): RFP #17-42 Contract Cost Center: 369100			
Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.			
If YES, indicate exclusion(s) below: <input checked="" type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.			
Contract Amount:(sum of original contract amount and any prior amendments): \$ 758,750.00 This Amendment Amount: \$ _____ Total Amended Amount: \$ _____	Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies or equipment included approved in the budget. 4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.		
Summary of Scope: Enclosed for your consideration is an agreement between Whatcom County and Bruce Harris & Associates, Inc. in the amount of \$758,750.00 for professional services to assist with converting existing Assessor's Office mylar maps and processes to Geographic Information Systems (GIS).			
Term of Contract:	Term : 10 Months	Expiration Date:	7/31/2018
Contract Routing:	1. Prepared by: KW \ PR <i>KW</i> <i>PR</i> 2. Attorney signoff: <i>KNE</i> 3. AS Finance reviewed: <i>OB</i> 4. IT reviewed (if IT related): <i>PR</i> 5. Contractor signed: <i>TS</i> 6. Submitted to Exec.: <i>✓</i> 7. Council approved (if necessary): 8. Executive signed: 9. Original to Council:		Date: 8/30/2017 Date: 9/7/17 Date: 9/7/17 Date: 9/7/2017 Date: 9/11/17 Date: 9-14-17 Date: Date: Date:

90

Recommended for Approval:

R. J. N. 9/7/2017
Information Technology Manager Date

Prosecuting Attorney Karen Frakes Date 9/7/17

Accepted for Whatcom County:

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

NOTARY PUBLIC in and for the State of Washington, residing at _____
_____. My commission expires _____

Contact Name: Bruce Harris
Contact Phone: (630) 761-0951
Contact FAX: (630) 761-0952
Contact Email: bruce@bruceharris.com

GENERAL CONDITIONS

Series 00-09: Provisions Related to Scope and Nature of Services

0.1 Scope of Services:

The Contractor agrees to provide to the County services and any materials as set forth in the project narrative identified as Exhibit "A", during the agreement period. No material, labor, or facilities will be furnished by the County, unless otherwise provided for in the Agreement.

Series 10-19: Provisions Related to Term and Termination

10.1 Term:

Services provided by Contractor prior to or after the term of this contract shall be performed at the expense of Contractor and are not compensable under this contract unless both parties hereto agree to such provision in writing. The term of this Agreement may be extended by mutual agreement of the parties; provided, however, that the Agreement is in writing and signed by both parties.

10.2 Extension: Not Applicable

11.1 Termination for Default:

If the Contractor defaults by failing to perform any of the obligations of the contract or becomes insolvent or is declared bankrupt or commits any act of bankruptcy or insolvency or makes an assignment for the benefit of creditors, the County may, by depositing written notice to the Contractor in the U.S. mail, first class postage prepaid, terminate the contract, and at the County's option, obtain performance of the work elsewhere. Termination shall be effective upon Contractor's receipt of the written notice, or within three (3) days of the mailing of the notice, whichever occurs first. If the contract is terminated for default, the Contractor shall not be entitled to receive any further payments under the contract until all work called for has been fully performed. Any extra cost or damage to the County resulting from such default(s) shall be deducted from any money due or coming due to the Contractor. The Contractor shall bear any extra expenses incurred by the County in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained by the County by reason of such default.

11.2 Termination for Reduction in Funding: Not Applicable

11.3 Termination for Public Convenience:

The County may terminate the Agreement in whole or in part whenever the County determines, in its sole discretion, that such termination is in the interests of the County. Whenever the Agreement is terminated in accordance with this paragraph, the Contractor shall be entitled to payment for actual work performed at unit contract prices for completed items of work. An equitable adjustment in the contract price for partially completed items of work will be made, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination of this Agreement by the County at any time during the term, whether for default or convenience, shall not constitute breach of contract by the County.

Series 20-29: Provisions Related to Consideration and Payments

20.1 Accounting and Payment for Contractor Services:

Payment to the Contractor for services rendered under this Agreement shall be as set forth in Exhibit "B." Where Exhibit "B" requires payments by the County, payment shall be based upon written claims supported, unless otherwise provided in Exhibit "B," by documentation of units of work actually performed and amounts earned, including, where appropriate, the actual number of days worked each month, total number of hours for the month, and the total dollar payment requested, so as to comply with municipal auditing requirements.

Unless specifically stated in Exhibit "B" or approved in writing in advance by the official executing this Agreement for the County or his designee (hereinafter referred to as the "Administrative Officer") the County will not reimburse the Contractor for any costs or expenses incurred by the Contractor in the performance of this contract. Where required, the County shall, upon receipt of appropriate documentation, compensate the Contractor, no more often than monthly, in accordance with the County's customary procedures, pursuant to the fee schedule set forth in Exhibit "B."

21.1 Taxes:

The Contractor understands and acknowledges that the County will not withhold Federal or State income taxes. Where required by State or Federal law, the Contractor authorizes the County to withhold for any taxes other than income taxes (i.e., Medicare). All compensation received by the Contractor will be reported to the Internal Revenue Service at the end of the calendar year in accordance with the applicable IRS regulations. It is the responsibility of the Contractor to make the necessary estimated tax payments throughout the year, if any, and the Contractor is solely liable for any tax obligation arising from the Contractor's performance of this Agreement. The Contractor hereby agrees to indemnify the County against any demand to pay taxes arising from the Contractor's failure to pay taxes on compensation earned pursuant to this Agreement.

The County will pay sales and use taxes imposed on goods or services acquired hereunder as required by law. The Contractor must pay all other taxes, including, but not limited to, Business and Occupation Tax, taxes based on the Contractor's gross or net income, or personal property to which the County does not hold title. The County is exempt from Federal Excise Tax.

22.1 Withholding Payment:

In the event the County's Administrative Officer determines that the Contractor has failed to perform any obligation under this Agreement within the times set forth in this Agreement, then the County may withhold from amounts otherwise due and payable to Contractor the amount determined by the County as necessary to cure the default, until the Administrative Officer determines that such failure to perform has been cured. Withholding under this clause shall not be deemed a breach entitling Contractor to termination or damages, provided that the County promptly gives notice in writing to the Contractor of the nature of the default or failure to perform, and in no case more than 10 days after it determines to withhold amounts otherwise due. A determination of the Administrative Officer set forth in a notice to the Contractor of the action required and/or the amount required to cure any alleged failure to perform shall be deemed conclusive, except to the extent that the Contractor acts within the times and in strict accord with the provisions of the Disputes clause of this Agreement. The County may act in accordance with any determination of the Administrative Officer which has become conclusive under this clause, without prejudice to any other remedy under the Agreement, to take all or any of the following actions: (1) cure any failure or default, (2) to pay any amount so required to be paid and to charge the same to the account of the Contractor, (3) to set off any amount so paid or incurred from amounts due or to become due the Contractor. In the event the Contractor obtains relief upon a claim under the Disputes clause, no penalty or damages shall accrue to Contractor by reason of good faith withholding by the County under this clause.

23.1 Labor Standards:

The Contractor agrees to comply with all applicable state and federal requirements, including but not limited to those pertaining to payment of wages and working conditions, in accordance with RCW 39.12.040, the Prevailing Wage Act; the Americans with Disabilities Act of 1990; the Davis-Bacon Act; and the Contract Work Hours and Safety Standards Act providing for weekly payment of prevailing wages, minimum overtime pay, and providing that no laborer or mechanic shall be required to work in surroundings or under conditions which are unsanitary, hazardous, or dangerous to health and safety as determined by regulations promulgated by the Federal Secretary of Labor and the State of Washington.

Series 30-39: Provisions Related to Administration of Agreement

30.1 Independent Contractor:

The Contractor's services shall be furnished by the Contractor as an independent contractor, and nothing herein contained shall be construed to create a relationship of employer-employee or master-servant, but all payments made hereunder and all services performed shall be made and performed pursuant to this Agreement by the Contractor as an independent contractor.

The Contractor acknowledges that the entire compensation for this Agreement is specified in Exhibit "B" and the Contractor is not entitled to any benefits including, but not limited to: vacation pay, holiday pay, sick leave pay, medical, dental, or other insurance benefits, or any other rights or privileges afforded to employees of the County. The Contractor represents that he/she/it maintains a separate place of business, serves clients other than the County, will report all income and expense accrued under this contract to the Internal Revenue Service, and has a tax account with the State of Washington Department of Revenue for payment of all sales and use and Business and Occupation taxes collected by the State of Washington.

Contractor will defend, indemnify and hold harmless the County, its officers, agents or employees from any loss or expense, including, but not limited to, settlements, judgments, setoffs, attorneys' fees or costs incurred by reason of claims or demands because of breach of the provisions of this paragraph.

30.2 Assignment and Subcontracting: Not Applicable

30.3 No Guarantee of Employment:

The performance of all or part of this contract by the Contractor shall not operate to vest any employment rights whatsoever and shall not be deemed to guarantee any employment of the Contractor or any employee of the Contractor or any subcontractor or any employee of any subcontractor by the County at the present time or in the future.

31.1 Ownership of Items Produced:

All writings, programs, data, public records or other materials prepared by the Contractor and/or its consultants or subcontractors, in connection with performance of this Agreement, shall be the sole and absolute property of the County.

31.2 Patent/Copyright Infringement:

Contractor will defend and indemnify the County from any claimed action, cause or demand brought against the County, to the extent such action is based on the claim that information supplied by the Contractor infringes any patent or copyright. The Contractor will pay those costs and damages attributable to any such claims that are finally awarded against the County in any action. Such defense and payments are conditioned upon the following:

A. The Contractor shall be notified promptly in writing by the County of any notice of such claim.

B. Contractor shall have the right, hereunder, at its option and expense, to obtain for the County the right to continue using the information, in the event such claim of infringement, is made, provided no reduction in performance or loss results to the County.

32.1 Confidentiality:

The Contractor, its employees, subcontractors, and their employees shall maintain the confidentiality of all information provided by the County or acquired by the Contractor in performance of this Agreement, except upon the prior written consent of the County or an order entered by a court after having acquired jurisdiction over the County. Contractor shall immediately give to the County notice of any judicial proceeding seeking disclosure of such information. Contractor shall indemnify and hold harmless the County, its officials, agents or employees from all loss or expense, including, but not limited to, settlements, judgments, setoffs, attorneys' fees and costs resulting from Contractor's breach of this provision.

33.1 Right to Review:

This contract is subject to review by any Federal, State or County auditor. The County or its designee shall have the right to review and monitor the financial and service components of this program by whatever means are deemed expedient by the Administrative Officer or by the County Auditor's Office. Such review may occur with or without notice and may include, but is not limited to, on-site inspection by County agents or employees, inspection of all records or other materials which the County deems pertinent to the Agreement and its performance, and any and all communications with or evaluations by service recipients under this Agreement. The Contractor shall preserve and maintain all financial records and records relating to the performance of work under this Agreement for three (3) years after contract termination, and shall make them available for such review, within Whatcom County, State of Washington, upon request. Contractor also agrees to notify the Administrative Officer in advance of any inspections, audits, or program review by any individual, agency, or governmental unit whose purpose is to review the services provided within the terms of this Agreement. If no advance notice is given to the Contractor, then the Contractor agrees to notify the Administrative Officer as soon as it is practical.

34.1 Proof of Insurance:

The Contractor shall carry for the duration of this Agreement general liability and property damage insurance with the following minimums:

Property Damage per occurrence - \$500,000.00 (this amount may vary with circumstances)

General Liability & Property Damage for bodily injury- \$1,000,000.00 (this amount may vary with circumstances)

A Certificate of insurance, that also identifies the County as an additional insured, is attached hereto as Exhibit "C". This insurance shall be considered as primary and shall waive all rights of subrogation. The County insurance shall be noncontributory.

a. Professional Liability - \$1,000,000 per occurrence:

If the professional liability insurance is a claims made policy, and should the contractor discontinue coverage either during the term of this contract or within three years of completion, the contractor agrees to purchase tail coverage for a minimum of three years from the completion date of this contract or any amendment to this contract.

Professional Liability - \$1,000,000. per occurrence (this amount may vary with circumstances)

34.2 Industrial Insurance Waiver:

With respect to the performance of this agreement and as to claims against the County, its officers, agents and employees, the Contractor expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to its employees and agrees that the obligations to indemnify, defend and hold harmless provided in this agreement extend to any claim brought by or on behalf of any employee of the Contractor. This waiver is mutually negotiated by the parties to this agreement.

34.3 Defense & Indemnity Agreement:

The Contractor agrees to defend, indemnify and save harmless the County, its appointed and elective officers and employees, from and against all loss or expense, including, but not limited to, judgments, settlements, attorneys' fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons and on account of damage to property, including loss of use thereof, whether such injury to persons or damage to property is due to the negligence of the Contractor, its subcontractors, its successor or assigns, or its agents, servants, or employees, the County, its appointed or elected officers, employees or their agents, except only such injury or damage as shall have been occasioned by the sole negligence of the County or its appointed or elected officials or employees. In case of damages caused by the concurrent negligence of Contractor, its subcontractors, its successors or assigns, or its agents, servants, or employees, and the County, its appointed or elected officers, employees or their agents, then this indemnification provision is enforceable only to the extent of the negligence of the Contractor, its agents, or its employees.

It is further provided that no liability shall attach to the County by reason of entering into this contract, except as expressly provided herein. The parties specifically agree that this agreement is for the benefit of the parties only and this agreement shall create no rights in any third party.

35.1 Non-Discrimination in Employment:

The County's policy is to provide equal opportunity in all terms, conditions and privileges of employment for all qualified applicants and employees without regard to race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, disability, or veteran status. The Contractor shall comply with all laws prohibiting discrimination against any employee or applicant for employment on the grounds of race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, disability, or veteran status, except where such constitutes a bona fide occupational qualification.

Furthermore, in those cases in which the Contractor is governed by such laws, the Contractor shall take affirmative action to insure that applicants are employed, and treated during employment, without regard to their race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability, or veteran status, except where such constitutes a bona fide occupational qualification. Such action shall include, but not be limited to: advertising, hiring, promotions, layoffs or terminations, rate of pay or other forms of compensation benefits, selection for training including apprenticeship, and participation in recreational and educational activities. In all solicitations or advertisements for employees placed by them or on their behalf, the Contractor shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

The foregoing provisions shall also be binding upon any subcontractor, provided that the foregoing provision shall not apply to contracts or subcontractors for standard commercial supplies or raw materials, or to sole proprietorships with no employees.

35.2 Non-Discrimination in Client Services: Not Applicable

36.1 Waiver of Noncompetition: Not Applicable

36.2 Conflict of Interest:

If at any time prior to commencement of, or during the term of this Agreement, Contractor or any of its employees involved in the performance of this Agreement shall have or develop an interest in the subject matter of this Agreement that is potentially in conflict with the County's interest, then Contractor shall immediately notify the County of the same. The notification of the County shall be made with sufficient specificity to enable the County to make an informed judgment as to whether or not the County's interest may be compromised in any manner by the existence of the conflict, actual or potential. Thereafter, the County may require the Contractor to take reasonable steps to remove the conflict of interest. The County may also terminate this contract according to the provisions herein for termination.

37.1 Administration of Contract:

This Agreement shall be subject to all laws, rules, and regulations of the United States of America, the State of Washington, and political subdivisions of the State of Washington. The Contractor also agrees to comply with applicable federal, state, county or municipal standards for licensing, certification and operation of facilities and programs, and accreditation and licensing of individuals.

The County hereby appoints, and the Contractor hereby accepts, the Whatcom County Executive, and his or her designee, as the County's representative, hereinafter referred to as the Administrative Officer, for the purposes of administering the provisions of this Agreement, including the County's right to receive and act on all reports and documents, and any auditing performed by the County related to this Agreement. The Administrative Officer for purposes of this agreement is:

Perry Rice
Information Technology Manager
Whatcom County
311 Grand Avenue, Suite 305
Bellingham, WA 98225

37.2 Notice:

Except as set forth elsewhere in the Agreement, for all purposes under this Agreement except service of process, notice shall be given by the Contractor to the County's Administrative Officer under this Agreement. Notice to the Contractor for all purposes under this Agreement shall be given to the address provided by the Contractor herein above in the "Contractor Information" section. Notice may be given by delivery or by depositing in the US Mail, first class, postage prepaid.

38.1 Certification of Public Works Contractor's Status under State Law: Not Applicable

38.2 Certification Regarding Federal Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions: Not Applicable

38.3 E-Verify: Not Applicable

Series 40-49: Provisions Related to Interpretation of Agreement and Resolution of Disputes

40.1 Modifications:

Either party may request changes in the Agreement. Any and all agreed modifications, to be valid and binding upon either party, shall be in writing and signed by both of the parties.

40.2 Contractor Commitments, Warranties and Representations: Not Applicable

41.1 Severability:

If any term or condition of this contract or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this contract are declared severable.

- 41.2 Waiver:
Waiver of any breach or condition of this contract shall not be deemed a waiver of any prior or subsequent breach. No term or condition of this contract shall be held to be waived, modified or deleted except by an instrument, in writing, signed by the parties hereto. The failure of the County to insist upon strict performance of any of the covenants and agreements of this Agreement, or to exercise any option herein conferred in any one or more instances, shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.
- 42.1 Disputes:
- a. General:
Differences between the Contractor and the County, arising under and by virtue of the Contract Documents, shall be brought to the attention of the County at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. Except for such objections as are made of record in the manner hereinafter specified and within the time limits stated, the records, orders, rulings, instructions, and decisions of the Administrative Officer shall be final and conclusive.
 - b. Notice of Potential Claims:
The Contractor shall not be entitled to additional compensation which otherwise may be payable, or to extension of time for (1) any act or failure to act by the Administrative Officer or the County, or (2) the happening of any event or occurrence, unless the Contractor has given the County a written Notice of Potential Claim within ten (10) days of the commencement of the act, failure, or event giving rise to the claim, and before final payment by the County. The written Notice of Potential Claim shall set forth the reasons for which the Contractor believes additional compensation or extension of time is due, the nature of the cost involved, and insofar as possible, the amount of the potential claim. Contractor shall keep full and complete daily records of the work performed, labor and material used, and all costs and additional time claimed to be additional.
 - c. Detailed Claim:
The Contractor shall not be entitled to claim any such additional compensation, or extension of time, unless within thirty (30) days of the accomplishment of the portion of the work from which the claim arose, and before final payment by the County, the Contractor has given the County a detailed written statement of each element of cost or other compensation requested and of all elements of additional time required, and copies of any supporting documents evidencing the amount or the extension of time claimed to be due.
 - d. Arbitration: Not Applicable
- 43.1 Venue and Choice of Law:
In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the courts of the State of Washington in and for the County of Whatcom. This Agreement shall be governed by the laws of the State of Washington.
- 44.1 Survival:
The provisions of paragraphs 11.1, 11.2, 11.3 , 21.1, 22.1, 30.1, 31.1, 31.2, 32.1, 33.1, 34.2, 34.3, 36.1, 40.2, 41.2, 42.1, and 43.1, if utilized, shall survive, notwithstanding the termination or invalidity of this Agreement for any reason.
- 45.1 Entire Agreement:
This written Agreement, comprised of the writings signed or otherwise identified and attached hereto, represents the entire Agreement between the parties and supersedes any prior oral statements, discussions or understandings between the parties.

Exhibit A - Scope of Work

PHASE 1 - PROJECT INITIATION

Task 1.1 - Project Kick-Off Meeting

As part of project initiation a project kick-off meeting will be held. The meeting will take place at the Whatcom County offices. A typical project kick-off meeting agenda includes:

- Project Team Introductions
- Discussion of BHA Project Roles
- Discussion of Whatcom County Project Roles
- Technical Project Overview
- Review of Project Milestones and Project Plan
- Review of Project and Status Reporting
- Finalization of Project Schedule
- Discussion of Project Risks
- Review of Project Assumptions
- Discussion of Change Management Plan
- Communication Plan

BHA's Project Manager will communicate with Whatcom County staff throughout the project and will be responsible for the overall project communication.

Task 1.2 - Develop a Detailed Project Schedule

Upon completion of the project kick-off meeting, BHA will finalize a detailed project schedule based on agreed upon deliverables. Project milestones will be developed and a Gantt chart reflecting those milestones will be created. This chart will be updated continually throughout the project. The project schedule will include multiple incremental deliveries of the County during Phase 3.

Task 1.3 - Pilot Project Implementation Planning

As part of this task BHA and Whatcom County staff will plan the pilot project. This pilot project will include a representational area chosen by Whatcom County to be fully converted and tested. The project approach will be an opportunity to test and refine the following portions of the project, including:

1. Review Process and Acceptance Criteria
2. GIS Data Model Creation
3. Parcel Fabric Conversion Methodology

The pilot area will represent the following:

- Rural Parcels

- Urban Parcels
- Multi-PIN Parcels such as Condominiums and Townhouses (three dimensional subdivisions)
- Subdivisions
- Undivided Interests
- Coincident Layers

BHA and the Whatcom County staff will mutually agree upon a pilot area. It is anticipated that the pilot project will be delivered within two months of the signed contract.

Task 1.4 - Develop Parallel Data Maintenance Plan

BHA's typical approach to preventing a parcel maintenance backlog is to make multiple incremental deliveries throughout the project, as established in Task 1.2. Approximately 2 to 4 weeks prior to delivery, all updates are added to the delivery so that the delivered area is as up to date as possible. It will then become the County's responsibility to make future updates to that delivered area. These future updates will be used during the training phase. Whatcom County staff will provide BHA staff documentation throughout the project for undelivered areas that includes a Map Change form with associated source documents.

Task 1.5 - Establish Review and Acceptance Criteria

BHA and the Whatcom County staff will determine the review criteria of the deliverables and then acceptance criteria. It is anticipated that each deliverable area will include a 30- to 60-day or mutually agreed upon review period. Each delivery will be accepted as completed when the Whatcom County staff determines that it meets the agreed upon quality standards. The Whatcom County staff must provide a list of any deficiencies found to BHA for resolution. It is anticipated that this criteria will include the following:

- Spatial Accuracy
- Inclusion of All Features
- Topological Integrity
- Parcel Fabric Integrity
- Geodatabase Model Conformity
- Attribution including proper use of subtypes and domains
- Adherence to Mapping Standards
- Discrepancy Review

Software Requirements:

- Esri ArcGIS for Desktop 10.5 or newer Standard or Advanced

BHA Responsibilities:

- Conduct Project Kick-off and Project Planning Meetings
- Create Project Management Plan

Whatcom County Responsibilities:

- Participate in Kick-off and Project Planning Meetings and Provide Feedback
- Review and Approve Project Management Plan
- Review and Approve All Documentation and Procedures
- Provide Completed Map Change Forms with Source Documents for undelivered areas

Assumptions:

- Meetings will occur at Whatcom County Offices or via Web Meeting

Deliverables:

- Project Management Plan
- Detailed Project Schedule
- Quality Control and Acceptance Procedures Documentation
- Parallel Maintenance Plan

PHASE 2 - DATA MODEL DESIGN**Task 2.1 - Requirement Collection**

BHA will conduct an onsite workshop to develop and finalize the functional and technical requirements of the project. During the workshop, the following will be discussed and/or identified:

1. ArcGIS Local Government Information Model Overview
2. Review of Existing Editing Workflows
3. Establish Technical and Functional Requirements
4. Gap Analysis of ArcGIS Local Government Information Model against Whatcom County Functional Requirements
5. Gap Fit Analysis for Local Government Information Model against specifications contained within the Revised Code of Washington (RCW) 84.40.160

The result of the workshop will be to define the data information required to create the data model as described in Task 2. BHA's expertise in similar projects will ensure that the Whatcom County data model is defined and that the Parcel Fabric layers are constructed in a way that is extensible and flexible to support Whatcom County's needs as well as the other departments' layers that are built off the Parcel Fabric.

Day 1:

- ArcGIS Parcel Editing Solution (Parcel Fabric) and Local Government Information Model Overview
 - What are Parcels?
 - Parcel Fabric Architecture Overview
 - Parcel Types defined in the Fabric

- Parcel Editing Workflows
 - Merge Parcels
 - Parcel Split: Metes and Bounds
 - Parcel Split: Area Description
 - Parcel Split: Parent Parcel
 - New Subdivision
 - New Subdivision from CAD
 - Boundary Line Adjustment
- Tax Map Book Template

Day 2:

- Review of Whatcom County current editing workflows
- Review Esri recommended procedures and adjust as needed
- Gap Fit Analysis of COTS Local Government Information Model versus Whatcom County GIS Requirements
- Review Revised Code of Washington (RCW) 84.40.160 Requirements

Two BHA GIS consultants will be onsite at the Whatcom County offices for two consecutive days.

Task 2.2 - GIS Data Model Creation

Esri's ArcGIS Local Government Information Model (LGIM) will be the geodatabase model used for this project. BHA staff will configure and expand the model to meet the needs of Whatcom County.

This project will focus on the following datasets:

- Cadastral Reference (contains PLSS features such as Townships and Sections)
- Parcel Editing (contains the Parcel Fabric used for editing parcels)
- Parcel Publishing (contains Parcel feature classes used for map publishing as well as Simultaneous Conveyance also known as Subdivisions)
- Cadastral Add-On Dataset will be created and configured during this task
- Administrative Area to store corporate/municipal boundaries

All datasets will be in NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet (US Feet).

Functional and Technical Requirements workshops will result in BHA's staff collecting the necessary information from Whatcom County staff in order to successfully design the data model.

BHA will use the Tax Parcel Editing map document provided by Esri in conjunction with the LGIM. This provides cartographic elements similar to the County's current GIS maps. The template and model are available for free from Esri.

BHA has reviewed both the map document and the LGIM provided by Esri and has determined that both will need to be expanded to meet the requirements of the printed tax maps.

The geodatabase model will determine if the data should be stored as dynamic labels or annotation. The Commercial off the Shelf (COTS) ArcGIS Parcel Editing Solution relies heavily on labeling for cartographic styling. This approach sacrifices editing efficiency over cartography. Therefore, we design our models using more annotation feature classes than the COTS solution and rely less on labeling. BHA and Whatcom County will mutually agree upon the best method for each text type.

Labeling advantages and disadvantages will be discussed with the County. BHA recommends using annotation as opposed to labeling to achieve the mapping standards necessary to fulfill the requirements set forth in the Revised Code of Washington (RCW) 84.40.160 as well as maintain the cadastral standards used on the existing maps. Annotation provides much better control over the placement of the text on the map, thus ensuring the standards are accurately and repeatedly met whenever maps are printed or viewed. The resulting data model will work together with the map documents described in the next two tasks to meet the Revised Code of Washington (RCW) 84.40.160 requirements.

The database will also take advantage of our MapAscend Productivity Enhancement extension to ArcGIS for Desktop. While the County desires a COTS ArcGIS Parcel Fabric implementation, we feel these tools will assist the County with daily maintenance. These tools streamline maintenance in ArcMap. The data model and mapping standards for this project require detailed annotation placement and cadastral symbols such as hooks, tips, and arrows. MapAscend provides quick and easy placement of both these symbols and annotation. Using MapAscend is completely optional and does not lock the geodatabase in any manner that prevents using Esri's standard editing tools.

Task 2.3 - Source to Target Mapping

BHA and Whatcom County GIS staff will develop a source to target mapping to be used for this project. The geodatabase fields designed/configured in Task 2.2 will be documented as to their source during the data migration during Phase 3. A spreadsheet of mutually agreed upon file formats will be used. Not all fields will be attributed as part of the data migration process and this information will be captured during this process.

Task 2.4 - Design Working and Staging Geodatabases

BHA will define the working and staging geodatabases to be used during Phase 5. These geodatabases will be designed based on the source to target mapping developed during Task 2.3 and in order to load data into the geodatabase schema developed in Task 2.2.

Task 2.5 - Map Document (.mxd) Development for Printing

The goal of this task will be to design Map Documents to produce map books and pages in accordance with Revised Code of Washington (RCW) 84.40.160 requirements. The Data Driven Pages functionality of ArcGIS for Desktop will be used.

Data Driven Pages provides the following functionality that will be required:

- Iterate through a series of map pages using a single ArcMap layout using an Index Layer
- Dynamically update page name
- Dynamically update page number
- Dynamically update township, range and sections
- Dynamically update printing date
- Adjacent Pages
- Last Modified Date

The ArcMap document will allow users to be able to create PDFs or print all, a series, or individual map pages.

BHA staff will take advantage of the ArcPY (Python) scripting language to extend the functionality of data driven pages to add custom elements if required.

Task 2.6 - Map Document (.mxd) Development for Editing

It is important to design the database together with the map document to ensure that the designed system matches the standards required for this project.

The map document development process will include creating map documents to be used for both editing and publishing. The map document works together with the geodatabase model to create the map cartography. The map development process will include:

- Review of any existing map documents
- Review of LGIM map documents
- Creation of new Whatcom County map documents for parcel editing
- Data source mapping
- Modification of label expressions per geodatabase model design when applicable
- Per user configuration

BHA Responsibilities:

- Conduct Two Day Onsite Functional and Technical Requirements Workshop
- Create Functional and Technical Requirements
- Configure Local Government Information Model
- Create Map Documents (.mxd) for Editing and Printing

Whatcom County Responsibilities:

- Participate in Functional and Technical Requirements Workshop

Assumptions:

- Meetings will occur at Whatcom County Offices or via Web Meetings

Exclusions:

- Only the CadastralReference, ParcelEditing, and ParcelPublishing datasets of the Local Government Information Model will be configured. All other LGIM datasets will not be included.

Deliverables:

- Local Government Information Model Design in XML and File Geodatabase Format
- Map Documents for Editing and Printing

PHASE 3 – PILOT PROJECT

The goal of the pilot project will be to test the designed system ensuring that all functional and technical requirements are met. The pilot area will be constructed in the geodatabase model utilizing coordinate geometry, deeds and surveys, and any other pertinent information to properly construct all feature classes required for the pilot area. This will include but is not limited to rural parcels, urban parcels, townhouses/condos, and subdivisions.

The Parcel Fabric construction will occur using the same methods as the balance of the project as described in Phase 4 excluding Tasks 4.3.2 and 4.3.3 as the pilot area will be located outside of the City of Bellingham. Upon completion, Whatcom County staff will be required to perform User Acceptance Testing and sign off on the pilot prior to proceeding with Phase 4 of the project.

Task 3.1 - Parcel Fabric Construction

During this pilot phase of the project, the methodology used in the Parcel Fabric construction phase will be identical to those performed during Phase 4 excluding Tasks 4.3.2 and 4.3.3. BHA staff will construct the data for the pilot area agreed upon in Phase 1.

Task 3.2 User Acceptance Testing (UAT)

Prior to Whatcom County conducting the UAT, BHA will conduct a thorough review of each deliverable with Whatcom County to ensure that the deliverable fully meets the requirements. Whatcom County will go through one or more UAT cycle(s) for system review once the data has been installed. As the Whatcom County staff tests the system, they will enter their feedback into the UAT form as a “deficiency” or “completed as expected.” Criteria for acceptance will be as defined during Phase 1.

The UAT process will be conducted as follows:

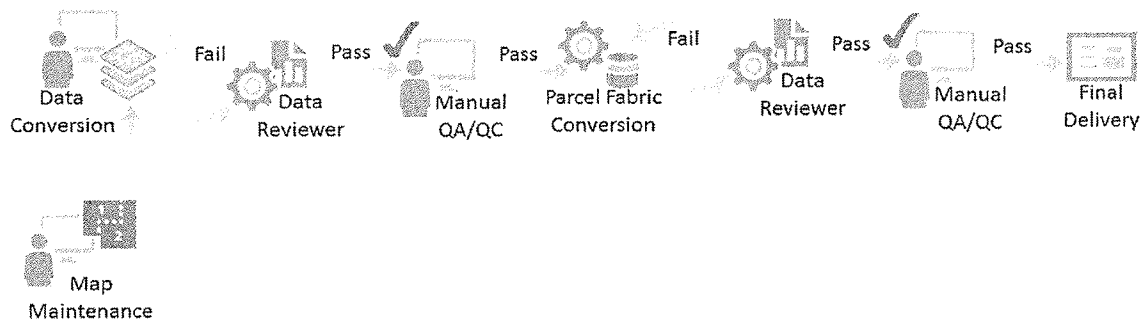
- County to review and provide feedback within 2 to 3 weeks.
- BHA to investigate reported issues and correct them within 1 to 2 weeks.
- County reviews corrections and signs off within 1 week if all reported issues are resolved.
- This UAT cycle will repeat until all issues have been resolved.

UAT will be performed in an ArcGIS Enterprise (ArcSDE) database for the pilot project. Data will be delivered via FTP, VPN or other mutually agreed upon method.

PHASE 4 - DATA MIGRATION

The creation of the Parcel Fabric will occur in the tasks outlined in this Phase. All data conversion will occur initially outside of the Parcel Fabric with conversion into the Parcel Fabric occurring immediately afterwards. We have determined that this is a best-practices approach as mass production can occur more efficiently outside of the Fabric without impacting the quality of the final deliverable. ArcGIS Data Reviewer will be used throughout the construction process to ensure data quality.

For this phase, the following process diagrammed below will be followed:



Task 4.1 - Data Collection

The first phase of the mapping project involves working with Whatcom County to review the existing digital orthophotography and gather resource materials, including: subdivision plats, original government surveys, survey plats, railroad right-of-way maps, U.S.G.S quadrangle sheets (digital and/or paper), county maps, mylar maps, county, state, and federal highway right-of-way maps, any existing maps and aerials, surveys, and other pertinent information. This information will be used to accurately locate and inventory all parcel boundaries.

In addition, the CAMA data will be gathered electronically. This shall include the owner's name, situs address, parcel number, acreage, and the legal description for each parcel.

The above data will be sorted by individual section and quarter-section. Using the digital orthophotography as a base, the initial digitization of physical features is performed during the first phase of the mapping task. The aerial photography must be in NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet (US Feet) coordinate system. This will serve as the foundation for the remainder of the tasks during this Phase being referenced to this coordinate system.

Task 4.2 - Create PLSS Features and Control Corners

BHA will construct PLSS Features from existing GIS features and Control Points when available as well as with the digital orthophotography. BHA will construct township and section polygon features. These features will have the appropriate township and section numbers populated in the attribute tables. These features will be loaded into the Parcel Fabric during Task 3.4. When multiple corners exist, BHA staff will evaluate the data to determine if a single PLSS corner can be identified.

Task 4.3 - Data Conversion

While the City of Bellingham's data is in a usable format, other areas of the County currently do not have any usable GIS data. BHA will use a combination of methodologies to create or convert the County's missing/non-usable data, including direct conversions, heads-up digitizing from mylar maps, and COGO/other precision placement methodologies such as offset and proportioning.

Task 4.3.1 - Georeference Mylar Maps

BHA will use the Georeferencing tools in ArcGIS to georeference the County's ~1490 mylar maps that have not already been georeferenced by Whatcom County staff. The first step will be to convert the map pages from PDF format to either TIFF or JPEG. After this process is complete, BHA will add control points based on identifiable features on the mylar maps and features with known coordinates, such as aerial photography, or other layers such as parcels, sections, etc. These maps will be used in future steps during this Phase, and will be delivered to Whatcom County.

Task 4.3.2 - Migrate City of Bellingham to Working Databases

During this task, BHA will migrate the City of Bellingham's data to working databases designed during Phase 2. The purpose of this task is to prepare the data for loading into the Parcel Fabric. The following operations will occur:

- Fixing Topology Errors
- Convert Polygons to Lines (COGO values will be retained during the conversion process whenever possible)
- Address multi-part features
- Flag natural boundaries as line strings
- Apply global curves and line fixes
- Apply case by case curves and line fixes (multi-segment lines)
- Fix small segment features
- Create Lot Features
- Create Subdivision Features

Task 4.3.3 - Create Annotation/Symbols from Mylar Maps for City of Bellingham

In the working databases, BHA will create annotation/symbols for the City of Bellingham using the County's georeferenced mylar maps. The following annotation and symbols will be captured:

- Lot numbers
- Parcel numbers
- Subdivision names
- Block number
- Easement text
- Road and hydro names
- Hooks, Arrows and Tips

Each annotation or symbol will be digitized into its proper feature class with the proper scale.

Task 4.3.4 - COGO Parcels when Required (Outside City of Bellingham)

Parcel/lot features will be created using a combination of precision point entry and coordinate geometry (COGO) or by digitizing features from the digital orthophotography. Even when using the legal descriptions and/or subdivision plats, not all parcels can be captured using COGO techniques. In this case the parcels may require additional research or are mapped to the orthophotography when photo identifiable boundary features are present. The compilation accuracy is then limited to these photo identifiable features that may include hydrography, right-of-way information, or even fences when there is sufficient evidence that these features coincide with a parcel boundary.

Using a best-fit approach, BHA will adjust boundary information currently shown on the existing source maps and database descriptions when the following situations occur:

- Parcel/lot lines cross, lie within, or are not consistent with orthophoto network or planimetric data (if available).
- Parcel/lot lines cross building outlines, pavement edges, fence lines or hedge rows, curbs or any other feature indicative of property boundaries visible on the orthophoto.
- Rights-of-way for roadways are not consistent with orthophotos.
- Edges of source documents do not match.

It is understood that in the event there are gaps or overlaps in fitting parcels with adjacent parcels, perimeters of subdivisions will have priority of placement when these adjustments are necessary.

The hierarchy for control points to be used to aid in the placement of map features will be as follows:

- First Choice
 - Government Survey Corners
- Second Choice

- Subdivision Lot Corners
- Subdivision Block Corners
- Street Centerline Intersections
- Right-of-way Angle Points
- Right-of-way Centerline Station Points

Our methodology for determining the most accurate data source includes:

- Latest subdivision plats will take precedence over older subdivisions plats and/or metes and bounds descriptions.
- Subdivided parcels will take precedence over parcels described with metes and bounds descriptions.
- Surveyed parcels will take precedence over parcels only described in legal descriptions.
- Aerial occupation (if any) will take precedence over unknown legal boundaries.
- Research will be requested for areas of conflict for County resolution.

Task 4.3.5 - Heads-up Digitize Parcels/Lots When Possible (Outside City of Bellingham)

When appropriate, BHA will heads-up digitize parcel/lots using the georeferenced mylar maps. This will be the secondary methodology used and COGO will be a primary method when heads-up digitizing is not practical. Whenever possible and practical, the boundaries will be digitized using proportion and aerial occupation will be considered whenever possible. It should be understood that some boundaries will have approximations based on the information available.

Task 4.3.6 - Create Annotation/Symbols from Mylar Maps (Outside City of Bellingham)

In the working databases, BHA will create annotation/symbols for the areas falling outside the City of Bellingham using the County's georeferenced mylar maps. The following annotation and symbols will be captured:

- Lot numbers
- Parcel numbers
- Subdivision names
- Block numbers
- Easement text
- Road and hydro names
- Hooks, Arrows and Tips

Each annotation or symbol will be digitized into its proper feature class with the proper scale.

Task 4.3.7 - Discrepancy Reporting

BHA will report any discrepancies and/or anomalies found during the data migration. BHA will develop a polygon feature class designed specifically for this issue. This allows the GIS Technician to draw a polygon showing the features in question providing a spatial location. The report will also contain a type field with a domain value. BHA staff will work with Whatcom

County staff to develop this domain. Additionally, a comment field will be added and populated. The final design will be established during Phase 2.

Task 4.3.8 - Quality Control

BHA's most seasoned employees perform two sets of checking before a product is delivered for review. Quality control checks are made for each deliverable area. BHA will run a series of automated processes using the ArcGIS Data Reviewer.

These final checks will be established during Phase 1. The ArcGIS Data Reviewer processes will be run on the data periodically throughout the map production process as well as at the end of the map production. When map production is completed, BHA's most experienced staff will conduct a manual quality control and quality assurance process. The process includes, but is not limited to, the following quality control checks:

- PLSS and Other Survey Grid alignment with Survey Control Network
- Edge Matching with Other Deliverable Areas
- Aerial Photography Validation (Occupation)
 - Centerlines
 - Rights-of-way
 - Hydrography
 - Parcels
 - Lots
 - Subdivision
 - Easements
- Parcel/Lots
 - Database Checks
 - Lines
 - Dimensions
 - Annotation and Labeling
 - Measurements/Proportioning
 - Acres
- Corporate Boundary
- Discrepancies
- Text (Annotation) and Symbol Placement

Any deficiencies found will be reported back to the technician for fixing. Once the fixes are complete, they will be quality controlled again before moving to the next task.

Task 4.4 - Parcel Fabric Conversion

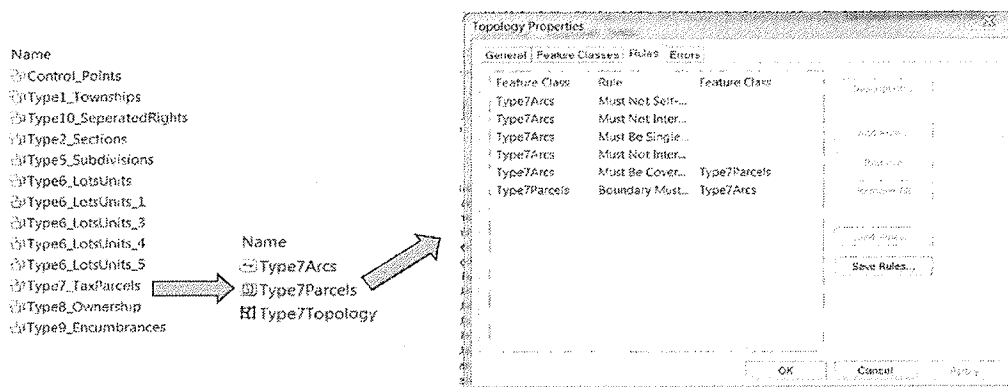
We recommend all parcel mapping and feature construction take place outside of the Parcel Fabric. This allows for thorough checking procedures and topology validation to occur. Features will then be loaded into the delivery database including the Parcel Fabric. The methods used are generally outlined as follows:

Load Fabric Features into Staging Database

BHA will load the mapped features into a series of staging geodatabases/datasets for topology validation. Each parcel type will be loaded individually. The Parcel Types in the Parcel Fabric include:

Type	Description
1	PLSS Township
2	PLSS Section
3	PLSS Quarter Section
4	Special Survey
5	Simultaneous Conveyance
6	Conveyance Division
7	Tax
8	Ownership
9	Encumbrance
10	Separated Right
11	Other

The staging geodatabases/datasets will be used for topology validation using Esri topology validation tools in ArcGIS for Desktop. The following graphic illustrates how the database/datasets must be structured to properly load the data into the Fabric. This approach uses Esri best practices.



Staging Geodatabase Structure

As part of the loading process, fields must be properly mapped from the construction databases to the staging database and then to the final deliverables. Attributes collected during the mapping process will then pass through the geodatabases during the Parcel Fabric loading processes.

Validate Topology and Fix Errors

The next step in the process after data loading is to validate each topology and fix any errors that exist. This must be done for all feature types. Esri's Topology Validate and Error Inspection Tools will be used to validate and fix errors. All lines used for polygon construction are reviewed for accuracy, inspected for erroneous vertices, and must be 2-point lines unless they represent a natural boundary. This process must be repeated for each parcel type until all data is fully cleaned and validated.

Load Parcel Fabric

Esri's Load Topology to a Parcel Fabric ArcGIS Geoprocessing tool will be used to load each staging geodatabase into the deliverable geodatabase.

Any issues reported by this tool will need to be resolved prior to a successful load into the Parcel Fabric. Based on our experience, this may need to be done multiple times per deliverable depending upon on the number of records to be processed. Upon completion, the data will be appended to the other areas.

Once the data from the staging geodatabases is loaded into the Parcel Fabric, several final steps will occur prior to quality control.

1. Load Plans Table and associate them to applicable parcels
2. Cross Checks
3. Local Government Information Model Finalization
4. Data Loading of Features Outside of the Parcel Fabric
5. Adding feature associations to the Fabric
6. Populating TaxParcelCondo Table for Multi-PIN relationships

Task 4.5 - Parcel Fabric QA/QC

It is imperative to perform a final quality control on the Parcel Fabric to ensure suitable end-user editing performance. Each delivery will include reports outlining data completeness and quality assurance. The most important items to review are:

- Line and Point Inconsistencies
 - Review of linestring creation for natural boundaries
 - Verification of relevant Fabric_Points for accurate COGO attributes
- Data Accuracy and Feature Alignment
 - Review of coincident features and connections to Fabric_Points

- Review of stacked Parcels and TaxParcel Condo Table utilization for Parent to Child Parcel relationships
- Review of correct Fabric feature attributes for editing workflows, edit tracking, and Plans Table associations
- Performance Quality and Review
 - Review of any large or complex features that can cause slow performance
 - Full Fabric Scan QA/QC inspection for inconsistent records (points not connected to lines, lines with the same to and from points, lines that do not belong to a parcel, line points with invalid point references, parcels without any lines, invalid adjustment vectors, invalid feature class associations)
 - Full Fabric Error Check for validating topological integrity (Parcel Errors, Line Errors, Point Errors, Line Point Errors, Control Point Errors)

BHA will guarantee that all deliverables are properly verified for accuracy, completeness, and free from the deficiencies described.

Task 4.6 - Finalize Data Driven Pages and Produce Maps

During this task, BHA staff will finalize the data driven page elements as designed and described in Task 2.5. BHA staff will also produce and quality control PDF map book pages, and deliver them to the County.

Task 4.7 - User Acceptance Testing (UAT)

Prior to Whatcom County conducting the UAT, BHA will conduct a thorough review of each deliverable with Whatcom County to ensure that the deliverable fully meets the requirements. Whatcom County will go through one or more UAT cycle(s) for system review once the data has been installed. As the Whatcom County staff tests the system, they will enter their feedback into the UAT form as a “deficiency” or “completed as expected.” Criteria for acceptance will be as defined during Phase 1.

The UAT process will be conducted as follows:

- County to review and provide feedback within 2 to 3 weeks.
- BHA to investigate reported issues and correct them within 1 to 2 weeks.
- County reviews corrections and signs off within 1 week if all reported issues are resolved.
- This UAT cycle will repeat until all issues have been resolved.

UAT will be performed in an ArcGIS Enterprise (ArcSDE) database for the pilot project. Data will be delivered via FTP, VPN or other mutually agreed upon method. Incremental deliverables made after the pilot project will be completed in a file geodatabase.

Task 4.8 - Data Loading

BHA staff will load the data into Whatcom County’s ArcGIS Enterprise (ArcSDE) database. The following operations will be completed:

- Load Parcel Fabric Features using Geoprocessing Append Fabric Tool from Staging Geodatabase
- Verify Features Loaded Successfully
- Load Plans Table
- Populate TaxParcelCondo Table through Append
- Append Non-Parcel Fabric Features
- Verify all features loaded successfully

BHA Responsibilities:

- Create Parcel Fabric and Local Government Information Model Data

Whatcom County Responsibilities:

- Conduct User Acceptance Testing (UAT)
- Provide All Source Data
- Provide VPN Access to Whatcom County GIS servers

Exclusions:

- Easements will be mapped only when located on the existing Whatcom County Assessor's maps

Assumptions:

- Multiple Incremental Deliveries will be made per Project Plan

Deliverables:

- Completed Expanded Local Government Information Model in File Geodatabase referenced to the NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet (US Feet)
- ArcGIS Data Reviewer Reports
- Discrepancy Reports
- Quality Control/Quality Assurance Reports
- Assessor Maps in PDF Format

PHASE 5 - PUBLISHING

Task 5.1 - ArcGIS Infrastructure

BHA and Whatcom County GIS staff will plan the IT and GIS environment that will be required throughout the project.

Project Software Requirements (Server):

- ArcGIS Enterprise 10.5 (GIS Server Standard or Advanced)
- Microsoft SQL Server 2012 or 2014

Project Software Requirements (Desktop):

- ArcGIS for Desktop 10.5 Standard or Advanced

- ArcGIS Data Reviewer Extension (optional)
- MapAscend (optional)

Project Software Cloud:

- ArcGIS Online for Organizations

BHA's standard recommendation of hardware and software is that the County enable three virtual/physical servers:

Server 1: Web Server with ArcGIS Enterprise Web Adaptor

- 4 CPU cores
- 4 GB RAM
- 100 GB drive space

Server 2: GIS Server with ArcGIS Enterprise Software

- 4 CPU cores
- 16 GB RAM (minimum to start, with option to add more at a later time depending on usage)
- 100 GB system drive
- Additional drive space depends on quantity and types of data. Estimate 500 GB unless more precise information is available.

Server 3: Database Server with Microsoft SQL Server 2012 (or newer)

- 4 CPU cores
- 16 GB RAM (or more)
- 100 GB system drive
- Additional drive space depends on quantity and types of data. Estimate 400 GB unless more precise information is available.

BHA recommends that Server 3 be ready for data loading and testing during Phase 3. Servers 1 and 2 must be in place so this phase of the project can be completed.

Task 5.2 - Assist Whatcom County with Configuring ArcGIS Online and (PACS) ArcGIS Parcel Viewer Application

BHA staff has extensive expertise in configuring web applications in both ArcGIS Online, Esri APIs along with other web technologies. Our GIS Consultants shall be made available to the Whatcom County GIS staff during this task with the goal of configuring ArcGIS Online and (PACS) ArcGIS Parcel Viewer Application. Whatcom County will be responsible for providing the ArcGIS infrastructure and ArcGIS Online organization.

Task 5.3 - Integration

BHA staff will evaluate then recommend the best approach to integrate the County's Tax Parcels with the following systems:

- Assessor Treasurer System (PACS) database
- Auditor's Office Recorded Documents (Helion)

BHA staff will develop ETL (Export Transform Load) scripts and processes when applicable to support these integrations. The ETL scripts will combine the Tax Parcels from the Parcel Fabric with the required data from the systems of record to the Parcel Publishing datasets. For systems that require viewer integration of parcel data, map services will be published to meet these needs.

Task 5.4 - New Permit System Integration

BHA staff will develop ETL (Export Transform Load) scripts and processes when applicable to support this integration. The ETL scripts will combine the Tax Parcels from the Parcel Fabric with the required data from the systems of record, i.e. CAMA database to the Parcel Publishing datasets. Our staff will complete the following tasks:

- Create ETL Processes
- Develop Automation Processes
- Assist Whatcom County GIS staff with publishing map services to support integration

BHA Responsibilities:

- Provide recommendations on ArcGIS Infrastructure
- Assist Whatcom County Configuring ArcGIS Online and (PACS) ArcGIS Parcel Viewer Application
- Provide Integration Services through the development of ETL Processes

Whatcom County Responsibilities:

- Provide all hardware and software in the Whatcom County IT/GIS Environment

Assumptions:

- All data must have a unique key that can be used to join to any associated tabular data to GIS Data.
- Whatcom County must have ArcGIS for Desktop Standard or Advanced on the server, plus an available license to be used during setup, configuration, and any scheduled ETL processes.

Deliverables:

- ETL Scripts
- Provide up to 40 hours of remote technical support to assist in Task 4.1
- Provide up to 40 hours of remote technical support to assist in Task 4.2

PHASE 6 - TRAINING

At Bruce Harris & Associates, we believe that training and technical support is an absolute vital part of any project. We believe that focused training on specific tasks coupled with a broad overview of the solution as a whole is the most successful approach to the project. We also believe that providing multiple focused training sessions on real world tasks and scenarios works

best for our clients. Whatcom County will be responsible for map maintenance once areas are delivered. BHA staff and Whatcom County staff will collaboratively work these documents as training materials.

Prerequisite Training and Staff Knowledge

In order to maximize training time with BHA, we have outlined the following prerequisite Esri training by functional role:

Manager (Non-GIS Professional):

This management level user is responsible for managing the GIS program and staff. However, this person is not a GIS professional but needs to understand the core GIS concepts.

Recommended Esri Course:

- Introduction to ArcGIS

GIS Supervisor:

This management level user is responsible for overseeing the GIS staff, as well as day to day parcel maintenance. This user should have a thorough understanding of GIS so as to effectively carry out technical and business requirements for the GIS staff to implement. This user should have an understanding sufficient enough to perform quality control tasks.

Recommended Esri Courses:

- ArcGIS 1 - Introduction to ArcGIS
- ArcGIS 2 – Essential Workflows
- Editing and Maintaining Parcels Using ArcGIS

GIS Editor:

The GIS Editors are tasked with maintenance of the system when implemented. A thorough understanding of ArcGIS, Parcel Fabric, and mapping standards, as well as land records in general, is required.

Recommended Esri Courses:

- ArcGIS 1 - Introduction to ArcGIS
- ArcGIS 2 – Essential Workflows
- Editing and Maintaining Parcels Using ArcGIS

Task 6.1 - BHA Training

We believe that the most effective way to train the Whatcom County participants on the use and maintenance in the Fabric is to conduct training sessions for typical workflow based operations. The ArcGIS Parcel Editing Solution provides built-in workflows that can be used to help with the transition into maintaining the data with ArcGIS.

The best approach for training is to conduct sessions at Whatcom County's offices for data maintenance and oversight staff. It is in the best interest of the participants of the training session that the training group is limited to four to six individuals. BHA will work with Whatcom

County staff to ensure that adequate hardware, software and tools for the training sessions are in place and tested within two weeks of the planned training date. 160 hours of training are included as part of this contract.

The 160 hours of training will be split into several workshops throughout the project. Example workshops include:

Parcel Fabric Basic Editing:

- Parcel Workflows
 - Merge Parcels
 - Parcel Split: Metes and Bounds
 - Parcel Split: Area Description
 - Parcel Split: Parent Parcel
 - New Subdivision
 - New Subdivision from CAD
 - Boundary Line Adjustments
- Spatial Boundary Line Adjustments (without workflows)
- Parcel Splits and Combinations (without workflows)
- Maintaining Parcel Points
- Parcel Explorer
- Parcel Details
- Maintaining Control Points
- Updating Parcel Corner Locations
- Creating New Subdivisions (without workflows)
- Maintaining parcel and non-parcel fabric related feature classes

Parcel Fabric Intermediate Editing:

- Importing AutoCAD maps into the Parcel Fabric
- Creating Connections
- Mean Points
- Updating Parcel Corner Locations
- Maintaining Non-Parcel Fabric Features
- Maintaining Easements
- Maintaining Right-of-way
- Maintaining Related Layers in Parcel Fabric
- Plans Table and the Job Book

Parcel Fabric Advanced Editing:

- Mass updates to Parcel Attributes and Features
- Running Least Squares Adjustments
- Advanced Parcel Fabric Querying
- Maintaining Condominiums, Townhouses and Mobile Homes
- Coincident Layer Adjustments

Advanced GIS (Non-Parcel):

- Geocoding

- Importing Data
- Layer comparisons

Parcel Map Publishing:

- Data Driven Pages

BHA and Whatcom County staff will collaboratively work on recorded documents during the workshops described above, or during individual training sessions for delivered areas. These are ideal for use as real world training materials and scenarios.

BHA will also provide documentation for the ongoing and repetitive tasks. These include development of Standard Operating Procedures (SOPs) for:

- Adding new subdivisions
- Adding condominiums, townhouses, and mobile homes
- Parcel splits and combines
- Synchronizing parcel edits with coincident layers
- Other repetitive or recurring tasks

BHA Responsibilities:

- Conduct Training Workshops
- Provide Ongoing Training and Technical Support throughout the Project

Whatcom County Responsibilities:

- Provide all hardware and software for training environment

Deliverables:

- Documentation for all training topics
- Standard Operating Procedures (SOPs) Documentation

EXHIBIT "B"
(COMPENSATION)

The maximum consideration for the initial term of this agreement or for any renewal term shall not exceed \$758,750.00. This is a fixed price contract and payments will be made upon acceptance of project milestones as identified below and as described in the Scope of Work in Exhibit A. The Whatcom County Contract Number shall be included on all billings or correspondence in connection with this Agreement. Payment will be made upon receipt of a properly prepared invoice from Bruce Harris & Associates, Inc. subsequent to completion of the milestone. All travel expenses are included in these fixed costs.

Payment	Amount	Target Completion Date	% Total Fixed Services	Professional Services Payment Milestone
1	\$15,175.00	9/30/2017	2%	Due Upon Completion of Phase 1 Task 1.1 (Project Kick-Off Meeting)
2	\$18,850.00	10/31/2017	2%	Due Upon Completion of Phase 1 (Project Initiation) & Phase 2 (Data Model Design)
3	\$24,436.00	11/30/2017	3%	Due Upon Completion of Phase 3 (Pilot Project)
4	\$146,619.00	12/31/2017	19%	Due Upon 25% Completion of Phase 4 (Data Migration)
5	\$146,619.00	1/31/2018	19%	Due Upon 50% Completion of Phase 4 (Data Migration)
6	\$146,619.00	2/28/2018	19%	Due Upon 75% Completion of Phase 4 (Data Migration)
7	\$146,619.00	3/31/2018	19%	Due Upon 100% Completion of Phase 4 (Data Migration)
8	\$113,813.00	4/30/2018	15%	Due Upon Completion of All Phases and Final Acceptance
Total	\$758,750.00		100%	

EXHIBIT "C"
(CERTIFICATE OF INSURANCE)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Crum-Halsted Agency Inc 427 N. Kirk Rd., Suite 113 Geneva IL 60134		CONTACT NAME: Barb Holaway PHONE (A/C, No, Ext): 630-443-7300 FAX (A/C, No): 630-485-4274 E-MAIL ADDRESS: bholaway@crumhalsted.com	
		INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED Bruce Harris & Associates Inc Bruce Harris 21 N River St Batavia IL 60510		INSURER A: CNA Insurance	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 790366336

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		6020911144	1/14/2017	1/14/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/OP AGG \$2,000,000 \$
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input type="checkbox"/> LOC					
A	AUTOMOBILE LIABILITY		6020911144	1/14/2017	1/14/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS					
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		6020913332	1/14/2017	1/14/2018	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A	6020911130	1/14/2017	1/14/2018	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
A	Prof Liab		6020911144	1/14/2017	1/14/2018	per claim 1,000,000 aggr 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Bruce Harris and Mary Harris are excluded from Work Comp coverage
 Whatcom County is an additional insured as respects General Liability

CERTIFICATE HOLDER

CANCELLATION

Whatcom County 311 Grand Avenue Bellingham WA 98225	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

© 1988-2010 ACORD CORPORATION. All rights reserved.

ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

EXHIBIT "D"
(TIMELINE)

Project Phase	Start	Completion
1 - Project Initiation	September 2017	October 2017
2 - Data Model Design	October 2017	October 2017
3 - Pilot Project	October 2017	November 2017
4 - Data Migration	December 2017	April 2018
5 - Publishing	December 2017	April 2018
6 - Training	November 2017	April 2018

EXHIBIT "E"

(USE OF AUDITOR'S OFFICE RECORDED DOCUMENTS)

The Whatcom County Auditor is the custodian and owner of all copies of recorded maps or other documents including but not limited to surveys, plats, short plats, condominiums, etc. that may be transmitted to the Contractor for purposes of this project. These records are the property of Whatcom County, and use of them shall be limited to those activities necessary for the completion of the project. The Contractor shall not make use of these records for any purpose other than those specifically required to meet the contract needs. They may not be resold, redistributed, or used for any commercial, advertising, or other purpose without express written permission from Whatcom County.

WHATCOM COUNTY COUNCIL AGENDA BILL

2017-281
NO. _____

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	RP	September 6, 2017	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	September 26, 2017	Finance/Council
Division Head:	CT	9/7/17			
Dept. Head:	MM	9/8/17			
Prosecutor:	lg	9/8/17			
Purchasing/Budget:	BO	9/8/17			
Executive:	TW	9.18.17			

TITLE OF DOCUMENT:

Washington State Department of Ecology agreement to partially sponsor a Washington Conservation Corps crew for 2017-2018

ATTACHMENTS:

1. Contract

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes () NO

Should Clerk schedule a hearing ? () Yes (X) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This agreement between Washington Department of Ecology and Whatcom County Parks & Recreation Department provides a 6-person crew to perform trail construction during summer 2018, as part of the Lake Whatcom Park Trail Development ASR #2017-5636. Whatcom County Flood Control Zone District and Nooksack Salmon Enhancement Association are co-sponsors under separate agreements. NSEA will house the crew and provide office and equipment space at their facility.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

201709003

Originating Department:		Parks																		
Division/Program: (i.e. Dept. Division and Program)																				
Contract or Grant Administrator:		Christ Thomsen																		
Contractor's / Agency Name:		Washington Department of Ecology																		
Is this a New Contract? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If not, is this an Amendment or Renewal to an Existing Contract? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____																				
Does contract require Council Approval? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____ (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)																				
Is this a grant agreement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____																				
Is this contract grant funded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, Whatcom County grant contract number(s): _____																				
Is this contract the result of a RFP or Bid process? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, RFP and Bid number(s): _____ Contract Cost Center: 373100																				
Is this agreement excluded from E-Verify? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> If no, include Attachment D Contractor Declaration form.																				
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract work is for less than 120 days. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Work related subcontract less than \$25,000. <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.																				
Contract Amount:(sum of original contract amount and any prior amendments): \$ 60,000 This Amendment Amount: \$ _____ Total Amended Amount: \$ _____		Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies or equipment included approved in the budget. 4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.																		
Summary of Scope: This agreement between Washington Department of Ecology and Whatcom County Parks & Recreation provides a 6-person crew to perform construction on the Lake Whatcom Park Trail Development project. Whatcom County Flood Control Zone District and Nooksack Salmon Enhancement Association are co-sponsors separate agreements. NSEA will provide office and equipment space at their facility.																				
Term of Contract: October 2, 2017		Expiration Date: September 9, 2018																		
Contract Routing: <table style="width:100%; border: none;"> <tr> <td style="width:50%;">1. Prepared by: Christ Thomsen <i>CT</i></td> <td style="width:50%;">Date: September 7, 2017</td> </tr> <tr> <td>2. Attorney signoff: _____</td> <td>Date: 9/8/17</td> </tr> <tr> <td>3. AS Finance reviewed: <i>blennick</i></td> <td>Date: 9/8/17</td> </tr> <tr> <td>4. IT reviewed (if IT related): _____</td> <td>Date: _____</td> </tr> <tr> <td>5. Contractor signed: _____</td> <td>Date: _____</td> </tr> <tr> <td>6. Submitted to Exec.: _____</td> <td>Date: 9/8/17</td> </tr> <tr> <td>7. Council approved (if necessary): _____</td> <td>Date: _____</td> </tr> <tr> <td>8. Executive signed: _____</td> <td>Date: _____</td> </tr> <tr> <td>9. Original to Council: _____</td> <td>Date: _____</td> </tr> </table>			1. Prepared by: Christ Thomsen <i>CT</i>	Date: September 7, 2017	2. Attorney signoff: _____	Date: 9/8/17	3. AS Finance reviewed: <i>blennick</i>	Date: 9/8/17	4. IT reviewed (if IT related): _____	Date: _____	5. Contractor signed: _____	Date: _____	6. Submitted to Exec.: _____	Date: 9/8/17	7. Council approved (if necessary): _____	Date: _____	8. Executive signed: _____	Date: _____	9. Original to Council: _____	Date: _____
1. Prepared by: Christ Thomsen <i>CT</i>	Date: September 7, 2017																			
2. Attorney signoff: _____	Date: 9/8/17																			
3. AS Finance reviewed: <i>blennick</i>	Date: 9/8/17																			
4. IT reviewed (if IT related): _____	Date: _____																			
5. Contractor signed: _____	Date: _____																			
6. Submitted to Exec.: _____	Date: 9/8/17																			
7. Council approved (if necessary): _____	Date: _____																			
8. Executive signed: _____	Date: _____																			
9. Original to Council: _____	Date: _____																			

AGREEMENT NO. WCC-1719AGREEMENT
BETWEENThe State of Washington, Department of ECOLOGY
AND
Whatcom County Parks & Recreation Department

THIS AGREEMENT is made and entered into by and between the Department of Ecology, hereinafter referred to as "ECOLOGY", and Whatcom County Parks & Recreation Department hereinafter referred to as the "SPONSOR."

IT IS THE PURPOSE OF THIS AGREEMENT to provide Washington Conservation Corps (WCC) members to complete environmental or disaster services projects, pursuant to Chapter 43.220 of the Revised Code of Washington.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

Both parties agree to do all things necessary for or incidental to the performance of the work set forth in Appendix "A" attached hereto and incorporated herein.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on 10/2/2017 and be completed on 9/9/2018, unless terminated sooner as provided herein. The WCC Crew and/or WCC Individual Placement corpsmember specified in this agreement will be available to SPONSOR on the dates set forth on the calendar in Appendix "B" attached hereto and incorporated herein.

COMPENSATION

The parties have determined that the cost of accomplishing the work herein will not exceed \$60,000. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree to a higher amount. Compensation for service(s) shall be based on the following established rates:

Provided by ECOLOGY	Reimbursed to ECOLOGY by SPONSOR
Shared WCC crew with WCFCZD and NSEA	\$60,000
Total SPONSOR COST	\$60,000 <i>Above cost Not to be Exceeded</i>

The costs reimbursed to ECOLOGY by SPONSOR are a cost-share rate. Estimated value of a WCC crew is \$5,334 weekly per WCC Crew consisting of five WCC/AmeriCorps Members and one Supervisor (excludes food and lodging). Indirect costs are included in SPONSOR share at a standard rate of 5% of direct costs.

BILLING PROCEDURE

ECOLOGY shall submit invoices monthly to the SPONSOR's designated contact person listed under "Agreement Management" section. Payment to ECOLOGY for approved and completed work will be made by warrant or account transfer by SPONSOR within 30 days of receipt of the invoice. Upon expiration of the Agreement, any claim for payment not already made shall be submitted within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

AGREEMENT ALTERATIONS AND AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

ASSIGNMENT

The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

ASSURANCES

Parties to this Agreement agree that all activity pursuant to this contract will be in accordance with all the applicable current federal, state and local laws, rules, and regulations.

CONFORMANCE

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

FUNDING AVAILABILITY

The obligation of the SPONSOR to provide reimbursements is contingent upon appropriation of funds by the SPONSOR's governing body for the specific purpose of funding the project, which is the subject of this Agreement. Upon the failure of such appropriation, the SPONSOR may terminate this Agreement.

ECOLOGY's ability to provide cost-share is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the agreement, in whole or part, for convenience or to renegotiate the agreement subject to new funding limitations and conditions. ECOLOGY may also elect to suspend performance of the agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification restrictions.

GOVERNING LAW AND VENUE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws. This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

ORDER OF PRECEDENCE

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

1. Applicable federal and state of Washington statutes, regulations, and rules.
2. Mutually agreed written amendments to this Agreement
3. This Agreement
4. Statement of Work and Budget.
5. Any other provisions of this Agreement, including materials incorporated by reference.

RECORDS MAINTENANCE

The parties to this Agreement shall each maintain books, records, documents and other evidence that sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the service(s) described herein. These records shall be subject to inspection, review or audit by personnel of both parties, other personnel duly authorized by either party, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other material relevant to this Agreement will be retained for six years after expiration of this Agreement and the Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period.

Records and other documents, in any medium, furnished by one party to this Agreement to the other party, will remain the property of the furnishing party, unless otherwise agreed. The receiving party will not disclose or make available this material to any third parties without first giving notice to the furnishing party and giving it a reasonable opportunity to respond. Each party will utilize reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties subject to state public disclosure laws.

RESPONSIBILITIES OF THE PARTIES

Each party of this Agreement hereby assumes responsibility for claims and/or damages to persons and/or property resulting from any act or omissions on the part of itself, its employees, its officers, and its agents. Neither party will be considered the agent of the other party to this Agreement.

RIGHTS IN DATA

Unless otherwise provided, data, which originates from this Agreement shall be "works for hire" as defined by the U.S. Copyright Act of 1976 and shall be jointly owned by ECOLOGY and SPONSOR. Data shall include, but not be limited to, reports, documents, pamphlets, advertisements, books magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to copyright, patent, register, and the ability to transfer these rights.

SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Agreement are declared to be severable.

TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within 15 working days. If failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

TERMINATION FOR CONVENIENCE

Either party may terminate this Agreement upon 30 days' prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

WAIVER

A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

The program manager for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

Peter Nevin
PO Box 47600
Olympia, WA 98504
(206) 940-3615
peter.nevin@ecy.wa.gov

Christ Thomsen
3373 Mount Baker Hwy
Bellingham WA 98226
(360) 778-5850
cthomsen@co.whatcom.wa.us

State of Washington
Department of ECOLOGY

SPONSOR
Whatcom County Parks & Recreation

Signature

Date _____

Signature

Date _____

Name, Title

Printed

Printed Name, Title

WHATCOM COUNTY:
Recommended for Approval:

Michael McFarlane, Parks & Recreation Director

Date 9/7/17

Approved as to form only:

Elizabeth Gallery, Senior Deputy Prosecuting Attorney,

Date 9/8/17

Approved:

Accepted for Whatcom County Parks & Recreation Department

By: _____

Jack Louws, Whatcom County Executive,
acting for the Whatcom County

Date _____

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2017, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _____.

My commission expires _____.

STATEMENT OF WORK

Appendix A

Work summary:

Under direction of SPONSOR, crew(s) will perform restoration activities. Specific tasks could include trail construction and maintenance, invasive control, native species installation, and fence installation or repair.

Special terms and conditions:

1. WCC members and staff will not be utilized to clear and/or clean up hazardous materials including hypodermic needles. If a significant amount of hazardous or unidentifiable material is discovered on a project site, activity will cease until SPONSOR either mitigates potential hazards or finds an alternate project site. WCC resources (includes members, supervisors, tools and trucks) will not be utilized for clearing active or abandoned homeless encampments.
2. Vehicle is not to be used for heavy hauling. The primary use of the crew vehicle is for transportation of crew, tools, and safety equipment. In the event that WCC vehicles are requested to tow SPONSOR equipment, SPONSOR is solely responsible for accidental damages, unless damages are caused by WCC negligence.
3. WCC is not responsible for normal wear and tear when project requires the use of SPONSOR-provided tools, equipment or safety gear.
4. The assignment of corpsmembers shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of using a corpsmember with available funds. In circumstances where substantial efficiencies or a public purpose may result, participating agencies may use corpsmembers to carry out essential agency work or contractual functions without displacing current employees.
5. All state holidays and shutdown weeks are non-working days for members. Shutdown weeks are to be used by WCC staff/supervisors for planning purposes.
6. The WCC standard 40-hour schedule is Monday through Thursday from 7:00am to 5:30pm. An alternate schedule may be arranged with prior approval from the WCC.
7. Indirect costs are included in SPONSOR share at a standard rate of 5% of direct costs.

ECOLOGY shall:

1. Provide WCC members for the number of weeks specified in this agreement. Full-time crews and Individual Placements are available to SPONSOR for a maximum of 41.5 weeks during the Federal AmeriCorps program service year (October-September).
2. In the event of a disaster response deployment, the WCC Program will make every effort to fulfill sponsor program needs, including sending additional members, whenever possible. Invoices will include all activities during the program year including training, community service events, and other activities required by WCC, excluding Emergency Response, if needed.
3. Provide training and development specified in Appendix "B": eight (8) days of formal WCC member training, a three (3) day Orientation Training, one (1) day dedicated to MLK Community Service, and a debrief meeting near the conclusion of the term. WCC members and supervisors are logging hours on these dates, but are unavailable to sponsor to perform project work.
4. Provide a 4-day Assistant Supervisor training to the designated Assistant Supervisor.
5. For crew (s), ECOLOGY agrees to provide a crew of 5 members, a crew supervisor, vehicle, and basic hand tools.
6. Cost-share rates are not based on actual attendance, however, invoices will be reduced for member or supervisor vacancies lasting 20 days or more.

SPONSOR shall:

1. Guide completion of appropriate projects for the number of weeks specified in this agreement by providing the logistical, technical and safety-related support necessary for project completion. Provide site orientation for WCC members, specific on-the job task training, and any materials beyond basic hand tools to complete tasks assigned under this Agreement. Obtain and ensure adherence to applicable permits as set by local, state, tribal or federal laws and regulations.
2. Help to promote the AmeriCorps and WCC brands, logo, slogans and phrases. The WCC will provide camera-ready logo. AmeriCorps is a registered service mark of the Corporation for National and Community Service.

AmeriCorps Prohibited Activities:

While charging time to the AmeriCorps program, accumulating service or training hours, or otherwise performing activities supported by the AmeriCorps program or CNCS, staff and members may not engage in the following activities (see 45 CFR § 2520.65):

- A. Attempting to influence legislation;
- B. Organizing or engaging in protests, petitions, boycotts, or strikes;
- C. Assisting, promoting, or deterring union organizing;
- D. Impairing existing contracts for services or collective bargaining agreements;
- E. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
- F. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
- G. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
- H. Providing a direct benefit to—
 - I. A business organized for profit;
 - II. A labor union;
 - III. A partisan political organization;
 - IV. A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 related to engaging in political activities or substantial amount of lobbying except that nothing in these provisions shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
 - V. An organization engaged in the religious activities described in paragraph 3.g. above, unless CNCS assistance is not used to support those religious activities;
- I. Conducting a voter registration drive or using CNCS funds to conduct a voter registration drive;
- J. Providing abortion services or referrals for receipt of such services; and
- K. Such other activities as CNCS may prohibit.

AmeriCorps members may not engage in the above activities directly or indirectly by recruiting, training, or managing others for the primary purpose of engaging in one of the activities listed above. Individuals may exercise their rights as private citizens and may participate in the activities listed above on their initiative, on non-AmeriCorps time, and using non-CNCS funds. Individuals should not wear the AmeriCorps logo while doing so.

2017-2018 WCC Events Calendar

FEBRUARY						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

MARCH						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

APRIL						
M	T	W	T	F	S	S
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

MAY						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JUNE						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

AUGUST						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

[illegible]

October	180	November	150	December	150	January	180
February	150	March	170	April	170	May	180
June	160	July	170	August	180	September	30
Fall term Oct 2-Sep 6	1870	Half term Oct 2-Mar 22	940	Half term Mar 21-Sep 6	950	Quarter Jan 11-Sep 6	900

Members' Potential Hours (For general guidance only - hours not guaranteed)

*October Half-term only available to returning members in WOC with less than a full-term remaining in WOC. Members with excessive absences will not receive a second round of interest on their loan.

WCC standard schedule (40 hours/week) is Monday - Sunday

Appendix C
Whatcom County Parks & Recreation
PROPOSED PROJECT TYPES AND GEOGRAPHIC FOCUS

Lake Whatcom Trail Development

- Lookout Mountain Forest Preserve
- Lake Whatcom Park

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	<i>WDC</i>	8/31/17	<div style="text-align: center;"> RECEIVED SEP 05 2017 WHATCOM COUNTY COUNCIL </div>	9/12/17	Intro
Division Head:				9/26/17	Finance Committee; Council
Dept. Head:					
Prosecutor:	<i>LG</i>	08/31/17			
Purchasing/Budget:	<i>WDC</i>	8/31/17			
Executive:	<i>WDC</i>	9/5/17			
TITLE OF DOCUMENT: 2017 Supplemental Budget Request #11					
ATTACHMENTS: Ordinance, Memoranda & Budget Modification Requests					
SEPA review required? () Yes (X) NO SEPA review completed? () Yes (X) NO			Should Clerk schedule a hearing? () Yes (X) NO Requested Date:		
SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.) Supplemental #11 requests funding from the General Fund: 1. To appropriate \$13,950 in Juvenile Administration to fund Parent 4 Parent program from grant proceeds. 2. To appropriate \$14,433 in Planning and Development Services to fund additional Permit Center planning technician FTE. From the Real Estate Excise Tax Fund I: 3. To appropriate \$5,645 to fund Ferndale Senior Center roof project retainage.					
COMMITTEE ACTION:			COUNCIL ACTION:		
			9/12/2017: Introduced 6-0, Weimer absent		
Related County Contract #:		Related File Numbers:		Ordinance or Resolution Number:	

**ORDINANCE NO.
AMENDMENT NO. 11 OF THE 2017 BUDGET**

WHEREAS, the 2017-2018 budget was adopted December 6, 2016; and,
WHEREAS, changing circumstances require modifications to the approved 2017-2018 budget; and,

WHEREAS, the modifications to the budget have been assembled here for deliberation by the Whatcom County Council.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the 2017-2018 Whatcom County Budget Ordinance #2016-068 is hereby amended by adding the following additional amounts to the 2017 budget included therein:

Fund	Expenditures	Revenues	Net Effect
General Fund			
Juvenile Administration	13,950	(13,950)	-
Planning and Development Services	14,433	-	14,433
Total General Fund	28,383	(13,950)	14,433
Real Estate Excise Tax Fund I	5,645	-	5,645
Total Supplemental	34,028	(13,950)	20,078

In addition, Exhibit C Authorized Positions in the 2017-2018 Budget Ordinance should be amended to provide for the following FTE change:

- Add 1 FTE Planning Technician in Planning and Development Services.

ADOPTED this ____ day of _____, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chair of the Council

APPROVED AS TO FORM:

() Approved () Denied

Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws, County Executive

Date: _____

WHATCOM COUNTY				
Summary of the 2017 Supplemental Budget Ordinance No. 11				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
General Fund				
Juvenile Administration	To fund Parent 4 Parent program from grant proceeds.	13,950	(13,950)	-
Planning and Development Services	To fund additional Permit Center planning technician FTE.	14,433	-	14,433
Total General Fund		28,383	(13,950)	14,433
Real Estate Excise Tax Fund I	To fund Ferndale Senior Center roof project retainage payment.	5,645	-	5,645
Total Supplemental		34,028	(13,950)	20,078

Supplemental Budget Request

Status: Pending

Juvenile

Administration

Suppl ID # 2341

Fund 1

Cost Center 1967

Originator: David Reynolds

Expenditure Type: ~~Ongoing~~
One-Time

Year 1 2017

Add'l FTE ☒

Add'l Space ☐

Priority 1

Name of Request: Parent 4 Parent

X



8-29-17

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	4334.0694	Office of Public Defense Grant	(\$13,950)
	6120	Extra Help	\$12,090
	6230	Social Security	\$925
	6259	Worker's Comp-Interfund	\$94
	6269	Unemployment-Interfund	\$16
	6320	Office & Op Supplies	\$825
	Request Total		\$0

1a. Description of request:

We have received an increase in reimbursement for our Parent 4 Parent program. The purpose behind the increase is to allow for expansion of the program, and the hiring of additional help.

1b. Primary customers:

Parents who have children involved in the dependency process.

2. Problem to be solved:

We have been experiencing an increase in dependency filings. This program provides structure, education and support for parents of dependent youth. The goal is to educate them on the dependency process by other parents who have successfully had their children returned to them.

3a. Options / Advantages:

Increasing and expanding program capacity are the best options because it provides for more education and more services to parents.

3b. Cost savings:

Savings are achieved by parents successfully being reunited with their children, dependency closed and youth no longer in foster care.

4a. Outcomes:

1. Hire a parent ally to assist the coordinator
2. Implement Dependency 201 program

4b. Measures:

Upon hiring the parent ally and start dependency 201 program.

5a. Other Departments/Agencies:

It will impact the Attorney General's Office as well as Department of Children and Family Services (DSHS).

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

6. Funding Source:

Funding is through the Office of Public Defense.

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-778-5900, TTY 800-833-6384
360-778-5901 Fax



J.E. "Sam" Ryan
Director

Memorandum

TO: Honorable Whatcom County Council Members
Honorable Jack Louws, Whatcom County Executive

FROM: J.E. Sam Ryan, Director *JSR*
Mark Personius, Assistant Director *MP*

DATE: August 16, 2017

SUBJECT: 2017 Supplemental Budget Request-2338 - Fulltime FTE Planning Permit Center

Introduction

Since the staff cuts in 2008-2010, our Building Services staff has remained more or less static. However, our permit numbers and revenue have bounced back and continued to grow. Planning and Development Services (PDS) has seen a significant increase in both Residential and Natural Resource Assessment permits/applications. The steady increase in permit applications has been challenging for staff to keep pace and keep the turnaround times for critical area and permit review as timely as possible. In 2011 the total applications for Single Family Residences (SFR) were 297. PDS ended the year in 2016 with 503 SFR applications. PDS Permit Revenue and Critical Area Review revenue are both exceeding budget expectations through the end of June 2017. AS Finance has projected PDS permit revenue to exceed budget by over \$200,000 by the end of 2017. With the increase in applications PDS is requesting one (1) addition FTE to hire a Planning Technician for our Permit Center.

Background and Purpose

Planning and Development has tried many configurations for processing and reviewing applications but the volume of work requires an increase in staff to help facilitate active changes. Citizens are frustrated by the timeframes to obtain a Natural Resource approval and the follow up wait time to submit a building permit application. The additional position would assist in improving our processing and wait times.

The new Planning Technician would allow other Permit Center Staff more time to work on projects and permit/plan review. The Planning Technician would assist customers, perform cashiering, intake permits and generally assist with the timely processing of permits and applications. The new Permit Center Technician would be trained to evaluate and answer general Natural Resources questions and process incoming NR Assessment applications. This additional staff person will free up other Natural Resource staff so they are not required to have as many assigned "counter days" in the permit center. The new position would provide time for other permit center staff to assist Current Planning and Natural Resource staff with their project and permit review to help improve their timelines. The position would also free up the Permit Center Plans Examiner to concentrate on Plan review rather than general permit center tasks. The extra person would enable staff to open up more appointment times for permit intake.

Planning Technician-1 FTE for Building Service Permit Center

2017 – Supplemental Request #2338

- | | |
|--|-------------|
| - Salary & Benefits | \$12,933.00 |
| - Computer Work Station & Office Chair | \$1,500.00 |

TOTAL	\$14,433.00
--------------	--------------------

Request Summary

We are requesting one (1) FTE for our Building Services Division Permit Center to help reduce our permit and project timelines.

Please contact J.E. Sam Ryan (360)778-5905 or Mark Personius (360)778-5950 with any questions or concerns.

Supplemental Budget Request

Status: Pending

Planning & Development Services

Building Services

Suppl ID # 2338

Fund 1

Cost Center 830

Originator: J.E. Sam Ryan & Mark Pers

Expenditure Type: Ongoing

Year 1 2017

Add'l FTE ☒

Add'l Space ☐

Priority 1

Name of Request: PDS Permit Center Planning Technician

X

J.E. Ryan

8/17/17

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$8,296
	6210	Retirement	\$1,054
	6230	Social Security	\$635
	6245	Medical Insurance	\$2,521
	6255	Other H&W Benefits	\$286
	6259	Worker's Comp-Interfund	\$130
	6269	Unemployment-Interfund	\$11
	6510	Tools & Equip	\$1,500
	Request Total		\$14,433

1a. Description of request:

Increase of 1 FTE (Planning Technician) for Planning and Development Services Permit Center and purchase of computer work station.

1b. Primary customers:

Whatcom County Citizens, other agencies and county departments required to obtain permits for building and development activities.

2. Problem to be solved:

Since the staff cuts in 2008-2010, our Building Services staff has remained more or less static. However, our permit numbers and revenue have bounced back and continued to grow. Planning and Development Services (PDS) has seen a significant increase in both Residential and Natural Resource Assessment permits/applications. The steady increase in permit applications has been challenging for staff to keep pace and keep the turnaround times for critical area and permit review as timely as possible. In 2011 the total applications for Single Family Residences (SFR) were 297. PDS ended the year in 2016 with 503 SFR applications.

Planning and Development has tried many configurations for processing and reviewing applications but the volume of work requires an increase in staff to help facilitate active changes. Citizens are frustrated by the timeframes to obtain a Natural Resource approval and the follow up wait time to submit a building permit application. The additional position would assist in improving our processing and wait times. The new Planning Technician would allow other Permit Center Staff more time to work on projects and permit/plan review. The Planning Technician would assist customers, perform cashing, intake permits and generally assist with the timely processing of permits and applications. The new Permit Center Technician would be trained to evaluate and answer general Natural Resources questions and process incoming NR Assessment applications. This additional staff person will free up other Natural Resource staff so they are not required to have as many assigned "counter days" in the permit center. The new position would provide time for other permit center staff to assist Current Planning and Natural Resource staff with their project and permit review to help improve their timelines. The position would also free up the Permit Center Plans Examiner to concentrate on Plan review rather than general permit center tasks.

Thursday, August 17, 2017

Rpt: Rpt Suppl Regular

Supplemental Budget Request

Status: Pending

Planning & Development Services

Building Services

Suppl ID # 2338

Fund 1

Cost Center 830

Originator: J.E. Sam Ryan & Mark Pers

The extra person would enable staff to open up more appointment times for permit intake.

3a. Options / Advantages:

PDS has tried a variety of structure changes and shifting of workload but the volume of work will be greatly assisted by additional staff in the permit center

3b. Cost savings:

There are not specific cost savings. However PDS permit revenue is over budget expectations through the end of June 2017 and AS Finance projects the revenue to exceed budget by over \$200,000.

4a. Outcomes:

Permit Center customers will have the wait times to submit their building permit improve and other departments will benefit by having to spend less time at the counter answering questions. The turnaround times for Natural Resource permits should also improve since less Natural Resource Planner time will be required at the counter. The two other current planners will be able to have release time from the permit center to focus on Natural Resource and Current Planning projects to help distribute the work load and improve time lines. The permit plan review turnaround should also improve since the counter Plans Examiner will not have to focus on general permit center tasks. The timelines should improve once the Planning Technician has adequate training.

4b. Measures:

Building Permit and project timelines from application to approval/issuance will be reduced and Natural Resource timelines will improve.

5a. Other Departments/Agencies:

This will benefit other county departments and other federal and state agencies that are required to obtain building and land use permits.

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

N/A

6. Funding Source:

General Fund

WHATCOM COUNTY
Parks & Recreation
3373 Mount Baker Highway
Bellingham, WA 98226-9097




Michael G. McFarlane, Director
Christ Thomsen, Operations Manager

MEMORANDUM

RECEIVED

AUG 1 - 2017

TO: Executive Louws
FROM: Michael McFarlane, Director 
DATE: July 31st, 2017
RE: Budget Supplemental – Ferndale Senior Activity Center Roof Project

JACK LOUWS
COUNTY EXECUTIVE

Enclosed is a budget supplemental request for the Ferndale Senior Activity Roof Project which was completed in late 2016. While the project was completed on schedule and within budget, the retainage was held until the contractor completed all their paperwork.

Unfortunately the funds for the retainage were not carried forward into 2017 and the department is now requesting a budget supplemental for the retainage amount so the project can be closed out.

Please contact me at 5855 if you have any questions or require additional information.

Supplemental Budget Request

Status: Pending

Parks & Recreation

Suppl ID # 2333 Fund 326 Cost Center 10000023 Originator: Darla Smith

Expenditure Type: One-Time Year 1 2017 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Ferndale Senior Activity Center - Roof Replacement

X

7-31-17

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	7380	Other Improvements	\$5,645
	Request Total		\$5,645

1a. Description of request:

The Ferndale Senior Center Roof Replacement project was completed in 2016. A portion of those funds were held by the County for retainage for Hytech Roofing. The close out process extended into 2017, the funds for retainage were not carried forward. The approval of this supplemental budget request will provide funds to release the retainage.

Contract #201609007
PO #84292
REET #32606160001.7380

1b. Primary customers:

2. Problem to be solved:

The Ferndale Senior Center Roof Replacement project was completed in 2016. A portion of those funds were held by the County for retainage for Hytech Roofing. The close out process extended into 2017, the funds for retainage were not carried forward. The approval of this supplemental budget request will provide funds to release the retainage.

3a. Options / Advantages:

We have considered paying the retainage out of general operating park funds, however it would be difficult to do so as the department has encountered other unanticipated expenses with the winter weather conditions and other general repairs that needed to be made. This is the best option that would the department to utilize current funds for routine park operations.

3b. Cost savings:

None

4a. Outcomes:

The retainage will be released to Hytech Roofing.

4b. Measures:

The project will be closed.

5a. Other Departments/Agencies:

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

6. Funding Source:

326

Friday, July 28, 2017

Rpt: Rpt Suppl Regular

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-269

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>ML</i>	8/7/17 <i>RR</i>	<div style="text-align: center;"> RECEIVED SEP 05 2017 WHATCOM COUNTY COUNCIL </div>	9/12/17	Introduction
Division Head:				9/26/2017	Finance/ Council
Dept. Head: Jon Hutchings	<i>JH</i>	8/14/17			
Prosecutor: Daniel Gibson	<i>dlg</i> <i>DLG</i>	08/10/17			
Purchasing/Budget: Brad Bennet	<i>bb</i>	8/10/17			
Executive: Jack Louws	<i>ML</i> <i>JL</i>	9/5/17			

TITLE OF DOCUMENT: Ordinance Ordering the closure of the South Pass Road/Saar Creek Bridge No. 212 Fund 370

ATTACHMENTS: Proposed ordinance and memo.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This ordinance orders the closure of the South Pass Road/Saar Creek Bridge No. 212 Fund 370.

COMMITTEE ACTION:

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
DIRECTOR**



Administration

Civic Center
322 N. Commercial Street, Suite 210
Bellingham, WA 98225-4042
Telephone: (360) 778-6217
www.whatcomcounty.us
JHutchings@co.whatcom.wa.us

TO: The Honorable Jack Louws, Whatcom County Executive and
Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Randy Rydel, Financial Services Manager *RR*

DATE: August 10, 2017

RE: Ordinance to close the South Pass Road/Saar Creek Bridge No. 212 Fund 370

Please find attached for your review and approval an ordinance to close the South Pass Road/Saar Creek Bridge No. 212 Fund 370 and to transfer the remaining cash balance of approximately \$443,540 back into the Road Fund 108. The Project is complete and the project fund is no longer needed.

Please contact Randy Rydel at extension 6217 if you have any questions or concerns regarding this project fund closure.

ORDINANCE NO. _____

CLOSING SOUTH PASS ROAD/SAAR CREEK BRIDGE NO. 212 PROJECT FUND 370

WHEREAS, on November 24, 2015, Ordinance 2015-049 created the South Pass Road/Saar Creek Bridge No. 212 Fund and funded the project; and,

WHEREAS, the project has now been completed; and,

WHEREAS, the project fund is no longer needed; and,

WHEREAS, the Road Fund contributed \$1,310,000 towards the project; and,

WHEREAS, the current cash balance in the fund is approximately \$443,540; and,

WHEREAS, remaining cash in the fund should be returned to the Road Fund,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the South Pass Road/Saar Creek Bridge No. 212 Project Fund be dissolved and its remaining cash balance returned to the Road Fund.

ADOPTED this ____ day of _____, 2017__.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Daniel L. Gibson
Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws
County Executive

() Approved () Denied

Date Signed: _____

PROJECT BUDGET NAME: S Pass Rd/Saar Crk Bridge No. 212 Replacement Fund 370

Reporting Quarter/Year: 2017 Q2

DEPARTMENT: Public Works

Project Description

This project consists of replacing the existing 31-foot structurally deficient bridge with a 52-foot span reinforced concrete bridge.

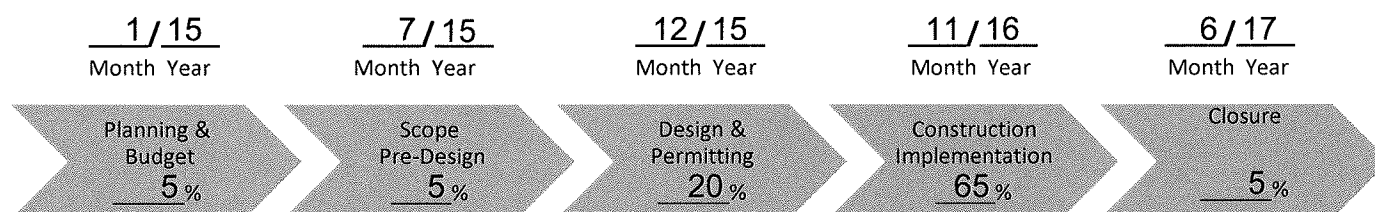
Permits Required

HPA, SEPA, SEC 404, County Shorelines

Project Status

Construction work at the site completed in November 2016. Final project closeout complete.

Estimated Completion Date (mo./yr.) and % Weight of Each Phase ; Total % Complete Overall Project



Total 100 % Complete Overall Project

Funding Sources

Source	Original Funding	Amendments	Current Funding
Federal			\$ 0
State			\$ 0
Local	\$ 1,310,000		\$ 1,310,000
Total	\$ 1,310,000	\$ 0	\$ 1,310,000

Project Budget Status

Description	Original Budget	Amendments	Current Budget	Life to Date 6/30/2017	%	Remaining Balance
Revenue	\$ 1,310,000		\$ 1,310,000	\$ 1,310,225	100.0%	-\$ 225
Expenditure	\$ 1,310,000		\$ 1,310,000	\$ 859,981	65.6%	\$ 450,019

*Estimated percent complete represents the approximate proportion of time toward project completion beginning with creation of project budget.

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-270

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>MR</i>	8/7/17 <i>RE</i>	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 05 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	9/12/17	Introduction
Division Head:				9/26/2017	Finance / Council
Dept. Head: Jon Hutchings	<i>JH</i>	8/14/17			
Prosecutor: Dan Gibson	<i>dlg</i>	08/10/17			
Purchasing/Budget: Brad Bennet	<i>bb</i>	8/10/17			
Executive: Jack Louws	<i>TLS</i>	9/5/17			

TITLE OF DOCUMENT: Ordinance Ordering the closure of the Slater Rd Intersections, Imhoff and Ferndale Roads Fund 349

ATTACHMENTS: Proposed ordinance and memo.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This ordinance orders the closure of the Slater Rd Intersections, Imhoff and Ferndale Roads Fund 349.

COMMITTEE ACTION:

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
DIRECTOR**



Administration

Civic Center
322 N. Commercial Street, Suite 210
Bellingham, WA 98225-4042
Telephone: (360) 778-6217
www.whatcomcounty.us
JHutchings@co.whatcom.wa.us

TO: The Honorable Jack Louws, Whatcom County Executive and
Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Randy Rydel, Financial Services Manager *RR*

DATE: August 10, 2017

RE: Ordinance to close the Slater Rd Intersections, Imhoff and Ferndale Roads Fund 349

Please find attached for your review and approval an ordinance to close the Slater Rd Intersections, Imhoff and Ferndale Roads Fund 349 and to transfer the remaining cash balance of approximately \$287,156 back into the Road Fund 108. The Project is complete and the project fund is no longer needed.

Please contact Randy Rydel at extension 6217 if you have any questions or concerns regarding this project fund closure.

ORDINANCE NO. _____

**CLOSING SLATER INTERSECTIONS, IMHOFF AND FERNDAL ROADS PROJECT FUND
349**

WHEREAS, on February 11, 2014 Ordinance 2014-012 created the Slater Rd Intersections, Imhoff and Ferndale Roads Fund and funded the project; and,

WHEREAS, the project has now been completed; and,

WHEREAS, the project fund is no longer needed; and,

WHEREAS, the Road Fund contributed \$1,620,000 towards the project fund; and,

WHEREAS, the current cash balance in the fund is approximately \$287,156; and,

WHEREAS, the fund balance is Road Fund related and should be returned to the Road Fund,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Slater Intersections, Imhoff and Ferndale Roads Project Fund be dissolved and its remaining cash balance returned to the Road Fund.

ADOPTED this ____ day of _____, 2017__.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Daniel L. Gibson
Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws
County Executive

() Approved () Denied

Date Signed: _____

PROJECT BUDGET NAME: Slater Rd Intersections-Imhof Rd to Ferndale Rd CRP 910003 PB 349100

Reporting Quarter/Year: 2017 Q2 **DEPARTMENT:** Public Works

Project Description

This project is located between Imhoff Road and Ferndale Road in Sections 31 and 32 of T39N, R2E. The work involves the additions of turn lanes on Slater Road at Imhoff and Ferndale Roads, as well as widening the half mile roadway section between the intersections to current standards.

Permits Required

ECS, BA, SEPA, CLR/CAO, Corps of Engineers

Project Status

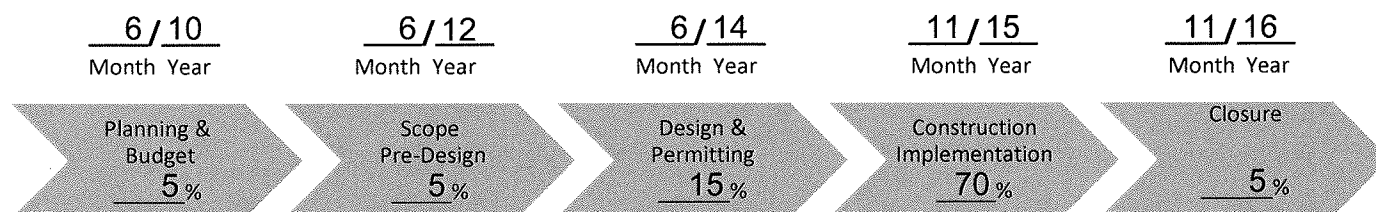
This project was considered substantially & physically complete as of November 20, 2015.

Project Closeout Status:

After receiving all the final paperwork, this project was officially closed out as of November 28, 2016.

No additional status updates will be made.

Estimated Completion Date (mo./yr.) and % Weight of Each Phase ; Total % Complete Overall Project



Total 100 % Complete Overall Project

Funding Sources

Source	Original Funding	Amendments	Current Funding
Federal	\$ 130,000	\$ 0	\$ 130,000
State	\$ 0	\$ 0	\$ 0
Local	\$ 2,610,000	\$ 0	\$ 2,610,000
Total	\$ 2,740,000	\$ 0	\$ 2,740,000

Project Budget Status

Description	Original Budget	Amendments	Current Budget	Life to Date 6/30/2017	%	Remaining Balance
Revenue	\$ 2,740,000	\$ 0	\$ 2,740,000	\$ 2,740,895	100.0%	-\$ 895
Expenditure	\$ 2,740,000	\$ 0	\$ 2,740,000	\$ 2,453,739	89.6%	\$ 286,261

*Estimated percent complete represents the approximate proportion of time toward project completion beginning with creation of project budget.

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-271

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>RR</i>	8/7/17 <i>RR</i>	<div style="text-align: center;"> RECEIVED SEP 05 2017 WHATCOM COUNTY COUNCIL </div>	9/12/17	Introduction
Division Head:				9/26/2017	Finance/ Council
Dept. Head: Jon Hutchings	<i>JH</i>	8/12/17			
Prosecutor: Dan Gibson	<i>alg</i>	08/10/17			
Purchasing/Budget: Brad Bennet	<i>bb</i>	8/10/17			
Executive: Jack Louws <i>TLS</i>	<i>[Signature]</i>	9/5/17			

TITLE OF DOCUMENT: Ordinance Ordering the closure of the Birch Bay-Lynden Road/Portal Way Signalization Improvements Project Fund 341

ATTACHMENTS: Proposed ordinance and memo.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This ordinance orders the closure of the Birch Bay-Lynden Road/Portal Way Signalization Improvements Project Fund 341.

COMMITTEE ACTION:

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
DIRECTOR**



Administration

Civic Center
322 N. Commercial Street, Suite 210
Bellingham, WA 98225-4042
Telephone: (360) 778-6217
www.whatcomcounty.us
JHutchings@co.whatcom.wa.us

TO: The Honorable Jack Louws, Whatcom County Executive and
Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director */JH*

FROM: Randy Rydel, Financial Services Manager *RR*

DATE: August 10, 2017

RE: Ordinance to close the Birch Bay-Lynden Road/Portal Way Signalization Improvements Project
Fund 341

Please find attached for your review and approval an ordinance to close the Birch Bay-Lynden Road/Portal Way Signalization Improvements Project Fund 341 and to transfer the remaining cash balance of approximately \$300,351 back into the Road Fund 108. The Project is complete and the project fund is no longer needed.

Please contact Randy Rydel at extension 6217 if you have any questions or concerns regarding this project fund closure.

ORDINANCE NO. _____

**CLOSING BIRCH BAY-LYNDEN ROAD/PORTAL WAY SIGNALIZATION
IMPROVEMENTS PROJECT FUND 341**

WHEREAS, on November 20, 2012, Ordinance 2012-051 created the Birch Bay-Lynden Road/Portal Way Signalization Improvements Fund and funded the project; and,

WHEREAS, the project has now been completed; and,

WHEREAS, the project fund is no longer needed; and,

WHEREAS, the Road Fund contributed \$300,000 towards the project fund; and,

WHEREAS, reimbursements of project expenses paid prior to establishing this project fund have been deposited to the project fund; and,

WHEREAS, the current cash balance in the fund is approximately \$300,350.66; and

WHEREAS, the fund balance is Road Fund related and should be returned to the Road Fund,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Birch Bay-Lynden Road/Portal Way Signalization Improvements Fund be dissolved and its remaining cash balance returned to the Road Fund.

ADOPTED this ____ day of _____, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Daniel L. Gibson
Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws
County Executive

() Approved () Denied

Date Signed: _____

PROJECT BUDGET NAME: Birch Bay Lynden/Portal Way Signalization CRP 901011 PBB 341100

Reporting Quarter/Year: 2017 Q2 **DEPARTMENT:** Public Works

Project Description

This project is located south of Blaine and west of I-5, in Section 22, T40N, R1E. Improvements included signalization, channelization and illumination of the intersection with minor changes to the vertical and horizontal alignment, stormwater treatment and detention.

Permits Required

SEPA, Corps of Engineers, CLR/CAO, HPA

Project Status

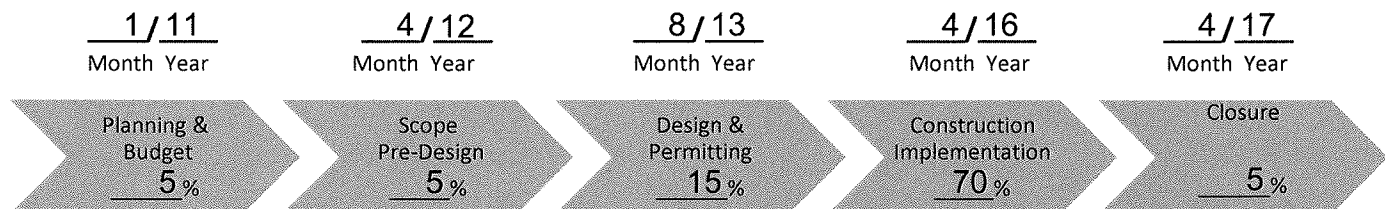
This project was substantially complete as of April 17, 2015, and after a one-year plant establishment period, was physically completed in April 2016.

Project Closeout Status:

After receiving all the final paperwork, this project was officially closed with WSDOT (Washington State Department of Transportation) in April of 2017.

No additional status updates will be made.

Estimated Completion Date (mo./yr.) and % Weight of Each Phase ; Total % Complete Overall Project



Total 100 % Complete Overall Project

Funding Sources

Source	Original Funding	Amendments	Current Funding
Federal	\$ 3,250,000	\$ 0	\$ 3,250,000
State	\$ 750,000	\$ 0	\$ 750,000
Local	\$ 300,000	\$ 0	\$ 300,000
Total	\$ 4,300,000	\$ 0	\$ 4,300,000

Project Budget Status

Description	Original Budget	Amendments	Current Budget	Life to Date 6/30/2017	%	Remaining Balance
Revenue	\$ 4,300,000	\$ 0	\$ 4,300,000	\$ 3,755,650	87.3%	\$ 544,350
Expenditure	\$ 3,620,000	\$ 0	\$ 3,620,000	\$ 3,455,299	95.5%	\$ 164,701

**Estimated percent complete represents the approximate proportion of time toward project completion beginning with creation of project budget.*

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-272

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>RR</i>	8/7/17 <i>RR</i>	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 05 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	9/12/17	Introduction
Division Head:				9/26/2017	Finance/ Council
Dept. Head: Jon Hutchings	<i>JH</i>	8/14/17			
Prosecutor: Dan Gibson	<i>dlg DG</i>	08/10/17			
Purchasing/Budget: Brad Bennet	<i>bb</i>	08/10/17			
Executive: Jack Louws	<i>JL</i>	9/5/17			

TITLE OF DOCUMENT: Ordinance Ordering the closure of the Dakota Creek Bridge No. 500 Fund 350

ATTACHMENTS: Proposed ordinance and memo.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This ordinance orders the closure of the Dakota Creek Bridge No. 500 Fund 350.

COMMITTEE ACTION:

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
DIRECTOR**



Administration

Civic Center
322 N. Commercial Street, Suite 210
Bellingham, WA 98225-4042
Telephone: (360) 778-6217
www.whatcomcounty.us
JHutchings@co.whatcom.wa.us

TO: The Honorable Jack Louws, Whatcom County Executive and
Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Randy Rydel, Financial Services Manager *RR*

DATE: August 10, 2017

RE: Ordinance to close the Dakota Creek Bridge No. 500 Fund 350

Please find attached for your review and approval an ordinance to close the Dakota Creek Bridge No. 500 Fund 350 and to transfer the remaining cash balance of approximately \$358,380 back into the Road Fund 108. The Project is complete and the project fund is no longer needed.

Please contact Randy Rydel at extension 6217 if you have any questions or concerns regarding this project fund closure.

ORDINANCE NO. _____

CLOSING DAKOTA CREEK BRIDGE NO. 500 PROJECT FUND 350

WHEREAS, on February 11, 2014, Ordinance 2014-011 created the Dakota Creek Bridge No. 500 Fund and funded the project; and,

WHEREAS, the project has now been completed; and,

WHEREAS, the project fund is no longer needed; and,

WHEREAS, the Road Fund contributed \$1,115,276 towards the project; and,

WHEREAS, the current cash balance in the fund is approximately \$358,380; and

WHEREAS, the fund balance is Road Fund related and should be returned to the Road Fund,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Dakota Creek Bridge No. 500 Project Fund be dissolved and its remaining cash balance returned to the Road Fund.

ADOPTED this ____ day of _____, 2017__.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Daniel L. Gibson
Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws
County Executive

() Approved () Denied

Date Signed: _____

PROJECT BUDGET NAME: Portal Way/Dakota Creek R Bridge No. 500 Seismic Retrofit CRP 910001 F

Reporting Quarter/Year: 2017 Q2 **DEPARTMENT:** Public Works

Project Description

This project consists of seismic retrofits to the existing Portal Way/Dakota Creek Bridge No. 500 to mitigate the risks to the structure during an earthquake.

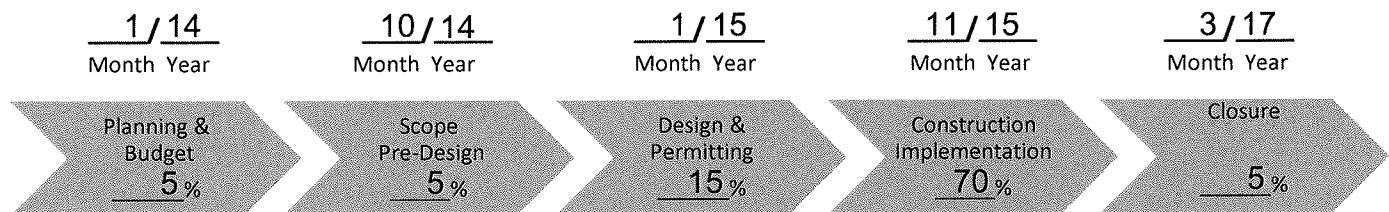
Permits Required

HPA, SEPA, SEC 404, NEPA, County Shorelines

Project Status

Construction work at the site completed in November 2015. Planting work completed in 2016. Final project closeout complete.

Estimated Completion Date (mo./yr.) and % Weight of Each Phase ; Total % Complete Overall Project



Total 100 % Complete Overall Project

Funding Sources

Source	Original Funding	Amendments	Current Funding
Federal	\$ 3,000,000	\$ 0	\$ 3,000,000
State	\$ 0	\$ 0	\$ 0
Local	\$ 1,048,604	\$ 0	\$ 1,048,604
Total	\$ 4,048,604	\$ 0	\$ 4,048,604

Project Budget Status

Description	Original Budget	Amendments	Current Budget	Life to Date 6/30/2017	%	Remaining Balance
Revenue	\$ 2,718,268	\$ 1,330,336	\$ 4,048,604	\$ 4,067,569	100.5%	-\$ 18,965
Expenditure	\$ 2,718,268	\$ 1,330,336	\$ 4,048,604	\$ 3,709,189	91.6%	\$ 339,415

*Estimated percent complete represents the approximate proportion of time toward project completion beginning with creation of project budget.

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-273

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>WR</i>	8/7/17 <i>RR</i>	<div style="text-align: center;"> RECEIVED SEP 05 2017 WHATCOM COUNTY COUNCIL </div>	9/12/17	Introduction
Division Head:				9/26/2017	Finance/ Council
Dept. Head: Jon Hutchings	<i>JH</i>	8/14/17			
Prosecutor: Daniel Gibson	<i>dlg</i>	08/10/17			
Purchasing/Budget: Brad Bennet	<i>bb</i>	8/10/17			
Executive: Jack Louws	<i>JL</i>	9/5/17			

TITLE OF DOCUMENT: Ordinance Ordering the closure of the Hannegan Road/Nooksack River Bridge No. 252 Fund 353

ATTACHMENTS: Proposed ordinance and memo.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This ordinance orders the closure of the Hannegan Road/Nooksack River Bridge No. 252 Fund 353.

COMMITTEE ACTION:

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
DIRECTOR**



Administration

Civic Center
322 N. Commercial Street, Suite 210
Bellingham, WA 98225-4042
Telephone: (360) 778-6217
www.whatcomcounty.us
JHutchings@co.whatcom.wa.us

TO: The Honorable Jack Louws, Whatcom County Executive and
Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Randy Rydel, Financial Services Manager *RR*

DATE: August 24, 2017

RE: Ordinance to close the Hannegan Road/Nooksack River Bridge No. 252 Fund 353

Please find attached for your review and approval an ordinance to close the Hannegan Road/Nooksack River Bridge No. 252 Fund 353 and to transfer the remaining cash balance of approximately \$16,323 back into the Road Fund 108. The Project is complete and the project fund is no longer needed.

Please contact Randy Rydel at extension 6217 if you have any questions or concerns regarding this project fund closure.

ORDINANCE NO. _____

**CLOSING HANNEGAN ROAD/NOOKSACK RIVER BRIDGE NO. 252 PROJECT FUND
353**

WHEREAS, on November 25, 2014, Ordinance 2014-069 created the Hannegan Road/Nooksack River Bridge No. 252 Fund and funded the project; and,

WHEREAS, the project has now been completed; and,

WHEREAS, the project fund is no longer needed; and,

WHEREAS, the Road Fund contributed \$20,000 towards the project; and,

WHEREAS, reimbursements of project expenses paid prior to establishing this project fund have been deposited to the project fund; and,

WHEREAS, the current cash balance in the fund is approximately \$16,323; and,

WHEREAS, the fund balance is Road Fund related and should be returned to the Road Fund,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Hannegan Road/Nooksack River Bridge No. 252 Project Fund be dissolved and its remaining cash balance returned to the Road Fund.

ADOPTED this ____ day of _____, 2017__.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws
County Executive

() Approved () Denied

Date Signed: _____

PROJECT BUDGET NAME: Hannegan Road/Nooksack River Bridge No. 252 Scour Mitigation CRP 911

Reporting Quarter/Year: 2017 Q3 **DEPARTMENT:** Public Works

Project Description

This is a rehabilitation project to mitigate scour risk at the existing Hannegan Road/Nooksack River Bridge No. 252.

Permits Required

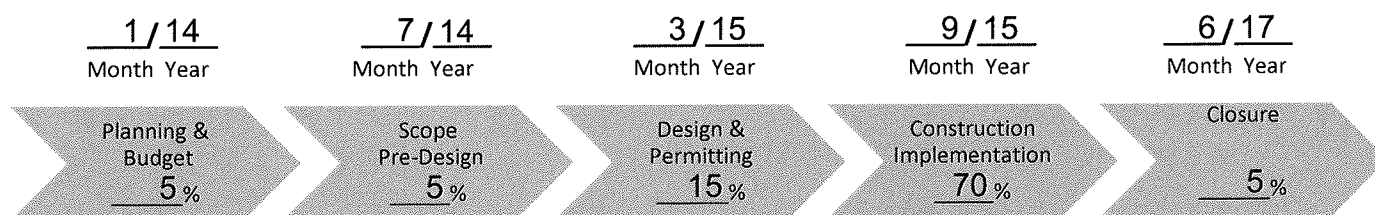
HPA, SEPA, SEC 404, NEPA, County Shorelines

Project Status

Construction work at bridge completed in September 2015. Off-site mitigation planting work completed in 2016. Final project closeout complete.

Revenue exceeds expenditures due to reimbursable expenditures incurred prior to establishing the project based budget.

Estimated Completion Date (mo./yr.) and % Weight of Each Phase ; Total % Complete Overall Project



Total 100 % Complete Overall Project

Funding Sources

Source	Original Funding	Amendments	Current Funding
Federal	\$ 274,000	\$ 0	\$ 274,000
State	\$ 0	\$ 0	\$ 0
Local	\$ 10,000	\$ 0	\$ 10,000
Total	\$ 284,000	\$ 0	\$ 284,000

Project Budget Status

Description	Original Budget	Amendments	Current Budget	Life to Date 8/31/2017	%	Remaining Balance
Revenue	\$ 240,000	\$ 0	\$ 240,000	\$ 163,026	67.9%	\$ 76,974
Expenditure	\$ 240,000	\$ 0	\$ 240,000	\$ 146,703	61.1%	\$ 93,297

**Estimated percent complete represents the approximate proportion of time toward project completion beginning with creation of project budget.*

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. _____

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JNT	August 23, 2017	<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	September 26, 2017	Finance/Board of Supervisors
Division Head:	<i>hm</i>	9/12/17			
Dept. Head:	<i>HT</i>	9/12/17			
Prosecutor:	<i>dlg</i>	08/23/17			
Purchasing/Budget:	<i>bb</i>	8/23/17			
Executive:	<i>ms</i>	9.18.17			
TITLE OF DOCUMENT: Washington State Department of Ecology agreement to sponsor a Washington Conservation Corps crew for 2017-2018					
ATTACHMENTS: 1. Contract					
SEPA review required? () Yes (X) NO SEPA review completed? () Yes () NO			Should Clerk schedule a hearing ? () Yes (X) NO Requested Date:		
SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.) This agreement between Washington Department of Ecology and Whatcom County Flood Control Zone District provides a 6-person crew to perform habitat restoration and water quality work for Public Works. Whatcom County Parks and Recreation and the Nooksack Salmon Enhancement Association (NSEA) are co-sponsors under separate agreements and NSEA will house the crew and provide office and equipment space at their facility.					
COMMITTEE ACTION:			COUNCIL ACTION:		
Related County Contract #:		Related File Numbers:		Ordinance or Resolution Number:	
Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council .					



RECEIVED

SEP 15 2017

MEMORANDUM

JACK LOUWS
COUNTY EXECUTIVE

TO: The Honorable Members of the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Gary Stoyka, Natural Resource Manager *GS*
John N. Thompson, Senior Salmon Recovery Planner *JNT*

RE: 2017-2018 Washington Conservation Corps Crew Agreement

DATE: September 11, 2017

Enclosed are two (2) originals of a 2017-2018 Washington Conservation Corp Crew Agreement between the Washington Department of Ecology and Whatcom County Flood Control Zone District for your review and signature.

▪ **Background and Purpose**

Public Works proposes to host a 6-member Washington Conservation Corps Crew for the 2017-2018 term. The crew will assist Public Works with salmon habitat, stormwater, and water quality projects and monitoring and will be available for emergency response. As in years past, the crew is shared with the Nooksack Salmon Enhancement Association under a separate agreement with Ecology. A new aspect this term is that the crew will also be shared with Whatcom County Parks and Recreation where they will assist with Lake Whatcom Park trail development under a separate agreement.

▪ **Funding Amount and Source**

This agreement is for \$76,000 and is included in the 2017 Public Works – Natural Resources budget and the proposed 2018 Public Works-Natural Resources budget. Parks will provide \$60,000 under a separate agreement with Ecology. Nooksack Salmon Enhancement Association also has a separate \$30,000 agreement with Ecology and will provide office and equipment space at their facility. Combined sponsor cost is \$166,000 with Ecology providing the balance of the \$221,334 total crew cost.

▪ **Differences from Previous Contract**

This is a new agreement.

Please contact Gary at extension 6218, if you have any questions or concerns regarding the terms of this agreement,

Encl.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

201709007

Originating Department:	Public Works		
Division/Program: (i.e. Dept. Division and Program)	Natural Resources		
Contract or Grant Administrator:	John N. Thompson, Sr. Planner		
Contractor's / Agency Name:	Washington Department of Ecology		
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____			
Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____ (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)			
Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____			
Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, Whatcom County grant contract number(s): _____			
Is this contract the result of a RFP or Bid process? Contract Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, RFP and Bid number(s): _____ Cost Center: 169119			
Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.			
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.			
Contract Amount:(sum of original contract amount and any prior amendments): \$ 76,000 This Amendment Amount: \$ _____ Total Amended Amount: \$ _____		Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when : 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies or equipment included approved in the budget. 4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.	
Summary of Scope: This agreement between Washington Department of Ecology and Whatcom County Flood Control Zone District provides a 6-person crew to perform restoration and water quality work for Public Works. Whatcom County Parks and Recreation Department and Nooksack Salmon Enhancement Association are co-sponsors under separate agreements. NSEA will provide office and equipment space at their facility.			
Term of Contract: October 2, 2017		Expiration Date: September 9, 2018	
Contract Routing: 1. Prepared by: John N. Thompson Date: August 23, 2017 2. Attorney signoff: Daniel L. Gibson Date: 08/23/17 3. AS Finance reviewed: bbenett Date: 8/22/17 4. IT reviewed (if IT related): _____ Date: _____ 5. Contractor signed: _____ Date: _____ 6. Submitted to Exec.: _____ Date: _____ 7. Council approved (if necessary): _____ Date: _____ 8. Executive signed: _____ Date: _____ 9. Original to Council: _____ Date: _____			

COUNTY ORIGINAL



DEPARTMENT OF
ECOLOGY
State of Washington

AGREEMENT NO. WCC-1719

WHATCOM COUNTY
CONTRACT NO.
201709007

AGREEMENT
BETWEEN

The State of Washington, Department of ECOLOGY
AND
Whatcom County Flood Control Zone District

THIS AGREEMENT is made and entered into by and between the Department of Ecology, hereinafter referred to as "ECOLOGY", and Whatcom County Flood Control Zone District hereinafter referred to as the "SPONSOR."

IT IS THE PURPOSE OF THIS AGREEMENT to provide Washington Conservation Corps (WCC) members to complete environmental or disaster services projects, pursuant to Chapter 43.220 of the Revised Code of Washington.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

Both parties agree to do all things necessary for or incidental to the performance of the work set forth in Appendix "A" attached hereto and incorporated herein.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on 10/2/2017 and be completed on 9/9/2018, unless terminated sooner as provided herein. The WCC Crew and/or WCC Individual Placement corpsmember specified in this agreement will be available to SPONSOR on the dates set forth on the calendar in Appendix "B" attached hereto and incorporated herein.

COMPENSATION

The parties have determined that the cost of accomplishing the work herein will not exceed \$76,000. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree to a higher amount. Compensation for service(s) shall be based on the following established rates:

Provided by ECOLOGY	Reimbursed to ECOLOGY by SPONSOR
Shared WCC crew with NSEA and Whatcom County Parks and Recreation Department	\$76,000
Total SPONSOR COST	\$76,000 <i>Above cost Not to be Exceeded</i>

The costs reimbursed to ECOLOGY by SPONSOR are a cost-share rate. Estimated value of a WCC crew is \$5,334 weekly per WCC Crew consisting of five WCC/AmeriCorps Members and one Supervisor (excludes food and lodging). Indirect costs are included in SPONSOR share at a standard rate of 5% of direct costs.

BILLING PROCEDURE

ECOLOGY shall submit invoices monthly to the SPONSOR's designated contact person listed under "Agreement Management" section. Payment to ECOLOGY for approved and completed work will be made by warrant or account transfer by SPONSOR within 30 days of receipt of the invoice. Upon expiration of the Agreement, any claim for payment not already made shall be submitted within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

AGREEMENT ALTERATIONS AND AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

ASSIGNMENT

The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

ASSURANCES

Parties to this Agreement agree that all activity pursuant to this contract will be in accordance with all the applicable current federal, state and local laws, rules, and regulations.

CONFORMANCE

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

FUNDING AVAILABILITY

The obligation of the SPONSOR to provide reimbursements is contingent upon appropriation of funds by the SPONSOR's governing body for the specific purpose of funding the project, which is the subject of this Agreement. Upon the failure of such appropriation, the SPONSOR may terminate this Agreement.

ECOLOGY's ability to provide cost-share is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the agreement, in whole or part, for convenience or to renegotiate the agreement subject to new funding limitations and conditions. ECOLOGY may also elect to suspend performance of the agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification restrictions.

GOVERNING LAW AND VENUE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws. This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

ORDER OF PRECEDENCE

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

1. Applicable federal and state of Washington statutes, regulations, and rules.
2. Mutually agreed written amendments to this Agreement
3. This Agreement
4. Statement of Work and Budget.
5. Any other provisions of this Agreement, including materials incorporated by reference.

RECORDS MAINTENANCE

The parties to this Agreement shall each maintain books, records, documents and other evidence that sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the service(s) described herein. These records shall be subject to inspection, review or audit by personnel of both parties, other personnel duly authorized by either party, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other material relevant to this Agreement will be retained for six years after expiration of this Agreement and the Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period.

Records and other documents, in any medium, furnished by one party to this Agreement to the other party, will remain the property of the furnishing party, unless otherwise agreed. The receiving party will not disclose or make available this material to any third parties without first giving notice to the furnishing party and giving it a reasonable opportunity to respond. Each party will utilize reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties subject to state public disclosure laws.

RESPONSIBILITIES OF THE PARTIES

Each party of this Agreement hereby assumes responsibility for claims and/or damages to persons and/or property resulting from any act or omissions on the part of itself, its employees, its officers, and its agents. Neither party will be considered the agent of the other party to this Agreement.

RIGHTS IN DATA

Unless otherwise provided, data, which originates from this Agreement shall be "works for hire" as defined by the U.S. Copyright Act of 1976 and shall be jointly owned by ECOLOGY and SPONSOR. Data shall include, but not be limited to, reports, documents, pamphlets, advertisements, books magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to copyright, patent, register, and the ability to transfer these rights.

SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Agreement are declared to be severable.

TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within 15 working days. If failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

TERMINATION FOR CONVENIENCE

Either party may terminate this Agreement upon 30 days' prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

WAIVER

A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

AGREEMENT MANAGEMENT

The program manager for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

The Contract/Program Manager for ECOLOGY is:

Peter Nevin
PO Box 47600
Olympia, WA 98504
(206) 940-3615
peter.nevin@ecy.wa.gov

The Contract/Program Manager for SPONSOR is:

John N. Thompson
322 N. Commercial Street Suite 110
Bellingham WA 98225
(360) 778-6230
jnthomps@co.whatcom.wa.us

IN WITNESS WHEREOF, the parties have executed this Agreement.

State of Washington
Department of ECOLOGY

SPONSOR
Whatcom County Flood Control Zone District

(See Attached FCZD Signature Page)

Signature

Date _____

Signature

Date _____

Gordon White, SEA Program Manager
Name, Title


Printed _____
Printed Name, Title

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:

Recommended for Approval:

 9/12/17
Jon Hutchings, Public Works Director Date

Approved as to form only:

 09/15/17
Daniel Gibson, Chief Civil Deputy Prosecutor Date

Approved:

Accepted for Whatcom County Flood Control Zone District

By: _____
Jack Louws, Whatcom County Executive, Date
acting for the Whatcom County Flood Control Zone District Board of Supervisors

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2017, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at
_____. My commission expires _____.

STATEMENT OF WORK Appendix A

Work summary:

Under direction of SPONSOR, crew(s) will perform restoration activities. Specific tasks could include invasive control, native species installation, plant nursery care, scientific monitoring, and fence installation or repair.

Special terms and conditions:

1. WCC members and staff will not be utilized to clear and/or clean up hazardous materials including hypodermic needles. If a significant amount of hazardous or unidentifiable material is discovered on a project site, activity will cease until SPONSOR either mitigates potential hazards or finds an alternate project site. WCC resources (includes members, supervisors, tools and trucks) will not be utilized for clearing active or abandoned homeless encampments.
2. Vehicle is not to be used for heavy hauling. The primary use of the crew vehicle is for transportation of crew, tools, and safety equipment. In the event that WCC vehicles are requested to tow SPONSOR equipment, SPONSOR is solely responsible for accidental damages, unless damages are caused by WCC negligence.
3. WCC is not responsible for normal wear and tear when project requires the use of SPONSOR-provided tools, equipment or safety gear.
4. The assignment of corpsmembers shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of using a corpsmember with available funds. In circumstances where substantial efficiencies or a public purpose may result, participating agencies may use corpsmembers to carry out essential agency work or contractual functions without displacing current employees.
5. All state holidays and shutdown weeks are non-working days for members. Shutdown weeks are to be used by WCC staff/supervisors for planning purposes.
6. The WCC standard 40-hour schedule is Monday through Thursday from 7:00am to 5:30pm. An alternate schedule may be arranged with prior approval from the WCC.
7. Indirect costs are included in SPONSOR share at a standard rate of 5% of direct costs.

ECOLOGY shall:

1. Provide WCC members for the number of weeks specified in this agreement. Full-time crews and Individual Placements are available to SPONSOR for a maximum of 41.5 weeks during the Federal AmeriCorps program service year (October-September).
2. In the event of a disaster response deployment, the WCC Program will make every effort to fulfill sponsor program needs, including sending additional members, whenever possible. Invoices will include all activities during the program year including training, community service events, and other activities required by WCC, excluding Emergency Response, if needed.
3. Provide training and development specified in Appendix "B": eight (8) days of formal WCC member training, a three (3) day Orientation Training, one (1) day dedicated to MLK Community Service, and a debrief meeting near the conclusion of the term. WCC members and supervisors are logging hours on these dates, but are unavailable to sponsor to perform project work.
4. Provide a 4-day Assistant Supervisor training to the designated Assistant Supervisor.
5. For crew (s), ECOLOGY agrees to provide a crew of 5 members, a crew supervisor, vehicle, and basic hand tools.
6. Cost-share rates are not based on actual attendance, however, invoices will be reduced for member or supervisor vacancies lasting 20 days or more.

SPONSOR shall:

1. Guide completion of appropriate projects for the number of weeks specified in this agreement by providing the logistical, technical and safety-related support necessary for project completion. Provide site orientation for WCC members, specific on-the job task training, and any materials beyond basic hand tools to complete tasks assigned under this Agreement. Obtain and ensure adherence to applicable permits as set by local, state, tribal or federal laws and regulations.
2. Help to promote the AmeriCorps and WCC brands, logo, slogans and phrases. The WCC will provide camera-ready logo. AmeriCorps is a registered service mark of the Corporation for National and Community Service.

AmeriCorps Prohibited Activities:

While charging time to the AmeriCorps program, accumulating service or training hours, or otherwise performing activities supported by the AmeriCorps program or CNCS, staff and members may not engage in the following activities (see 45 CFR § 2520.65):

- A. Attempting to influence legislation;
- B. Organizing or engaging in protests, petitions, boycotts, or strikes;
- C. Assisting, promoting, or deterring union organizing;
- D. Impairing existing contracts for services or collective bargaining agreements;
- E. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
- F. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
- G. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
- H. Providing a direct benefit to—
 - I. A business organized for profit;
 - II. A labor union;
 - III. A partisan political organization;
 - IV. A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 related to engaging in political activities or substantial amount of lobbying except that nothing in these provisions shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
 - V. An organization engaged in the religious activities described in paragraph 3.g. above, unless CNCS assistance is not used to support those religious activities;
- I. Conducting a voter registration drive or using CNCS funds to conduct a voter registration drive;
- J. Providing abortion services or referrals for receipt of such services; and
- K. Such other activities as CNCS may prohibit.

AmeriCorps members may not engage in the above activities directly or indirectly by recruiting, training, or managing others for the primary purpose of engaging in one of the activities listed above. Individuals may exercise their rights as private citizens and may participate in the activities listed above on their initiative, on non-AmeriCorps time, and using non-CNCS funds. Individuals should not wear the AmeriCorps logo while doing so.

OCTOBER							NOVEMBER							DECEMBER							JANUARY						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
						1			1	2	3	4	5				1	2	3	4	1	2	3	4	5	6	7
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31	29	30	31				
30	31																										

FEBRUARY						
Mo	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

MARCH						
Mo	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

APRIL						
Mo	T	W	T	F	S	S
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

MAY						
Mo	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JUNE						
Mo	T	W	T	F	S	S
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

JULY						
Mo	T	W	T	F	S	S
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
Mo	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER						
Mo	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

[illegible]

October	180	November	150	December	150	January	180
February	150	March	170	April	170	May	180
June	160	July	170	August	180	September	30
Full term Oct 2-Sep 6	1870	Half term Oct 2-Mar 27	920	Half term Mar 21-Sep 6	950	Quarter Oct 11-Sep 6	300

Members' Potential Hours (For general guidance only - hours not guaranteed)

Order: Patients only eligible to return members in WCC with less than a full term remaining in WCC. Members with excessive absences will not receive award even if minimum hours are met. * 6-month Probation must be received March 27.

NC Career Guide to the Workforce Study

Appendix C
Whatcom County Flood Control Zone District
PROPOSED PROJECT TYPES AND GEOGRAPHIC FOCUS

Water Quality & Habitat Monitoring and Improvement Projects

- Birch Bay Watershed
- Drayton Harbor Watershed
- Portage Bay Shellfish District
- Lake Whatcom
- South Fork Nooksack River
- Canyon Creek, North Fork Nooksack River

New Restoration Projects

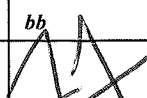
- Birch Bay
- Drayton Harbor
- Mainstem tributaries
- South Fork and tributaries
- Middle Fork
- North Fork and tributaries

Maintain Existing Projects

- Birch Bay
- Canyon Creek, North Fork
- Drayton Harbor
- Friday Creek
- Lake Whatcom
- Mainstem tributaries
- North Fork tributaries (e.g. High Creek)
- South Fork & tributaries

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-283

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	PH	9-11-17	<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	9/26/2017	Finance/WCFCZDBS
Division Head:	HW	9-12-17			
Dept. Head:	TH	9/12/17			
Prosecutor:	dlg DL	09/07/17			
Purchasing/Budget:	bb	9/07/17			
Executive: TMB		9.18.17			

TITLE OF DOCUMENT:

Joint Funding Agreement with United States Geological Survey

ATTACHMENTS:

1. Cover Memo

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes (X) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

The annual Joint Funding Agreement with the USGS funds the ongoing operation and maintenance of the County's six stream gages within the Nooksack River early flood warning system, plus stream gages at the Nooksack River Everson Overflow and Jones Creek in Acme, WA, for early flood warning and flood response.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.



MEMORANDUM

RECEIVED

SEP 15 2017

TO: The Honorable Jack Louws, Whatcom County Executive for the JACK LOUWS
Whatcom County Flood Control Zone District Board of Supervisors COUNTY EXECUTIVE

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Paula J. Harris, P.E., River and Flood Manager *PJH*
Gary Stoyka, Natural Resources Program Manager *GS*

DATE: September 6, 2016

RE: Joint Funding Agreement with United States Geological Survey

Enclosed are two (2) originals of a Joint Funding Agreement between the Whatcom County Flood Control Zone District (FCZD) and the United States Geological Survey (USGS) for your review and signature.

▪ Background and Purpose

The FCZD has worked cooperatively with the USGS for a number of years to collect stream-gaging data on a real-time basis for early flood warning and flood response. Financing of this program is provided on a cost-share basis through the USGS Cooperative Program. This Joint Funding Agreement covers the six early warning gages on the Nooksack River and its upper forks, plus the Jones Creek gage and the Everson overflow gage at Main Street. The Jones Creek gaging station was installed in 2009 to provide advance warning for the Acme Fire District (AFD) in responding to a debris flow event on Jones Creek. The Everson Overflow gaging station was installed in 2012 in cooperation with the City of Abbotsford to help monitor and plan flood response for overflows at Everson during large flood events.

▪ Funding Amount and Source

The proposed Joint Funding Agreement is for a total amount of \$113,720, of which \$7285 will be funded by the USGS through Cooperative Matching Funds. The FCZD fund will provide \$86,740, the Acme/VanZandt Subzone will provide \$6135, the City of Abbotsford will reimburse \$4100 in accordance with the existing Interlocal Agreement for the Everson Overflow gaging station.

Similar to last year, another portion (\$9460) of the total USGS contribution of \$16,345 is through its Federal Priority Streamgage Program, which is not reflected in the Joint Funding Agreement (other than in Attachment A) as the agreement is only for Cooperative Water Program funding.

▪ Differences from Previous Contract

This year's costs are approximately 3.5% higher than the cost of similar services provided last year.

Please contact Paula Harris at extension 6285 if you have any questions or concerns regarding the terms of this agreement.

Encl.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

201709006

Originating Department:	Public Works	
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Public Works River & Flood – Joint Agreement With United States Geological Survey (USGS)	
Contract or Grant Administrator:	Paula J. Harris	
Contractor's / Agency Name:	United States Geological Survey	
<p>Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p> <p>Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____</p> <p style="text-align: right;">(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, Whatcom County grant contract number(s): _____</p> <p>Is this contract the result of a RFP or Bid process? Contract _____</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, RFP and Bid number(s): _____ Cost Center: 169100 & 169230</p> <p>Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below:</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract work is for less than 120 days. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). </div> <div> <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Work related subcontract less than \$25,000. <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA. </div> </div>		
<p>Contract Amount:(sum of original contract amount and any prior amendments): \$ 113,720</p> <p>This Amendment Amount: \$ _____</p> <p>Total Amended Amount: \$ 113,720</p>	<p>Council approval required for; all property leases, contracts or bid awards exceeding \$40,000, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when:</p> <ol style="list-style-type: none"> 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies or equipment included approved in the budget. 4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County. 	
<p>Summary of Scope: <i>The annual Joint Funding Agreement with the USGS funds the ongoing operation and maintenance of the County's six stream gages within the Nooksack River early flood warning system; a stream gage at the Nooksack River Everson Overflow; and a stream gage on Jones Creek in Acme, WA for early flood warning and flood response.</i></p>		
Term of Contract:	Fixed Amount	Expiration Date: September 30, 2018

Contract Routing:	1. Prepared by: Denise Doezenia 2. Attorney signoff: Daniel L. Gibson <i>DLG</i> 09/15/17 3. AS Finance reviewed: bbenett 4. IT reviewed (if IT related): 5. Contractor signed: <input checked="" type="checkbox"/> 6. Submitted to Exec.: <input checked="" type="checkbox"/> 7. Council approved (if necessary): 8. Executive signed: 9. Original to Council:	Date: 9/6/2017 Date: 09/07/17 Date: 9/7/2017 Date: Date: 8/25/17 Date: 9/15/17 Date: Date:
-------------------	---	---

Form 9-1366
(April 2015)U.S. Department of the Interior
U.S. Geological Survey
Joint Funding AgreementCustomer #: 6000000721 FY18
Agreement #: 18WNWA04200
Project #: 97229EU
TIN #: 91-6001383
Fixed Cost Agreement ☒ Yes ☐ NoFOR
WATER RESOURCES INVESTIGATIONS

THIS AGREEMENT is entered into as of the **1st** day of **OCTOBER 2017**, by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the **Whatcom County Flood Control Zone District**, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation a **fixed-price agreement for the continued operation and maintenance of the Whatcom County-USGS Early Flood Warning stream gaging network**, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of **\$N/A**.

by the party of the first part during the period

(a) **\$7,285** **OCTOBER 1, 2017 to SEPTEMBER 30, 2018**

by the party of the second part during the period

(b) **\$96,975** **OCTOBER 1, 2017 to SEPTEMBER 30, 2018**

- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of :
\$9,460

Description of the USGS regional/nations program: **Federal Priority Streamgaging Program**

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties..
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
 4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
 5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
 6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
 7. The original records resulting from this program will be deposited in the office of origin of those records. Upon

- request, copies of the original records will be provided to the office of the other party.
8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered **QUARTERLY**. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

**U.S. Geological Survey
United States
Department of the Interior**

Name of Customer

Whatcom County
Flood Control Zone District

USGS Point of Contact

Name: Mark Mastin
Address: 934 Broadway St, STE 300
Tacoma, WA 98402

Telephone: (253) 552-1609
Email: mcmastin@usgs.gov

Customer Point of Contact

Name: Paula J. Harris
Address: Whatcom County Public Works
322 N. Commercial St
Bellingham WA 98226
Telephone: (360) 778-6285
Email: pharris@co.whatcom.wa.us

Signatures

By Cynthia Barton Date 8-25-17

Name: Cynthia Barton, Ph.D., L.G., L.H.G.
Title: Center
Director, USGS Washington Water Science Center

By _____ Date _____

Name:
Title:

By _____ Date _____

Name:
Title:

Signatures

By See attached
Date _____

Name:
Title:

By _____
Date _____


Name:
Title:

By _____
Date _____

Name:
Title:

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:

Recommended for Approval:

 9/12/17
Jon Hutchings, Public Works Director Date

Approved as to form:

 09/15/17
Daniel L. Gibson, Prosecuting Attorney Date

Approved:

Accepted for Whatcom County Flood Control Zone District:

By: _____

Jack Louws, Whatcom County Executive for the Whatcom County Flood Control Zone District Board of Supervisors

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2013, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at
_____. My commission expires
_____.

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-262A

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>RR</i>	9/18/17	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	9/26/17	PW/Council
Division Head:					
Dept. Head: Jon Hutchings	<i>JH</i>	9/18/17			
Prosecutor: Dan Gibson	<i>DG</i>	09/18/17			
Purchasing/Budget: Brad Bennet	<i>KB</i>	9/18/17			
Executive: Jack Louws	<i>KL</i>	9.18.17			

TITLE OF DOCUMENT: Resolution accepting RID #7, Emerald Lake Lighting District, re-assessment roll.

ATTACHMENTS: Resolution and 2018 assessed roll.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Acceptance of Emerald Lake Lighting District re-assessment roll.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Public Works
INTRODUCTION DATE: 9/26/2017

RESOLUTION NO. _____

ACCEPTING THE ASSESSMENT ROLL OF PROPERTY WITHIN THE BOUNDARIES OF
WHATCOM COUNTY ROAD IMPROVEMENT DISTRICT NO. 7 (EMERALD LAKE LIGHTING
DISTRICT) AND SETTING THE DATE FOR PUBLIC HEARING

WHEREAS, on September 12, 2017, the Whatcom County Council approved Resolution #2017-038, authorizing the preparation of a reassessment roll for property within the boundaries of Whatcom County Road Improvement District No. 7 (Emerald Lake Lighting District); and

WHEREAS, RCW 36.88.090 provides for a public hearing to be held;

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council accepts said assessment roll, as outlined in Exhibit A to this resolution, as follows:

The first annual maintenance assessment shall be based upon a Whatcom County Department of Public Works fee of **\$2.00 per account per year and the rate of \$8.50 per parcel.**

The second and each succeeding annual assessments will be based on a Whatcom County Department of Public Works fee of \$2.00 per account per year and the actual cost of maintenance and power charges of Puget Sound Energy, but shall not exceed \$20.00 per parcel. Prior to the second and each succeeding annual maintenance assessment, a budget for Whatcom County Road Improvement District No. 7 shall be submitted to the Whatcom County Executive for approval.

BE IT FURTHER RESOLVED that October 24, 2017, in the Whatcom County Council Chambers in the Courthouse, Bellingham, Washington, is hereby fixed as the time and place for hearing upon the schedule of reassessment, and

BE IT FURTHER RESOLVED that notice of such hearing shall be published two times in the newspaper of general circulation in the County, according to RCE 36.88.090, and by

mailing a notice at least fifteen days before the date fixed for said hearing to each property owner whose name appears on said assessment roll.

APPROVED this ____ day of _____, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Daniel L. Gibson
Daniel L. Gibson, Chief Civil Deputy Prosecutor

EXHIBIT A

Road Improvement District No. 7 (Emerald Lake Lighting)**2017 Assessment Roll****As of September 18, 2017****(Basis= per lot)**

#	prop_id	geo_id	NAME	Dist_Class	Dist_Seq	Basis
1	56744	3803103691010000	EmeraldLake_Lighting	84	210	1.00
2	56746	3803103720680000	EmeraldLake_Lighting	84	210	1.00
3	56747	3803103730320000	EmeraldLake_Lighting	84	210	1.00
4	56750	3803103731220000	EmeraldLake_Lighting	84	210	1.00
5	56751	3803103740230000	EmeraldLake_Lighting	84	210	1.00
6	56752	3803103741080000	EmeraldLake_Lighting	84	210	1.00
7	56754	3803103750400000	EmeraldLake_Lighting	84	210	1.00
8	56755	3803103750860000	EmeraldLake_Lighting	84	210	1.00
9	56756	3803103760490000	EmeraldLake_Lighting	84	210	1.00
10	56757	3803103760570000	EmeraldLake_Lighting	84	210	1.00
11	56761	3803103800720000	EmeraldLake_Lighting	84	210	1.00
12	56763	3803103840280000	EmeraldLake_Lighting	84	210	1.00
13	56765	3803103851250000	EmeraldLake_Lighting	84	210	1.00
14	56768	3803103900160000	EmeraldLake_Lighting	84	210	1.00
15	56770	3803103900980000	EmeraldLake_Lighting	84	210	1.00
16	56773	3803103920370000	EmeraldLake_Lighting	84	210	1.00
17	174715	3803103920490000	EmeraldLake_Lighting	84	210	1.00
18	56774	3803103921250000	EmeraldLake_Lighting	84	210	1.00
19	56776	3803103940040000	EmeraldLake_Lighting	84	210	1.00
20	56778	3803103950880000	EmeraldLake_Lighting	84	210	1.00
21	56779	3803103980970000	EmeraldLake_Lighting	84	210	1.00
22	56781	3803103990440000	EmeraldLake_Lighting	84	210	1.00
23	56782	3803103990580000	EmeraldLake_Lighting	84	210	1.00
24	56783	3803103991250000	EmeraldLake_Lighting	84	210	1.00
25	56787	3803104010900000	EmeraldLake_Lighting	84	210	1.00
26	56788	3803104020680000	EmeraldLake_Lighting	84	210	1.00
27	56789	3803104030750000	EmeraldLake_Lighting	84	210	1.00
28	56790	3803104040520000	EmeraldLake_Lighting	84	210	1.00
29	56791	3803104060220000	EmeraldLake_Lighting	84	210	1.00
30	56793	3803104060600000	EmeraldLake_Lighting	84	210	1.00
31	56795	3803104080790000	EmeraldLake_Lighting	84	210	1.00
32	56797	3803104110940000	EmeraldLake_Lighting	84	210	1.00
33	56798	3803104111100000	EmeraldLake_Lighting	84	210	1.00
34	56800	3803104120670000	EmeraldLake_Lighting	84	210	1.00
35	56801	3803104130120000	EmeraldLake_Lighting	84	210	1.00
36	56802	3803104140870000	EmeraldLake_Lighting	84	210	1.00
37	56803	3803104151010000	EmeraldLake_Lighting	84	210	1.00
38	56804	3803104160360000	EmeraldLake_Lighting	84	210	1.00
39	56805	3803104160720000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

40	56808	3803104171400000	EmeraldLake_Lighting	84	210	1.00
41	56811	3803104190040000	EmeraldLake_Lighting	84	210	1.00
42	56813	3803104220230000	EmeraldLake_Lighting	84	210	1.00
43	56814	3803104220830000	EmeraldLake_Lighting	84	210	1.00
44	56821	3803104260350000	EmeraldLake_Lighting	84	210	1.00
45	56822	3803104280530000	EmeraldLake_Lighting	84	210	1.00
46	56823	3803104280660000	EmeraldLake_Lighting	84	210	1.00
47	56827	3803104350520000	EmeraldLake_Lighting	84	210	1.00
48	56828	3803104350860000	EmeraldLake_Lighting	84	210	1.00
49	56838	3803104380030000	EmeraldLake_Lighting	84	210	1.00
50	56839	3803104380210000	EmeraldLake_Lighting	84	210	1.00
51	56841	3803104400690000	EmeraldLake_Lighting	84	210	1.00
52	56848	3803104430460000	EmeraldLake_Lighting	84	210	1.00
53	56849	3803104430870000	EmeraldLake_Lighting	84	210	1.00
54	56851	3803104440080000	EmeraldLake_Lighting	84	210	1.00
55	56859	3803104470560000	EmeraldLake_Lighting	84	210	1.00
56	56862	3803104480420000	EmeraldLake_Lighting	84	210	1.00
57	56873	3803104500210000	EmeraldLake_Lighting	84	210	1.00
58	56876	3803104521010000	EmeraldLake_Lighting	84	210	1.00
59	56878	3803104540360000	EmeraldLake_Lighting	84	210	1.00
60	56882	3803104550540000	EmeraldLake_Lighting	84	210	1.00
61	56883	3803104550800000	EmeraldLake_Lighting	84	210	1.00
62	56885	3803104570100000	EmeraldLake_Lighting	84	210	1.00
63	56892	3803104600730000	EmeraldLake_Lighting	84	210	1.00
64	174716	3803104620300000	EmeraldLake_Lighting	84	210	1.00
65	56898	3803104620490000	EmeraldLake_Lighting	84	210	1.00
66	56907	3803104660660000	EmeraldLake_Lighting	84	210	1.00
67	56911	3803104670860000	EmeraldLake_Lighting	84	210	1.00
68	56912	3803104680450000	EmeraldLake_Lighting	84	210	1.00
69	56913	3803104681040000	EmeraldLake_Lighting	84	210	1.00
70	56920	3803104721160000	EmeraldLake_Lighting	84	210	1.00
71	56922	3803104730230000	EmeraldLake_Lighting	84	210	1.00
72	56923	3803104730620000	EmeraldLake_Lighting	84	210	1.00
73	56924	3803104730780000	EmeraldLake_Lighting	84	210	1.00
74	56925	3803104750060000	EmeraldLake_Lighting	84	210	1.00
75	56926	3803104750400000	EmeraldLake_Lighting	84	210	1.00
76	56927	3803104751020000	EmeraldLake_Lighting	84	210	1.00
77	56932	3803104780590000	EmeraldLake_Lighting	84	210	1.00
78	56935	3803104790740000	EmeraldLake_Lighting	84	210	1.00
79	56937	3803104801220000	EmeraldLake_Lighting	84	210	1.00
80	56941	3803104830210000	EmeraldLake_Lighting	84	210	1.00
81	56942	3803104830980000	EmeraldLake_Lighting	84	210	1.00
82	56943	3803104831400000	EmeraldLake_Lighting	84	210	1.00
83	56944	3803104850700000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

84	56946	3803104860540000	EmeraldLake_Lighting	84	210	1.00
85	56950	3803104870060000	EmeraldLake_Lighting	84	210	1.00
86	56952	3803104890320000	EmeraldLake_Lighting	84	210	1.00
87	56956	3803104911270000	EmeraldLake_Lighting	84	210	1.00
88	56957	3803104920650000	EmeraldLake_Lighting	84	210	1.00
89	56958	3803104921440000	EmeraldLake_Lighting	84	210	1.00
90	56962	3803104930530000	EmeraldLake_Lighting	84	210	1.00
91	56964	3803104940870000	EmeraldLake_Lighting	84	210	1.00
92	56966	3803104951540000	EmeraldLake_Lighting	84	210	1.00
93	56970	3803104990960000	EmeraldLake_Lighting	84	210	1.00
94	56972	3803105000610000	EmeraldLake_Lighting	84	210	1.00
95	56980	3803105050460000	EmeraldLake_Lighting	84	210	1.00
96	56981	3803105060100000	EmeraldLake_Lighting	84	210	1.00
97	56982	3803105060820000	EmeraldLake_Lighting	84	210	1.00
98	56983	3803105061030000	EmeraldLake_Lighting	84	210	1.00
99	56987	3803105080560000	EmeraldLake_Lighting	84	210	1.00
100	56989	3803105100250000	EmeraldLake_Lighting	84	210	1.00
101	56991	3803105120760000	EmeraldLake_Lighting	84	210	1.00
102	56992	3803105140520000	EmeraldLake_Lighting	84	210	1.00
103	56993	3803105140960000	EmeraldLake_Lighting	84	210	1.00
104	56994	3803105141050000	EmeraldLake_Lighting	84	210	1.00
105	56996	3803105150400000	EmeraldLake_Lighting	84	210	1.00
106	56998	3803105160180000	EmeraldLake_Lighting	84	210	1.00
107	56999	3803105171610000	EmeraldLake_Lighting	84	210	1.00
108	57000	3803105180720000	EmeraldLake_Lighting	84	210	1.00
109	57003	3803105190910000	EmeraldLake_Lighting	84	210	1.00
110	57007	3803105200490000	EmeraldLake_Lighting	84	210	1.00
111	57009	3803105220680000	EmeraldLake_Lighting	84	210	1.00
112	57010	3803105230370000	EmeraldLake_Lighting	84	210	1.00
113	57011	3803105230860000	EmeraldLake_Lighting	84	210	1.00
114	57015	3803105250150000	EmeraldLake_Lighting	84	210	1.00
115	57016	3803105261160000	EmeraldLake_Lighting	84	210	1.00
116	57018	3803105270440000	EmeraldLake_Lighting	84	210	1.00
117	57019	3803105271590000	EmeraldLake_Lighting	84	210	1.00
118	57021	3803105280630000	EmeraldLake_Lighting	84	210	1.00
119	57022	3803105291340000	EmeraldLake_Lighting	84	210	1.00
120	57023	3803105300800000	EmeraldLake_Lighting	84	210	1.00
121	57025	3803105311230000	EmeraldLake_Lighting	84	210	1.00
122	57026	3803105320190000	EmeraldLake_Lighting	84	210	1.00
123	57027	3803105321300000	EmeraldLake_Lighting	84	210	1.00
124	57034	3803105340580000	EmeraldLake_Lighting	84	210	1.00
125	57037	3803105360760000	EmeraldLake_Lighting	84	210	1.00
126	57038	3803105361030000	EmeraldLake_Lighting	84	210	1.00
127	57039	3803105361090000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

128	57040	3803105371560000	EmeraldLake_Lighting	84	210	1.00
129	57041	3803105381470000	EmeraldLake_Lighting	84	210	1.00
130	57042	3803105390220000	EmeraldLake_Lighting	84	210	1.00
131	57043	3803105390540000	EmeraldLake_Lighting	84	210	1.00
132	57045	3803105420710000	EmeraldLake_Lighting	84	210	1.00
133	57046	3803105430250000	EmeraldLake_Lighting	84	210	1.00
134	57047	3803105440500000	EmeraldLake_Lighting	84	210	1.00
135	57048	3803105440970000	EmeraldLake_Lighting	84	210	1.00
136	57049	3803105451460000	EmeraldLake_Lighting	84	210	1.00
137	57050	3803105480280000	EmeraldLake_Lighting	84	210	1.00
138	57051	3803105481170000	EmeraldLake_Lighting	84	210	1.00
139	57052	3803105491330000	EmeraldLake_Lighting	84	210	1.00
140	57053	3803105500690000	EmeraldLake_Lighting	84	210	1.00
141	57054	3803105501260000	EmeraldLake_Lighting	84	210	1.00
142	57055	3803105501390000	EmeraldLake_Lighting	84	210	1.00
143	57057	3803105511540000	EmeraldLake_Lighting	84	210	1.00
144	57059	3803105520310000	EmeraldLake_Lighting	84	210	1.00
145	57060	3803105521060000	EmeraldLake_Lighting	84	210	1.00
146	57061	3803105530970000	EmeraldLake_Lighting	84	210	1.00
147	57062	3803105570340000	EmeraldLake_Lighting	84	210	1.00
148	57063	3803105590420000	EmeraldLake_Lighting	84	210	1.00
149	57064	3803105591570000	EmeraldLake_Lighting	84	210	1.00
150	57066	3803105610480000	EmeraldLake_Lighting	84	210	1.00
151	57068	3803105620720000	EmeraldLake_Lighting	84	210	1.00
152	57070	3803110021230000	EmeraldLake_Lighting	84	210	1.00
153	57071	3803110031000000	EmeraldLake_Lighting	84	210	1.00
154	57075	3803110051540000	EmeraldLake_Lighting	84	210	1.00
155	57078	3803110061360000	EmeraldLake_Lighting	84	210	1.00
156	57080	3803110080470000	EmeraldLake_Lighting	84	210	1.00
157	57093	3803110111630000	EmeraldLake_Lighting	84	210	1.00
158	57094	3803110120500000	EmeraldLake_Lighting	84	210	1.00
159	173693	3803110120800000	EmeraldLake_Lighting	84	210	1.00
160	57098	3803110170530000	EmeraldLake_Lighting	84	210	1.00
161	57101	3803110181290000	EmeraldLake_Lighting	84	210	1.00
162	57102	3803110181600000	EmeraldLake_Lighting	84	210	1.00
163	57109	3803110220570000	EmeraldLake_Lighting	84	210	1.00
164	57110	3803110241000000	EmeraldLake_Lighting	84	210	1.00
165	57111	3803110241650000	EmeraldLake_Lighting	84	210	1.00
166	57117	3803110270590000	EmeraldLake_Lighting	84	210	1.00
167	57118	3803110270900000	EmeraldLake_Lighting	84	210	1.00
168	57120	3803110291180000	EmeraldLake_Lighting	84	210	1.00
169	57122	3803110320630000	EmeraldLake_Lighting	84	210	1.00
170	57123	3803110321040000	EmeraldLake_Lighting	84	210	1.00
171	57124	3803110321650000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

172	57128	3803110370660000	EmeraldLake_Lighting	84	210	1.00
173	57131	3803110391690000	EmeraldLake_Lighting	84	210	1.00
174	57132	3803110420690000	EmeraldLake_Lighting	84	210	1.00
175	57135	3803110441170000	EmeraldLake_Lighting	84	210	1.00
176	57136	3803110461670000	EmeraldLake_Lighting	84	210	1.00
177	57137	3803110470710000	EmeraldLake_Lighting	84	210	1.00
178	57140	3803110520760000	EmeraldLake_Lighting	84	210	1.00
179	57141	3803110531720000	EmeraldLake_Lighting	84	210	1.00
180	57142	3803110551140000	EmeraldLake_Lighting	84	210	1.00
181	57143	3803110580780000	EmeraldLake_Lighting	84	210	1.00
182	57146	3803110601650000	EmeraldLake_Lighting	84	210	1.00
183	57147	3803110621160000	EmeraldLake_Lighting	84	210	1.00
184	57148	3803110630820000	EmeraldLake_Lighting	84	210	1.00
185	57152	3803110671210000	EmeraldLake_Lighting	84	210	1.00
186	57154	3803110680840000	EmeraldLake_Lighting	84	210	1.00
187	57156	3803110730880000	EmeraldLake_Lighting	84	210	1.00
188	57157	3803110731390000	EmeraldLake_Lighting	84	210	1.00
189	57158	3803110731770000	EmeraldLake_Lighting	84	210	1.00
190	57161	3803110760940000	EmeraldLake_Lighting	84	210	1.00
191	57165	3803110820950000	EmeraldLake_Lighting	84	210	1.00
192	57166	3803110831300000	EmeraldLake_Lighting	84	210	1.00
193	57168	3803110851660000	EmeraldLake_Lighting	84	210	1.00
194	57170	3803110871000000	EmeraldLake_Lighting	84	210	1.00
195	57171	3803110881470000	EmeraldLake_Lighting	84	210	1.00
196	57172	3803110921030000	EmeraldLake_Lighting	84	210	1.00
197	57173	3803110940050000	EmeraldLake_Lighting	84	210	1.00
198	57174	3803110961290000	EmeraldLake_Lighting	84	210	1.00
199	57175	3803110981060000	EmeraldLake_Lighting	84	210	1.00
200	57178	3803111010080000	EmeraldLake_Lighting	84	210	1.00
201	57179	3803111021080000	EmeraldLake_Lighting	84	210	1.00
202	57182	3803111071370000	EmeraldLake_Lighting	84	210	1.00
203	57183	3803111081120000	EmeraldLake_Lighting	84	210	1.00
204	179279	3803111091100000	EmeraldLake_Lighting	84	210	1.00
205	57184	3803111101580000	EmeraldLake_Lighting	84	210	1.00
206	57187	3803111110200000	EmeraldLake_Lighting	84	210	1.00
207	57188	3803111131140000	EmeraldLake_Lighting	84	210	1.00
208	57190	3803111170150000	EmeraldLake_Lighting	84	210	1.00
209	57191	3803111181170000	EmeraldLake_Lighting	84	210	1.00
210	57192	3803111210200000	EmeraldLake_Lighting	84	210	1.00
211	57193	3803111221550000	EmeraldLake_Lighting	84	210	1.00
212	57194	3803111241200000	EmeraldLake_Lighting	84	210	1.00
213	57195	3803111260090000	EmeraldLake_Lighting	84	210	1.00
214	57196	3803111270200000	EmeraldLake_Lighting	84	210	1.00
215	57198	3803111291230000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

216	57199	3803111291570000	EmeraldLake_Lighting	84	210	1.00
217	57200	3803111320100000	EmeraldLake_Lighting	84	210	1.00
218	57201	3803111340230000	EmeraldLake_Lighting	84	210	1.00
219	57202	3803111351250000	EmeraldLake_Lighting	84	210	1.00
220	57203	3803111361590000	EmeraldLake_Lighting	84	210	1.00
221	57204	3803111380110000	EmeraldLake_Lighting	84	210	1.00
222	57205	3803111390250000	EmeraldLake_Lighting	84	210	1.00
223	57206	3803111401260000	EmeraldLake_Lighting	84	210	1.00
224	57207	3803111421620000	EmeraldLake_Lighting	84	210	1.00
225	57208	3803111430120000	EmeraldLake_Lighting	84	210	1.00
226	57209	3803111430270000	EmeraldLake_Lighting	84	210	1.00
227	57210	3803111441280000	EmeraldLake_Lighting	84	210	1.00
228	57212	3803111490140000	EmeraldLake_Lighting	84	210	1.00
229	57213	3803111490310000	EmeraldLake_Lighting	84	210	1.00
230	57214	3803111491290000	EmeraldLake_Lighting	84	210	1.00
231	57215	3803111491630000	EmeraldLake_Lighting	84	210	1.00
232	57216	3803111520350000	EmeraldLake_Lighting	84	210	1.00
233	57218	3803111551660000	EmeraldLake_Lighting	84	210	1.00
234	57219	3803111560170000	EmeraldLake_Lighting	84	210	1.00
235	57220	3803111561320000	EmeraldLake_Lighting	84	210	1.00
236	57221	3803111570380000	EmeraldLake_Lighting	84	210	1.00
237	57223	3803111601330000	EmeraldLake_Lighting	84	210	1.00
238	57227	3803111610420000	EmeraldLake_Lighting	84	210	1.00
239	57228	3803111620220000	EmeraldLake_Lighting	84	210	1.00
240	57229	3803111621670000	EmeraldLake_Lighting	84	210	1.00
241	57231	3803111640470000	EmeraldLake_Lighting	84	210	1.00
242	57232	3803111661350000	EmeraldLake_Lighting	84	210	1.00
243	57233	3803111670030000	EmeraldLake_Lighting	84	210	1.00
244	57234	3803111670370000	EmeraldLake_Lighting	84	210	1.00
245	57235	3803111670520000	EmeraldLake_Lighting	84	210	1.00
246	57236	3803111681700000	EmeraldLake_Lighting	84	210	1.00
247	57237	3803111700410000	EmeraldLake_Lighting	84	210	1.00
248	57238	3803111700550000	EmeraldLake_Lighting	84	210	1.00
249	57239	3803111721370000	EmeraldLake_Lighting	84	210	1.00
250	57241	3803111740060000	EmeraldLake_Lighting	84	210	1.00
251	57242	3803111740450000	EmeraldLake_Lighting	84	210	1.00
252	57243	3803111740610000	EmeraldLake_Lighting	84	210	1.00
253	57244	3803111751710000	EmeraldLake_Lighting	84	210	1.00
254	57245	3803111771390000	EmeraldLake_Lighting	84	210	1.00
255	57246	3803111780490000	EmeraldLake_Lighting	84	210	1.00
256	57247	3803111780650000	EmeraldLake_Lighting	84	210	1.00
257	57248	3803111800540000	EmeraldLake_Lighting	84	210	1.00
258	57250	3803111812120000	EmeraldLake_Lighting	84	210	1.00
259	57251	3803111821400000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

260	57252	3803111821740000	EmeraldLake_Lighting	84	210	1.00
261	57253	3803111850590000	EmeraldLake_Lighting	84	210	1.00
262	176716	3803111850680000	EmeraldLake_Lighting	84	210	1.00
263	57254	3803111860750000	EmeraldLake_Lighting	84	210	1.00
264	57255	3803111870060000	EmeraldLake_Lighting	84	210	1.00
265	57256	3803111881420000	EmeraldLake_Lighting	84	210	1.00
266	57257	3803111881750000	EmeraldLake_Lighting	84	210	1.00
267	57259	3803111900330000	EmeraldLake_Lighting	84	210	1.00
268	57260	3803111900790000	EmeraldLake_Lighting	84	210	1.00
269	57261	3803111930690000	EmeraldLake_Lighting	84	210	1.00
270	57262	3803111931440000	EmeraldLake_Lighting	84	210	1.00
271	57263	3803111940090000	EmeraldLake_Lighting	84	210	1.00
272	57264	3803111940840000	EmeraldLake_Lighting	84	210	1.00
273	57265	3803111950370000	EmeraldLake_Lighting	84	210	1.00
274	57266	3803111950910000	EmeraldLake_Lighting	84	210	1.00
275	57267	3803111951780000	EmeraldLake_Lighting	84	210	1.00
276	57269	3803111960730000	EmeraldLake_Lighting	84	210	1.00
277	57270	3803111990420000	EmeraldLake_Lighting	84	210	1.00
278	57271	3803111991460000	EmeraldLake_Lighting	84	210	1.00
279	57272	3803111991650000	EmeraldLake_Lighting	84	210	1.00
280	57277	3803112010140000	EmeraldLake_Lighting	84	210	1.00
281	57278	3803112010780000	EmeraldLake_Lighting	84	210	1.00
282	57281	3803112020980000	EmeraldLake_Lighting	84	210	1.00
283	57282	3803112040480000	EmeraldLake_Lighting	84	210	1.00
284	57283	3803112041470000	EmeraldLake_Lighting	84	210	1.00
285	57284	3803112041840000	EmeraldLake_Lighting	84	210	1.00
286	57286	3803112051660000	EmeraldLake_Lighting	84	210	1.00
287	176321	3803112070830000	EmeraldLake_Lighting	84	210	1.00
288	57287	3803112081040000	EmeraldLake_Lighting	84	210	1.00
289	57288	3803112090520000	EmeraldLake_Lighting	84	210	1.00
290	57292	3803112121480000	EmeraldLake_Lighting	84	210	1.00
291	57293	3803112121660000	EmeraldLake_Lighting	84	210	1.00
292	57294	3803112130580000	EmeraldLake_Lighting	84	210	1.00
293	176320	3803112130910000	EmeraldLake_Lighting	84	210	1.00
294	57296	3803112140110000	EmeraldLake_Lighting	84	210	1.00
295	57297	3803112141860000	EmeraldLake_Lighting	84	210	1.00
296	57298	3803112151110000	EmeraldLake_Lighting	84	210	1.00
297	57301	3803112170940000	EmeraldLake_Lighting	84	210	1.00
298	57305	3803112191190000	EmeraldLake_Lighting	84	210	1.00
299	57306	3803112191680000	EmeraldLake_Lighting	84	210	1.00
300	57307	3803112211000000	EmeraldLake_Lighting	84	210	1.00
301	57308	3803112211870000	EmeraldLake_Lighting	84	210	1.00
302	57309	3803112221470000	EmeraldLake_Lighting	84	210	1.00
303	57310	3803112230650000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

304	57311	3803112240110000	EmeraldLake_Lighting	84	210	1.00
305	57313	3803112241050000	EmeraldLake_Lighting	84	210	1.00
306	57314	3803112260740000	EmeraldLake_Lighting	84	210	1.00
307	57315	3803112261680000	EmeraldLake_Lighting	84	210	1.00
308	57316	3803112281240000	EmeraldLake_Lighting	84	210	1.00
309	57317	3803112291110000	EmeraldLake_Lighting	84	210	1.00
310	57319	3803112300160000	EmeraldLake_Lighting	84	210	1.00
311	57320	3803112300800000	EmeraldLake_Lighting	84	210	1.00
312	57321	3803112321430000	EmeraldLake_Lighting	84	210	1.00
313	57322	3803112330220000	EmeraldLake_Lighting	84	210	1.00
314	57323	3803112331680000	EmeraldLake_Lighting	84	210	1.00
315	57325	3803112341900000	EmeraldLake_Lighting	84	210	1.00
316	57326	3803112361210000	EmeraldLake_Lighting	84	210	1.00
317	57329	3803112370320000	EmeraldLake_Lighting	84	210	1.00
318	57331	3803112381340000	EmeraldLake_Lighting	84	210	1.00
319	57332	3803112400870000	EmeraldLake_Lighting	84	210	1.00
320	57333	3803112410980000	EmeraldLake_Lighting	84	210	1.00
321	57334	3803112421870000	EmeraldLake_Lighting	84	210	1.00
322	57338	3803112450490000	EmeraldLake_Lighting	84	210	1.00
323	57339	3803112451030000	EmeraldLake_Lighting	84	210	1.00
324	57340	3803112451670000	EmeraldLake_Lighting	84	210	1.00
325	57341	3803112460390000	EmeraldLake_Lighting	84	210	1.00
326	57342	3803112460570000	EmeraldLake_Lighting	84	210	1.00
327	57343	3803112470650000	EmeraldLake_Lighting	84	210	1.00
328	57344	3803112500720000	EmeraldLake_Lighting	84	210	1.00
329	57345	3803112501860000	EmeraldLake_Lighting	84	210	1.00
330	57346	3803112530790000	EmeraldLake_Lighting	84	210	1.00
331	57347	3803112531050000	EmeraldLake_Lighting	84	210	1.00
332	57348	3803112550860000	EmeraldLake_Lighting	84	210	1.00
333	57349	3803112570930000	EmeraldLake_Lighting	84	210	1.00
334	57350	3803112571130000	EmeraldLake_Lighting	84	210	1.00
335	57351	3803112571740000	EmeraldLake_Lighting	84	210	1.00
336	57352	3803112581260000	EmeraldLake_Lighting	84	210	1.00
337	57354	3803112591500000	EmeraldLake_Lighting	84	210	1.00
338	57607	3803140705220000	EmeraldLake_Lighting	84	210	1.00
339	57609	3803140765240000	EmeraldLake_Lighting	84	210	1.00
340	57613	3803140795240000	EmeraldLake_Lighting	84	210	1.00
341	57616	3803140805040000	EmeraldLake_Lighting	84	210	1.00
342	57621	3803140855260000	EmeraldLake_Lighting	84	210	1.00
343	57623	3803140905070000	EmeraldLake_Lighting	84	210	1.00
344	57624	3803140925340000	EmeraldLake_Lighting	84	210	1.00
345	57625	3803140975100000	EmeraldLake_Lighting	84	210	1.00
346	173694	3803141065130000	EmeraldLake_Lighting	84	210	1.00
347	57638	3803141165150000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

348	57640	3803141295190000	EmeraldLake_Lighting	84	210	1.00
349	57642	3803141335190000	EmeraldLake_Lighting	84	210	1.00
350	57644	3803141365210000	EmeraldLake_Lighting	84	210	1.00
351	57646	3803141475230000	EmeraldLake_Lighting	84	210	1.00
352	57651	3803141565280000	EmeraldLake_Lighting	84	210	1.00
353	57652	3803141635270000	EmeraldLake_Lighting	84	210	1.00
354	58873	3803153405260000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

As of September 18, 2017, subject to any segregations, combinations, additions, deletions, corrections, or any other changes to parcels on the rolls; we, the undersigned, do hereby certify to the best of our knowledge, that the attached assessment roll for Road Improvement District #7 (Emerald Lake) has been prepared in accordance with RCW 36.88, and is a true and correct system of assessment that has been applied within the District to the best of our ability.

Signed _____ Date _____

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-263A

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>RR</i>	9/18/17	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	9/26/17	PW/Council
Division Head:					
Dept. Head: Jon Hutchings	<i>JH</i>	9/18/17			
Prosecutor: Dan Gibson	<i>DG</i>	09/18/17			
Purchasing/Budget: Brad Bennet	<i>KB</i>	9/18/17			
Executive: Jack Louws <i>JL</i>	<i>JL</i>	9.18.17			

TITLE OF DOCUMENT: Resolution accepting RID #1, Birch Bay Lighting District, re-assessment roll.

ATTACHMENTS: Resolution and 2018 assesed roll.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? () Yes (x) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Acceptance of the Birch Bay Lighting District re-assessment roll.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Public Works
INTRODUCTION DATE: 9/26/2017

RESOLUTION NO. _____

ACCEPTING THE ASSESSMENT ROLL OF PROPERTY WITHIN THE BOUNDARIES OF
WHATCOM COUNTY ROAD IMPROVEMENT DISTRICT NO. 1 (BIRCH BAY LIGHTING
DISTRICT) AND SETTING THE DATE FOR PUBLIC HEARING

WHEREAS, on September 12, 2017, the Whatcom County Council approved Resolution #2017-039, authorizing the preparation of a reassessment roll for property within the boundaries of Whatcom County Road Improvement District No. 1 (Birch Bay Lighting District); and

WHEREAS, RCW 36.88.090 provides for a public hearing to be held.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council accepts said assessment roll, as outlined in Exhibit A to this resolution, as follows:

The first annual maintenance assessment shall be based upon a Whatcom County Department of Public Works fee of **\$2.00 per account per year and the rate of \$0.45 per lineal front foot.**

The second and each succeeding annual assessment will be based on a Whatcom County Department of Public Works fee of \$2.00 per account per year and the actual cost of maintenance and power charges of Puget Sound Energy, but shall not exceed \$0.75 per lineal front foot. Prior to the second and each succeeding annual maintenance assessment, a budget for Whatcom County Road Improvement District No. 1 shall be submitted to the Whatcom County Executive for approval.

BE IT FURTHER RESOLVED that October 24, 2017, in the Whatcom County Council Chambers in the Courthouse, Bellingham, Washington, is hereby fixed as the time and place for hearing upon the schedule of reassessment, and

BE IT FURTHER RESOLVED that notice of such hearing shall be published two times in the newspaper of general circulation in the County, according to RCW 36.88.090, and by

mailing a notice at least fifteen days before the date fixed for said hearing to each property owner whose name appears on said assessment roll.

APPROVED this ____ day of _____, 2017.


ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:



Daniel L. Gibson, Chief Civil Deputy Prosecutor

EXHIBIT A

Birch Bay Lighting District (RID No. 1)**2018 Assessment Roll****As of September 18, 2017****(Basis= Road Front Footage)**

#	prop_id	geo_id	District_Name	Class	Seq	Basis
1	119237	4001300094870000	Birch Bay Lighting	84	020	240.00
2	119238	4001300115260000	Birch Bay Lighting	84	020	165.00
3	119239	4001300124700000	Birch Bay Lighting	84	020	200.00
4	119241	4001300135080000	Birch Bay Lighting	84	020	170.00
5	119243	4001300164570000	Birch Bay Lighting	84	020	40.00
6	119249	4001300264530001	Birch Bay Lighting	84	020	12.00
7	119250	4001300264530002	Birch Bay Lighting	84	020	11.99
8	119251	4001300264530003	Birch Bay Lighting	84	020	11.99
9	119252	4001300264530004	Birch Bay Lighting	84	020	11.99
10	119253	4001300264530005	Birch Bay Lighting	84	020	11.99
11	119254	4001300264530006	Birch Bay Lighting	84	020	11.99
12	119255	4001300264530007	Birch Bay Lighting	84	020	11.99
13	119256	4001300264530008	Birch Bay Lighting	84	020	11.99
14	119257	4001300264530009	Birch Bay Lighting	84	020	11.99
15	119258	4001300264530010	Birch Bay Lighting	84	020	11.99
16	119259	4001300264530011	Birch Bay Lighting	84	020	11.99
17	119260	4001300264530012	Birch Bay Lighting	84	020	11.99
18	119261	4001300264530013	Birch Bay Lighting	84	020	11.99
19	119262	4001300264530014	Birch Bay Lighting	84	020	11.99
20	119263	4001300264530015	Birch Bay Lighting	84	020	11.99
21	119264	4001300264530016	Birch Bay Lighting	84	020	11.99
22	119265	4001300264530017	Birch Bay Lighting	84	020	11.99
23	119266	4001300264530018	Birch Bay Lighting	84	020	11.99
24	119267	4001300303580000	Birch Bay Lighting	84	020	172.60
25	119268	4001300304210000	Birch Bay Lighting	84	020	10.21
26	119269	4001300304210001	Birch Bay Lighting	84	020	10.21
27	119270	4001300304210002	Birch Bay Lighting	84	020	10.21
28	119271	4001300304210003	Birch Bay Lighting	84	020	10.21
29	119272	4001300304210004	Birch Bay Lighting	84	020	10.21
30	119273	4001300304210005	Birch Bay Lighting	84	020	10.21
31	119274	4001300304210006	Birch Bay Lighting	84	020	10.21
32	119275	4001300304210007	Birch Bay Lighting	84	020	10.21
33	119276	4001300304210008	Birch Bay Lighting	84	020	10.21
34	119277	4001300304210009	Birch Bay Lighting	84	020	10.21
35	119278	4001300304210010	Birch Bay Lighting	84	020	10.21
36	119279	4001300304210011	Birch Bay Lighting	84	020	10.21
37	119280	4001300304210012	Birch Bay Lighting	84	020	10.21
38	119281	4001300304210013	Birch Bay Lighting	84	020	10.21
39	119282	4001300304210014	Birch Bay Lighting	84	020	10.21

EXHIBIT A

40	119284	4001300404130001	Birch Bay Lighting	84	020	7.37
41	119285	4001300404130002	Birch Bay Lighting	84	020	7.37
42	119286	4001300404130003	Birch Bay Lighting	84	020	7.37
43	119287	4001300404130004	Birch Bay Lighting	84	020	7.37
44	119288	4001300404130005	Birch Bay Lighting	84	020	7.37
45	119289	4001300404130006	Birch Bay Lighting	84	020	7.37
46	119290	4001300404130007	Birch Bay Lighting	84	020	7.37
47	119291	4001300404130008	Birch Bay Lighting	84	020	7.37
48	119292	4001300404130009	Birch Bay Lighting	84	020	7.37
49	119293	4001300404130010	Birch Bay Lighting	84	020	7.37
50	119294	4001300404130011	Birch Bay Lighting	84	020	7.37
51	119295	4001300404130012	Birch Bay Lighting	84	020	7.38
52	119296	4001300404130013	Birch Bay Lighting	84	020	7.38
53	119297	4001300404130014	Birch Bay Lighting	84	020	7.38
54	119298	4001300404130015	Birch Bay Lighting	84	020	7.38
55	119299	4001300404130016	Birch Bay Lighting	84	020	7.38
56	119300	4001300404130017	Birch Bay Lighting	84	020	7.38
57	119301	4001300404130018	Birch Bay Lighting	84	020	7.38
58	119307	4001300543560000	Birch Bay Lighting	84	020	150.00
59	119308	4001300543860000	Birch Bay Lighting	84	020	433.00
60	119313	4001300663700000	Birch Bay Lighting	84	020	172.60
61	119449	4001300744920000	Birch Bay Lighting	84	020	957.50
62	119633	4001300841020000	Birch Bay Lighting	84	020	40.00
63	119634	4001300842310000	Birch Bay Lighting	84	020	190.90
64	119637	4001300850790000	Birch Bay Lighting	84	020	40.00
65	119640	4001300860690000	Birch Bay Lighting	84	020	40.00
66	119641	4001300860730000	Birch Bay Lighting	84	020	40.00
67	119642	4001300860820000	Birch Bay Lighting	84	020	21.00
68	119643	4001300860830000	Birch Bay Lighting	84	020	19.00
69	119647	4001300880990000	Birch Bay Lighting	84	020	40.00
70	119650	4001300882060001	Birch Bay Lighting	84	020	4.49
71	119651	4001300882060002	Birch Bay Lighting	84	020	4.49
72	119652	4001300882060003	Birch Bay Lighting	84	020	4.49
73	119653	4001300882060004	Birch Bay Lighting	84	020	4.49
74	119654	4001300882060005	Birch Bay Lighting	84	020	4.49
75	119655	4001300882060006	Birch Bay Lighting	84	020	4.49
76	119656	4001300882060007	Birch Bay Lighting	84	020	4.49
77	119657	4001300882060008	Birch Bay Lighting	84	020	4.49
78	119658	4001300882060009	Birch Bay Lighting	84	020	4.49
79	119659	4001300882060010	Birch Bay Lighting	84	020	4.49
80	119660	4001300882060011	Birch Bay Lighting	84	020	4.49
81	119661	4001300882060012	Birch Bay Lighting	84	020	4.49
82	119662	4001300882060013	Birch Bay Lighting	84	020	4.49
83	119663	4001300882060014	Birch Bay Lighting	84	020	4.49

EXHIBIT A

84	119664	4001300882060015	Birch Bay Lighting	84	020	4.49
85	119665	4001300882060016	Birch Bay Lighting	84	020	4.49
86	119666	4001300882060017	Birch Bay Lighting	84	020	4.49
87	119667	4001300882060018	Birch Bay Lighting	84	020	4.49
88	119668	4001300882060019	Birch Bay Lighting	84	020	4.49
89	119669	4001300882060020	Birch Bay Lighting	84	020	4.49
90	119670	4001300882060021	Birch Bay Lighting	84	020	4.49
91	119671	4001300882060022	Birch Bay Lighting	84	020	4.49
92	119672	4001300882060023	Birch Bay Lighting	84	020	4.49
93	119673	4001300882060024	Birch Bay Lighting	84	020	4.49
94	119674	4001300882060025	Birch Bay Lighting	84	020	4.49
95	119675	4001300882060026	Birch Bay Lighting	84	020	4.49
96	119676	4001300882060027	Birch Bay Lighting	84	020	4.49
97	119677	4001300882060028	Birch Bay Lighting	84	020	4.49
98	119678	4001300882060029	Birch Bay Lighting	84	020	4.49
99	119679	4001300882060030	Birch Bay Lighting	84	020	4.49
100	119680	4001300882060031	Birch Bay Lighting	84	020	4.49
101	119681	4001300882060032	Birch Bay Lighting	84	020	4.49
102	119682	4001300882060033	Birch Bay Lighting	84	020	4.49
103	119683	4001300882060034	Birch Bay Lighting	84	020	4.49
104	119684	4001300882060035	Birch Bay Lighting	84	020	4.49
105	119685	4001300882060036	Birch Bay Lighting	84	020	4.49
106	119686	4001300882060037	Birch Bay Lighting	84	020	4.49
107	119687	4001300882060038	Birch Bay Lighting	84	020	4.49
108	119688	4001300882060039	Birch Bay Lighting	84	020	4.49
109	119689	4001300882060040	Birch Bay Lighting	84	020	4.49
110	119690	4001300882060041	Birch Bay Lighting	84	020	4.49
111	119691	4001300882060042	Birch Bay Lighting	84	020	4.49
112	119692	4001300882060043	Birch Bay Lighting	84	020	4.49
113	119693	4001300882060044	Birch Bay Lighting	84	020	4.49
114	119694	4001300882060045	Birch Bay Lighting	84	020	4.49
115	119695	4001300882060046	Birch Bay Lighting	84	020	4.49
116	119696	4001300882060047	Birch Bay Lighting	84	020	4.49
117	119697	4001300882060048	Birch Bay Lighting	84	020	4.49
118	119698	4001300882060049	Birch Bay Lighting	84	020	4.49
119	119699	4001300882060050	Birch Bay Lighting	84	020	4.49
120	119700	4001300882060051	Birch Bay Lighting	84	020	4.49
121	119701	4001300882060052	Birch Bay Lighting	84	020	4.49
122	119702	4001300882060053	Birch Bay Lighting	84	020	4.49
123	119703	4001300882060054	Birch Bay Lighting	84	020	4.49
124	119704	4001300882060055	Birch Bay Lighting	84	020	4.49
125	119705	4001300882060056	Birch Bay Lighting	84	020	4.49
126	119706	4001300882060057	Birch Bay Lighting	84	020	4.49
127	119707	4001300882060058	Birch Bay Lighting	84	020	4.49

EXHIBIT A

128	119708	4001300882060059	Birch Bay Lighting	84	020	4.49
129	119710	4001300890490000	Birch Bay Lighting	84	020	40.00
130	119711	4001300890530000	Birch Bay Lighting	84	020	40.00
131	119712	4001300890880000	Birch Bay Lighting	84	020	40.00
132	119731	4001300892850000	Birch Bay Lighting	84	020	3.17
133	119732	4001300892850001	Birch Bay Lighting	84	020	3.17
134	119733	4001300892850002	Birch Bay Lighting	84	020	3.17
135	119734	4001300892850003	Birch Bay Lighting	84	020	3.17
136	119735	4001300892850004	Birch Bay Lighting	84	020	3.17
137	119736	4001300892850005	Birch Bay Lighting	84	020	3.17
138	119737	4001300892850006	Birch Bay Lighting	84	020	3.17
139	119738	4001300892850007	Birch Bay Lighting	84	020	3.17
140	119739	4001300892850008	Birch Bay Lighting	84	020	3.17
141	119740	4001300892850009	Birch Bay Lighting	84	020	3.17
142	119741	4001300892850010	Birch Bay Lighting	84	020	3.17
143	119742	4001300892850011	Birch Bay Lighting	84	020	3.17
144	119743	4001300892850012	Birch Bay Lighting	84	020	3.17
145	119744	4001300892850013	Birch Bay Lighting	84	020	3.17
146	119745	4001300892850014	Birch Bay Lighting	84	020	3.17
147	119746	4001300892850015	Birch Bay Lighting	84	020	3.17
148	119747	4001300892850016	Birch Bay Lighting	84	020	3.17
149	119748	4001300892850017	Birch Bay Lighting	84	020	3.17
150	119749	4001300892850018	Birch Bay Lighting	84	020	3.17
151	119750	4001300892850019	Birch Bay Lighting	84	020	3.17
152	119751	4001300892850020	Birch Bay Lighting	84	020	3.17
153	119752	4001300892850021	Birch Bay Lighting	84	020	3.17
154	119753	4001300892850022	Birch Bay Lighting	84	020	3.17
155	119754	4001300892850023	Birch Bay Lighting	84	020	3.17
156	119755	4001300892850024	Birch Bay Lighting	84	020	3.17
157	119756	4001300892850025	Birch Bay Lighting	84	020	3.17
158	119757	4001300892850026	Birch Bay Lighting	84	020	3.17
159	119758	4001300892850027	Birch Bay Lighting	84	020	3.17
160	119759	4001300892850028	Birch Bay Lighting	84	020	3.17
161	119760	4001300892850029	Birch Bay Lighting	84	020	3.17
162	119769	4001300900580000	Birch Bay Lighting	84	020	40.00
163	119770	4001300900620000	Birch Bay Lighting	84	020	40.00
164	119772	4001300900910000	Birch Bay Lighting	84	020	43.45
165	119790	4001300903260000	Birch Bay Lighting	84	020	431.40
166	119819	4001300920420000	Birch Bay Lighting	84	020	40.00
167	119884	4001301042460000	Birch Bay Lighting	84	020	369.10
168	119928	4001301071680027	Birch Bay Lighting	84	020	3.68
169	119929	4001301071680028	Birch Bay Lighting	84	020	3.68
170	119930	4001301071680029	Birch Bay Lighting	84	020	3.68
171	119931	4001301071680030	Birch Bay Lighting	84	020	3.68

EXHIBIT A

172	119932	4001301071680031	Birch Bay Lighting	84	020	3.68
173	119933	4001301071680032	Birch Bay Lighting	84	020	3.68
174	119934	4001301071680033	Birch Bay Lighting	84	020	3.68
175	119935	4001301071680034	Birch Bay Lighting	84	020	3.68
176	119936	4001301071680035	Birch Bay Lighting	84	020	3.68
177	119937	4001301071680036	Birch Bay Lighting	84	020	3.68
178	119938	4001301071680037	Birch Bay Lighting	84	020	3.68
179	119939	4001301071680038	Birch Bay Lighting	84	020	3.68
180	119940	4001301071680039	Birch Bay Lighting	84	020	3.68
181	119941	4001301071680040	Birch Bay Lighting	84	020	3.68
182	119942	4001301071680041	Birch Bay Lighting	84	020	3.68
183	119943	4001301071680042	Birch Bay Lighting	84	020	3.68
184	119944	4001301071680043	Birch Bay Lighting	84	020	3.68
185	119958	4001301071680057	Birch Bay Lighting	84	020	3.68
186	119959	4001301071680058	Birch Bay Lighting	84	020	3.68
187	119960	4001301071680059	Birch Bay Lighting	84	020	3.68
188	119961	4001301071680060	Birch Bay Lighting	84	020	3.68
189	119962	4001301071680061	Birch Bay Lighting	84	020	3.68
190	119963	4001301071680062	Birch Bay Lighting	84	020	3.68
191	119964	4001301071680063	Birch Bay Lighting	84	020	3.68
192	119965	4001301071680064	Birch Bay Lighting	84	020	3.68
193	119966	4001301071680065	Birch Bay Lighting	84	020	3.68
194	119967	4001301071680066	Birch Bay Lighting	84	020	3.68
195	119968	4001301071680067	Birch Bay Lighting	84	020	3.68
196	119969	4001301071680068	Birch Bay Lighting	84	020	3.68
197	119970	4001301071680069	Birch Bay Lighting	84	020	3.68
198	119971	4001301071680070	Birch Bay Lighting	84	020	3.68
199	119972	4001301071680071	Birch Bay Lighting	84	020	3.68
200	119973	4001301071680072	Birch Bay Lighting	84	020	3.68
201	119974	4001301071680073	Birch Bay Lighting	84	020	3.68
202	119988	4001301071680087	Birch Bay Lighting	84	020	3.68
203	119989	4001301071680088	Birch Bay Lighting	84	020	3.68
204	119990	4001301071680089	Birch Bay Lighting	84	020	3.68
205	119991	4001301071680090	Birch Bay Lighting	84	020	3.68
206	119992	4001301071680091	Birch Bay Lighting	84	020	3.68
207	119993	4001301071680092	Birch Bay Lighting	84	020	3.68
208	119994	4001301071680093	Birch Bay Lighting	84	020	3.68
209	119995	4001301071680094	Birch Bay Lighting	84	020	3.68
210	119996	4001301071680095	Birch Bay Lighting	84	020	3.68
211	119997	4001301071680096	Birch Bay Lighting	84	020	3.68
212	119998	4001301071680097	Birch Bay Lighting	84	020	3.68
213	119999	4001301071680098	Birch Bay Lighting	84	020	3.69
214	120000	4001301071680099	Birch Bay Lighting	84	020	3.69
215	120001	4001301071680100	Birch Bay Lighting	84	020	3.69

EXHIBIT A

216	120002	4001301071680101	Birch Bay Lighting	84	020	3.69
217	120003	4001301071680102	Birch Bay Lighting	84	020	3.69
218	120004	4001301071680103	Birch Bay Lighting	84	020	3.69
219	120005	4001301071680104	Birch Bay Lighting	84	020	3.69
220	120007	4001301071680106	Birch Bay Lighting	84	020	3.69
221	120008	4001301071680107	Birch Bay Lighting	84	020	3.69
222	120009	4001301071680108	Birch Bay Lighting	84	020	3.69
223	120010	4001301071680109	Birch Bay Lighting	84	020	3.69
224	173404	4001301080180036	Birch Bay Lighting	84	020	12.95
225	173405	4001301080180037	Birch Bay Lighting	84	020	12.95
226	173406	4001301080180038	Birch Bay Lighting	84	020	12.95
227	173407	4001301080180039	Birch Bay Lighting	84	020	12.95
228	173408	4001301080180040	Birch Bay Lighting	84	020	12.95
229	173409	4001301080180041	Birch Bay Lighting	84	020	12.95
230	173410	4001301080180042	Birch Bay Lighting	84	020	12.95
231	173411	4001301080180043	Birch Bay Lighting	84	020	12.95
232	173412	4001301080180044	Birch Bay Lighting	84	020	12.95
233	173413	4001301080180045	Birch Bay Lighting	84	020	12.95
234	173414	4001301080180046	Birch Bay Lighting	84	020	12.95
235	173415	4001301080180047	Birch Bay Lighting	84	020	12.95
236	173416	4001301080180048	Birch Bay Lighting	84	020	12.95
237	173417	4001301080180049	Birch Bay Lighting	84	020	12.95
238	173418	4001301080180050	Birch Bay Lighting	84	020	12.95
239	173419	4001301080180051	Birch Bay Lighting	84	020	12.95
240	173420	4001301080180052	Birch Bay Lighting	84	020	12.95
241	173421	4001301080180053	Birch Bay Lighting	84	020	12.95
242	173422	4001301080180054	Birch Bay Lighting	84	020	12.95
243	173423	4001301080180055	Birch Bay Lighting	84	020	12.95
244	120050	4001301080320000	Birch Bay Lighting	84	020	50.74
245	120052	4001301080370000	Birch Bay Lighting	84	020	50.74
246	120218	4001301261900000	Birch Bay Lighting	84	020	128.43
247	119713	4001301871460001	Birch Bay Lighting	84	020	5.60
248	119714	4001301871460002	Birch Bay Lighting	84	020	5.60
249	119715	4001301871460003	Birch Bay Lighting	84	020	5.60
250	119716	4001301871460004	Birch Bay Lighting	84	020	5.60
251	119717	4001301871460005	Birch Bay Lighting	84	020	5.60
252	119718	4001301871460006	Birch Bay Lighting	84	020	5.60
253	119719	4001301871460007	Birch Bay Lighting	84	020	5.60
254	119720	4001301871460008	Birch Bay Lighting	84	020	5.60
255	119721	4001301871460009	Birch Bay Lighting	84	020	5.60
256	179806	4001301871460000	Birch Bay Lighting	84	020	16.40
257	119722	4001301871460010	Birch Bay Lighting	84	020	5.60
258	119723	4001301871460011	Birch Bay Lighting	84	020	5.60
259	119724	4001301871460012	Birch Bay Lighting	84	020	5.60

EXHIBIT A

260	119725	4001301871460013	Birch Bay Lighting	84	020	5.60
261	119726	4001301871460014	Birch Bay Lighting	84	020	5.60
262	119727	4001301871460015	Birch Bay Lighting	84	020	5.60
263	119728	4001301871460016	Birch Bay Lighting	84	020	5.60
264	119774	4001301871460037	Birch Bay Lighting	84	020	6.25
265	119775	4001301871460038	Birch Bay Lighting	84	020	6.25
266	119776	4001301871460039	Birch Bay Lighting	84	020	6.25
267	119777	4001301871460040	Birch Bay Lighting	84	020	6.25
268	119778	4001301871460041	Birch Bay Lighting	84	020	6.25
269	119779	4001301871460042	Birch Bay Lighting	84	020	6.25
270	119780	4001301871460043	Birch Bay Lighting	84	020	6.25
271	119781	4001301871460044	Birch Bay Lighting	84	020	6.25
272	119782	4001301871460045	Birch Bay Lighting	84	020	6.25
273	119783	4001301871460046	Birch Bay Lighting	84	020	6.25
274	119784	4001301871460047	Birch Bay Lighting	84	020	6.25
275	119785	4001301871460048	Birch Bay Lighting	84	020	6.25
276	119786	4001301871460049	Birch Bay Lighting	84	020	6.25
277	119787	4001301871460050	Birch Bay Lighting	84	020	6.25
278	119788	4001301871460051	Birch Bay Lighting	84	020	6.25
279	119789	4001301871460052	Birch Bay Lighting	84	020	6.25
280	119829	4001301871460109	Birch Bay Lighting	84	020	8.00
281	119830	4001301871460110	Birch Bay Lighting	84	020	8.00
282	119831	4001301871460111	Birch Bay Lighting	84	020	8.00
283	119832	4001301871460112	Birch Bay Lighting	84	020	8.00
284	119833	4001301871460113	Birch Bay Lighting	84	020	8.00
285	119834	4001301871460114	Birch Bay Lighting	84	020	8.00
286	119835	4001301871460115	Birch Bay Lighting	84	020	8.00
287	119836	4001301871460116	Birch Bay Lighting	84	020	8.00
288	119837	4001301871460117	Birch Bay Lighting	84	020	8.00
289	119838	4001301871460118	Birch Bay Lighting	84	020	8.00
290	119839	4001301871460119	Birch Bay Lighting	84	020	8.00
291	119840	4001301871460120	Birch Bay Lighting	84	020	8.00
292	119841	4001301871460121	Birch Bay Lighting	84	020	8.00
293	119842	4001301871460122	Birch Bay Lighting	84	020	8.00
294	119843	4001301871460123	Birch Bay Lighting	84	020	8.00
295	119844	4001301871460124	Birch Bay Lighting	84	020	8.00
296	119845	4001301871460133	Birch Bay Lighting	84	020	8.00
297	119846	4001301871460134	Birch Bay Lighting	84	020	8.00
298	119847	4001301871460135	Birch Bay Lighting	84	020	8.00
299	119848	4001301871460136	Birch Bay Lighting	84	020	8.00
300	119849	4001301871460137	Birch Bay Lighting	84	020	8.00
301	119850	4001301871460138	Birch Bay Lighting	84	020	8.00
302	119851	4001301871460139	Birch Bay Lighting	84	020	8.00
303	119852	4001301871460140	Birch Bay Lighting	84	020	8.00

EXHIBIT A

304	119853	4001301871460141	Birch Bay Lighting	84	020	8.00
305	119854	4001301871460142	Birch Bay Lighting	84	020	8.00
306	119855	4001301871460143	Birch Bay Lighting	84	020	8.00
307	119856	4001301871460144	Birch Bay Lighting	84	020	8.00
308	119857	4001301871460145	Birch Bay Lighting	84	020	8.00
309	119858	4001301871460146	Birch Bay Lighting	84	020	8.00
310	119859	4001301871460147	Birch Bay Lighting	84	020	8.00
311	119860	4001301871460148	Birch Bay Lighting	84	020	8.00
312	120815	4001302720780000	Birch Bay Lighting	84	020	50.00
313	121517	4001310042330000	Birch Bay Lighting	84	020	50.10
314	121520	4001310052380000	Birch Bay Lighting	84	020	82.40
315	121521	4001310073050000	Birch Bay Lighting	84	020	50.80
316	121526	4001310081400000	Birch Bay Lighting	84	020	40.00
317	121527	4001310081450000	Birch Bay Lighting	84	020	50.00
318	121528	4001310081500000	Birch Bay Lighting	84	020	50.00
319	121529	4001310081550000	Birch Bay Lighting	84	020	58.30
320	121531	4001310082510000	Birch Bay Lighting	84	020	50.20
321	121532	4001310091590000	Birch Bay Lighting	84	020	50.00
322	121533	4001310092560000	Birch Bay Lighting	84	020	50.20
323	121535	4001310093080000	Birch Bay Lighting	84	020	40.00
324	121536	4001310101630000	Birch Bay Lighting	84	020	61.40
325	121537	4001310113120000	Birch Bay Lighting	84	020	39.60
326	121539	4001310122610000	Birch Bay Lighting	84	020	71.10
327	121540	4001310123150000	Birch Bay Lighting	84	020	40.40
328	121542	4001310131740000	Birch Bay Lighting	84	020	64.00
329	121543	4001310132220000	Birch Bay Lighting	84	020	50.00
330	121544	4001310132280000	Birch Bay Lighting	84	020	50.00
331	121545	4001310143190000	Birch Bay Lighting	84	020	40.10
332	121548	4001310151790000	Birch Bay Lighting	84	020	50.00
333	121550	4001310161400000	Birch Bay Lighting	84	020	40.00
334	121551	4001310161730000	Birch Bay Lighting	84	020	50.00
335	121552	4001310163230000	Birch Bay Lighting	84	020	39.90
336	121558	4001310171450000	Birch Bay Lighting	84	020	50.00
337	121559	4001310171500000	Birch Bay Lighting	84	020	50.00
338	121560	4001310171540000	Birch Bay Lighting	84	020	22.80
339	121561	4001310171580000	Birch Bay Lighting	84	020	50.00
340	121562	4001310172330000	Birch Bay Lighting	84	020	91.50
341	121563	4001310173260000	Birch Bay Lighting	84	020	40.00
342	121567	4001310191620000	Birch Bay Lighting	84	020	44.00
343	121568	4001310191890000	Birch Bay Lighting	84	020	50.00
344	121570	4001310203040000	Birch Bay Lighting	84	020	72.00
345	121572	4001310211710000	Birch Bay Lighting	84	020	49.40
346	121573	4001310211930000	Birch Bay Lighting	84	020	50.00
347	121576	4001310222450000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

348	121578	4001310223300000	Birch Bay Lighting	84	020	39.91
349	121582	4001310231970000	Birch Bay Lighting	84	020	50.00
350	121583	4001310232500000	Birch Bay Lighting	84	020	50.00
351	181994	4001310233440000	Birch Bay Lighting	84	020	139.96
352	181821	4001310233490000	Birch Bay Lighting	84	020	44.52
353	121584	4001310241760000	Birch Bay Lighting	84	020	50.00
354	121586	4001310243000000	Birch Bay Lighting	84	020	39.00
355	121587	4001310243090000	Birch Bay Lighting	84	020	36.00
356	181851	4001310243460000	Birch Bay Lighting	84	020	8.43
357	121588	4001310252020000	Birch Bay Lighting	84	020	47.70
358	121591	4001310261800000	Birch Bay Lighting	84	020	50.00
359	121592	4001310262550000	Birch Bay Lighting	84	020	50.00
360	121593	4001310263130000	Birch Bay Lighting	84	020	36.00
361	121594	4001310263510000	Birch Bay Lighting	84	020	40.10
362	121596	4001310281860000	Birch Bay Lighting	84	020	50.00
363	121598	4001310282610000	Birch Bay Lighting	84	020	55.50
364	121599	4001310283590000	Birch Bay Lighting	84	020	41.10
365	121600	4001310283720000	Birch Bay Lighting	84	020	39.80
366	121601	4001310291900000	Birch Bay Lighting	84	020	50.00
367	121602	4001310292100000	Birch Bay Lighting	84	020	53.50
368	121604	4001310293560000	Birch Bay Lighting	84	020	41.10
369	121605	4001310303680000	Birch Bay Lighting	84	020	39.20
370	121609	4001310311430000	Birch Bay Lighting	84	020	40.00
371	121612	4001310313260001	Birch Bay Lighting	84	020	14.70
372	121649	4001310313260038	Birch Bay Lighting	84	020	14.70
373	121662	4001310313260051	Birch Bay Lighting	84	020	14.70
374	121679	4001310313260068	Birch Bay Lighting	84	020	14.70
375	121680	4001310313260069	Birch Bay Lighting	84	020	14.70
376	121681	4001310313260070	Birch Bay Lighting	84	020	3.68
377	121696	4001310313260085	Birch Bay Lighting	84	020	3.68
378	121712	4001310313260101	Birch Bay Lighting	84	020	14.70
379	121713	4001310313260102	Birch Bay Lighting	84	020	14.70
380	121749	4001310313260138	Birch Bay Lighting	84	020	14.70
381	121750	4001310313260139	Birch Bay Lighting	84	020	14.70
382	121788	4001310313260177	Birch Bay Lighting	84	020	14.70
383	121803	4001310313260192	Birch Bay Lighting	84	020	14.70
384	121848	4001310313260237	Birch Bay Lighting	84	020	14.70
385	121853	4001310313260242	Birch Bay Lighting	84	020	14.70
386	121854	4001310313260243	Birch Bay Lighting	84	020	14.70
387	121866	4001310313260255	Birch Bay Lighting	84	020	14.70
388	121881	4001310313260270	Birch Bay Lighting	84	020	14.70
389	121893	4001310313260282	Birch Bay Lighting	84	020	14.70
390	121894	4001310313260283	Birch Bay Lighting	84	020	14.70
391	173447	4001310313260376	Birch Bay Lighting	84	020	3.68

EXHIBIT A

392	173448	4001310313260377	Birch Bay Lighting	84	020	3.67
393	173449	4001310313260378	Birch Bay Lighting	84	020	3.67
394	173455	4001310313260379	Birch Bay Lighting	84	020	3.68
395	173456	4001310313260380	Birch Bay Lighting	84	020	3.67
396	173457	4001310313260381	Birch Bay Lighting	84	020	3.67
397	121959	4001310313720000	Birch Bay Lighting	84	020	40.70
398	121963	4001310321440000	Birch Bay Lighting	84	020	50.00
399	121965	4001310321500000	Birch Bay Lighting	84	020	50.00
400	121967	4001310321540000	Birch Bay Lighting	84	020	55.00
401	121968	4001310321950000	Birch Bay Lighting	84	020	50.00
402	121969	4001310322140000	Birch Bay Lighting	84	020	50.00
403	121970	4001310323740000	Birch Bay Lighting	84	020	41.10
404	121974	4001310331590000	Birch Bay Lighting	84	020	51.60
405	121975	4001310331980000	Birch Bay Lighting	84	020	34.40
406	121981	4001310342180000	Birch Bay Lighting	84	020	50.00
407	121982	4001310343800000	Birch Bay Lighting	84	020	78.18
408	121984	4001310353880000	Birch Bay Lighting	84	020	47.17
409	121993	4001310371700000	Birch Bay Lighting	84	020	96.60
410	121994	4001310372070000	Birch Bay Lighting	84	020	46.50
411	121995	4001310372230000	Birch Bay Lighting	84	020	50.00
412	121999	4001310383450000	Birch Bay Lighting	84	020	39.00
413	122000	4001310393960000	Birch Bay Lighting	84	020	83.00
414	122002	4001310401820000	Birch Bay Lighting	84	020	50.00
415	122004	4001310402120000	Birch Bay Lighting	84	020	50.00
416	122006	4001310402290000	Birch Bay Lighting	84	020	69.10
417	122007	4001310411770000	Birch Bay Lighting	84	020	50.00
418	122008	4001310413520000	Birch Bay Lighting	84	020	39.00
419	122012	4001310432160000	Birch Bay Lighting	84	020	50.00
420	122013	4001310432360000	Birch Bay Lighting	84	020	70.90
421	122014	4001310433560000	Birch Bay Lighting	84	020	39.50
422	122019	4001310441960000	Birch Bay Lighting	84	020	50.00
423	122020	4001310443600000	Birch Bay Lighting	84	020	37.20
424	122022	4001310444130001	Birch Bay Lighting	84	020	29.50
425	122023	4001310444130002	Birch Bay Lighting	84	020	29.50
426	122024	4001310444130003	Birch Bay Lighting	84	020	29.50
427	122025	4001310444130004	Birch Bay Lighting	84	020	29.50
428	122026	4001310444130005	Birch Bay Lighting	84	020	29.50
429	122027	4001310444130006	Birch Bay Lighting	84	020	29.50
430	122028	4001310444130007	Birch Bay Lighting	84	020	29.50
431	122029	4001310444130008	Birch Bay Lighting	84	020	29.50
432	122030	4001310444130009	Birch Bay Lighting	84	020	29.50
433	122031	4001310444130010	Birch Bay Lighting	84	020	29.50
434	122034	4001310452200000	Birch Bay Lighting	84	020	50.00
435	122035	4001310453630000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

436	122043	4001310461900000	Birch Bay Lighting	84	020	50.00
437	122045	4001310463670000	Birch Bay Lighting	84	020	40.00
438	122049	4001310472400000	Birch Bay Lighting	84	020	50.00
439	122050	4001310473120000	Birch Bay Lighting	84	020	315.31
440	122051	4001310473700000	Birch Bay Lighting	84	020	42.50
441	122053	4001310481940000	Birch Bay Lighting	84	020	51.80
442	122054	4001310482240000	Birch Bay Lighting	84	020	70.90
443	122055	4001310483740000	Birch Bay Lighting	84	020	42.50
444	122062	4001310502490000	Birch Bay Lighting	84	020	56.20
445	122063	4001310503780000	Birch Bay Lighting	84	020	57.50
446	122066	4001310512020000	Birch Bay Lighting	84	020	65.20
447	122067	4001310512320000	Birch Bay Lighting	84	020	69.10
448	122068	4001310513060000	Birch Bay Lighting	84	020	70.50
449	122070	4001310522050000	Birch Bay Lighting	84	020	50.00
450	122071	4001310523860000	Birch Bay Lighting	84	020	55.00
451	122072	4001310523900000	Birch Bay Lighting	84	020	40.00
452	122074	4001310532370000	Birch Bay Lighting	84	020	50.00
453	180289	4001310532430000	Birch Bay Lighting	84	020	100.00
454	122075	4001310533080000	Birch Bay Lighting	84	020	40.00
455	122078	4001310542110000	Birch Bay Lighting	84	020	50.00
456	122080	4001310542550000	Birch Bay Lighting	84	020	100.00
457	122084	4001310554380001	Birch Bay Lighting	84	020	51.25
458	122085	4001310554380002	Birch Bay Lighting	84	020	51.25
459	122086	4001310554380003	Birch Bay Lighting	84	020	51.25
460	122087	4001310554380004	Birch Bay Lighting	84	020	51.25
461	122090	4001310563060000	Birch Bay Lighting	84	020	3.70
462	122095	4001310572150000	Birch Bay Lighting	84	020	50.00
463	122098	4001310574030001	Birch Bay Lighting	84	020	35.00
464	122099	4001310574030002	Birch Bay Lighting	84	020	35.00
465	122100	4001310574030003	Birch Bay Lighting	84	020	35.00
466	122101	4001310574030004	Birch Bay Lighting	84	020	35.00
467	122102	4001310574030005	Birch Bay Lighting	84	020	35.00
468	122103	4001310574030006	Birch Bay Lighting	84	020	35.00
469	122104	4001310574030007	Birch Bay Lighting	84	020	35.00
470	122105	4001310574030008	Birch Bay Lighting	84	020	35.00
471	122106	4001310582590000	Birch Bay Lighting	84	020	50.00
472	122107	4001310583290000	Birch Bay Lighting	84	020	56.00
473	122109	4001310583320000	Birch Bay Lighting	84	020	21.00
474	122110	4001310583350000	Birch Bay Lighting	84	020	29.00
475	122111	4001310583390000	Birch Bay Lighting	84	020	45.00
476	122112	4001310583430000	Birch Bay Lighting	84	020	40.00
477	122113	4001310592460000	Birch Bay Lighting	84	020	43.80
478	122114	4001310593090000	Birch Bay Lighting	84	020	40.00
479	122115	4001310593470000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

480	122116	4001310593510000	Birch Bay Lighting	84	020	40.00
481	122118	4001310602600000	Birch Bay Lighting	84	020	113.40
482	122119	4001310603550000	Birch Bay Lighting	84	020	40.00
483	122122	4001310612190000	Birch Bay Lighting	84	020	51.00
484	122123	4001310613590000	Birch Bay Lighting	84	020	40.00
485	122124	4001310614230000	Birch Bay Lighting	84	020	127.00
486	122128	4001310621630000	Birch Bay Lighting	84	020	38.63
487	122129	4001310623120000	Birch Bay Lighting	84	020	46.00
488	122130	4001310623620000	Birch Bay Lighting	84	020	40.00
489	122132	4001310633660000	Birch Bay Lighting	84	020	40.00
490	122133	4001310633700000	Birch Bay Lighting	84	020	40.00
491	122138	4001310652520000	Birch Bay Lighting	84	020	50.00
492	122139	4001310653750000	Birch Bay Lighting	84	020	55.00
493	122140	4001310654570000	Birch Bay Lighting	84	020	23.75
494	122141	4001310654570001	Birch Bay Lighting	84	020	23.75
495	122142	4001310654570002	Birch Bay Lighting	84	020	23.75
496	122143	4001310654570003	Birch Bay Lighting	84	020	23.75
497	122144	4001310654570004	Birch Bay Lighting	84	020	23.75
498	122145	4001310654570005	Birch Bay Lighting	84	020	23.75
499	122146	4001310654570006	Birch Bay Lighting	84	020	23.75
500	122147	4001310654570007	Birch Bay Lighting	84	020	23.75
501	122148	4001310654570008	Birch Bay Lighting	84	020	23.75
502	122149	4001310654570009	Birch Bay Lighting	84	020	23.75
503	122150	4001310654570010	Birch Bay Lighting	84	020	23.75
504	122151	4001310654570011	Birch Bay Lighting	84	020	23.75
505	122153	4001310662270000	Birch Bay Lighting	84	020	49.00
506	122155	4001310663820000	Birch Bay Lighting	84	020	65.00
507	122157	4001310673130000	Birch Bay Lighting	84	020	44.00
508	122160	4001310682310000	Birch Bay Lighting	84	020	50.00
509	122161	4001310682600000	Birch Bay Lighting	84	020	50.00
510	122162	4001310683290000	Birch Bay Lighting	84	020	51.20
511	122163	4001310683870000	Birch Bay Lighting	84	020	40.00
512	122164	4001310693390000	Birch Bay Lighting	84	020	163.20
513	122166	4001310693910000	Birch Bay Lighting	84	020	40.00
514	122169	4001310702350000	Birch Bay Lighting	84	020	50.00
515	122170	4001310703950000	Birch Bay Lighting	84	020	40.00
516	122172	4001310713110000	Birch Bay Lighting	84	020	44.00
517	122173	4001310713450000	Birch Bay Lighting	84	020	47.20
518	122175	4001310713990000	Birch Bay Lighting	84	020	40.00
519	122176	4001310714030000	Birch Bay Lighting	84	020	40.00
520	122178	4001310714070000	Birch Bay Lighting	84	020	40.00
521	122180	4001310722630000	Birch Bay Lighting	84	020	50.30
522	122181	4001310723320000	Birch Bay Lighting	84	020	52.00
523	122182	4001310724110000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

524	122183	4001310724150000	Birch Bay Lighting	84	020	40.00
525	122190	4001310742390000	Birch Bay Lighting	84	020	41.10
526	122192	4001310743660000	Birch Bay Lighting	84	020	40.00
527	122194	4001310752440000	Birch Bay Lighting	84	020	50.00
528	122195	4001310753490000	Birch Bay Lighting	84	020	81.50
529	122196	4001310753620000	Birch Bay Lighting	84	020	23.00
530	122197	4001310754220000	Birch Bay Lighting	84	020	137.31
531	122199	4001310763100000	Birch Bay Lighting	84	020	44.00
532	122200	4001310763210000	Birch Bay Lighting	84	020	70.00
533	122201	4001310763350000	Birch Bay Lighting	84	020	51.60
534	122202	4001310763700000	Birch Bay Lighting	84	020	40.00
535	122204	4001310773850000	Birch Bay Lighting	84	020	30.40
536	122207	4001310782490000	Birch Bay Lighting	84	020	50.00
537	122208	4001310783740000	Birch Bay Lighting	84	020	33.40
538	122212	4001310793390000	Birch Bay Lighting	84	020	50.00
539	122213	4001310793530000	Birch Bay Lighting	84	020	40.00
540	122214	4001310793670000	Birch Bay Lighting	84	020	60.00
541	122215	4001310803230000	Birch Bay Lighting	84	020	50.00
542	122216	4001310805070000	Birch Bay Lighting	84	020	205.00
543	122219	4001310813080000	Birch Bay Lighting	84	020	57.50
544	122220	4001310813850000	Birch Bay Lighting	84	020	40.00
545	122221	4001310813910000	Birch Bay Lighting	84	020	46.50
546	122222	4001310813950000	Birch Bay Lighting	84	020	40.00
547	122223	4001310815270000	Birch Bay Lighting	84	020	160.00
548	122225	4001310823360000	Birch Bay Lighting	84	020	40.00
549	122226	4001310823980000	Birch Bay Lighting	84	020	41.80
550	122229	4001310832550000	Birch Bay Lighting	84	020	100.00
551	122230	4001310833420000	Birch Bay Lighting	84	020	50.00
552	122231	4001310834060000	Birch Bay Lighting	84	020	40.00
553	122232	4001310834100000	Birch Bay Lighting	84	020	40.00
554	122240	4001310853160000	Birch Bay Lighting	84	020	32.00
555	122243	4001310853260000	Birch Bay Lighting	84	020	40.40
556	122244	4001310853580000	Birch Bay Lighting	84	020	40.00
557	122245	4001310853710000	Birch Bay Lighting	84	020	40.00
558	122247	4001310853840000	Birch Bay Lighting	84	020	40.00
559	122253	4001310863450000	Birch Bay Lighting	84	020	50.00
560	122254	4001310863730000	Birch Bay Lighting	84	020	44.00
561	122258	4001310873610000	Birch Bay Lighting	84	020	40.00
562	122259	4001310874170000	Birch Bay Lighting	84	020	82.50
563	122260	4001310874270000	Birch Bay Lighting	84	020	101.50
564	122261	4001310883960000	Birch Bay Lighting	84	020	40.00
565	122263	4001310892610000	Birch Bay Lighting	84	020	29.60
566	122264	4001310893170000	Birch Bay Lighting	84	020	45.00
567	122265	4001310893270000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

568	122266	4001310893490000	Birch Bay Lighting	84	020	50.00
569	122267	4001310893840000	Birch Bay Lighting	84	020	40.00
570	122273	4001310903350000	Birch Bay Lighting	84	020	50.00
571	122275	4001310913640000	Birch Bay Lighting	84	020	40.00
572	122276	4001310923960000	Birch Bay Lighting	84	020	40.00
573	122280	4001310933200000	Birch Bay Lighting	84	020	50.00
574	122281	4001310933530000	Birch Bay Lighting	84	020	50.00
575	122282	4001310933660000	Birch Bay Lighting	84	020	40.00
576	122283	4001310933840000	Birch Bay Lighting	84	020	40.00
577	122286	4001310953380000	Birch Bay Lighting	84	020	50.00
578	122289	4001310962390000	Birch Bay Lighting	84	020	38.63
579	122290	4001310963230000	Birch Bay Lighting	84	020	50.00
580	122291	4001310963570000	Birch Bay Lighting	84	020	50.00
581	122292	4001310963690000	Birch Bay Lighting	84	020	40.00
582	122293	4001310963960000	Birch Bay Lighting	84	020	40.00
583	122295	4001310973840000	Birch Bay Lighting	84	020	21.40
584	122297	4001310983070000	Birch Bay Lighting	84	020	113.30
585	122298	4001310983900000	Birch Bay Lighting	84	020	51.00
586	122299	4001310984850000	Birch Bay Lighting	84	020	21.66
587	122300	4001310984850001	Birch Bay Lighting	84	020	21.66
588	122301	4001310984850002	Birch Bay Lighting	84	020	21.66
589	122302	4001310984850003	Birch Bay Lighting	84	020	21.66
590	122303	4001310984850004	Birch Bay Lighting	84	020	21.66
591	122304	4001310984850005	Birch Bay Lighting	84	020	21.66
592	122305	4001310984850006	Birch Bay Lighting	84	020	21.66
593	122306	4001310984850007	Birch Bay Lighting	84	020	21.66
594	122312	4001310984970005	Birch Bay Lighting	84	020	13.46
595	122313	4001310984970006	Birch Bay Lighting	84	020	13.46
596	122314	4001310984970007	Birch Bay Lighting	84	020	13.46
597	122307	4001310984970000	Birch Bay Lighting	84	020	13.46
598	122308	4001310984970001	Birch Bay Lighting	84	020	13.46
599	122309	4001310984970002	Birch Bay Lighting	84	020	13.46
600	122310	4001310984970003	Birch Bay Lighting	84	020	13.46
601	122311	4001310984970004	Birch Bay Lighting	84	020	13.46
602	122321	4001310993260000	Birch Bay Lighting	84	020	48.00
603	122324	4001310993400000	Birch Bay Lighting	84	020	50.00
604	122325	4001310993610000	Birch Bay Lighting	84	020	50.00
605	122326	4001310993720000	Birch Bay Lighting	84	020	44.00
606	122327	4001310995470000	Birch Bay Lighting	84	020	45.00
607	122328	4001310995530000	Birch Bay Lighting	84	020	45.00
608	122330	4001311005570000	Birch Bay Lighting	84	020	45.00
609	122334	4001311015420000	Birch Bay Lighting	84	020	45.00
610	122336	4001311023670000	Birch Bay Lighting	84	020	40.20
611	122337	4001311023960000	Birch Bay Lighting	84	020	71.40

EXHIBIT A

612	122339	4001311024160001	Birch Bay Lighting	84	020	6.61
613	122340	4001311024160002	Birch Bay Lighting	84	020	6.61
614	122341	4001311024160003	Birch Bay Lighting	84	020	6.61
615	122342	4001311024160004	Birch Bay Lighting	84	020	6.61
616	122343	4001311024160005	Birch Bay Lighting	84	020	6.61
617	122344	4001311024160006	Birch Bay Lighting	84	020	6.61
618	122345	4001311024160007	Birch Bay Lighting	84	020	6.61
619	122346	4001311024160008	Birch Bay Lighting	84	020	6.61
620	122347	4001311024160009	Birch Bay Lighting	84	020	6.61
621	122348	4001311024160010	Birch Bay Lighting	84	020	6.61
622	122349	4001311024160011	Birch Bay Lighting	84	020	6.61
623	122350	4001311024160012	Birch Bay Lighting	84	020	6.61
624	122351	4001311024160013	Birch Bay Lighting	84	020	6.61
625	122352	4001311024160014	Birch Bay Lighting	84	020	6.61
626	122353	4001311024160015	Birch Bay Lighting	84	020	6.61
627	122354	4001311024160016	Birch Bay Lighting	84	020	6.61
628	122355	4001311024160017	Birch Bay Lighting	84	020	6.61
629	122356	4001311024160018	Birch Bay Lighting	84	020	6.61
630	122357	4001311024160019	Birch Bay Lighting	84	020	6.61
631	122358	4001311024160020	Birch Bay Lighting	84	020	6.61
632	122360	4001311033310000	Birch Bay Lighting	84	020	53.00
633	122361	4001311033440000	Birch Bay Lighting	84	020	50.00
634	122363	4001311043760000	Birch Bay Lighting	84	020	40.00
635	122366	4001311053110000	Birch Bay Lighting	84	020	50.00
636	122368	4001311053640000	Birch Bay Lighting	84	020	43.80
637	122370	4001311063340000	Birch Bay Lighting	84	020	50.00
638	122376	4001311073460000	Birch Bay Lighting	84	020	50.00
639	122377	4001311073820000	Birch Bay Lighting	84	020	80.00
640	122399	4001311093150000	Birch Bay Lighting	84	020	50.00
641	122400	4001311093860000	Birch Bay Lighting	84	020	40.00
642	122402	4001311103070000	Birch Bay Lighting	84	020	75.00
643	122403	4001311103370000	Birch Bay Lighting	84	020	50.00
644	122404	4001311103510000	Birch Bay Lighting	84	020	42.70
645	122405	4001311103720000	Birch Bay Lighting	84	020	83.70
646	122407	4001311105420000	Birch Bay Lighting	84	020	45.00
647	122408	4001311105470000	Birch Bay Lighting	84	020	45.00
648	122409	4001311105580000	Birch Bay Lighting	84	020	45.00
649	122417	4001311113190000	Birch Bay Lighting	84	020	23.20
650	122419	4001311115530000	Birch Bay Lighting	84	020	45.00
651	122420	4001311123900000	Birch Bay Lighting	84	020	40.00
652	122424	4001311143410000	Birch Bay Lighting	84	020	51.00
653	122426	4001311143930000	Birch Bay Lighting	84	020	40.00
654	122428	4001311144170000	Birch Bay Lighting	84	020	150.00
655	122430	4001311153560000	Birch Bay Lighting	84	020	41.40

EXHIBIT A

656	122431	4001311153770000	Birch Bay Lighting	84	020	52.30
657	122432	4001311154530000	Birch Bay Lighting	84	020	386.14
658	122433	4001311163080000	Birch Bay Lighting	84	020	50.00
659	122434	4001311163190000	Birch Bay Lighting	84	020	50.00
660	122436	4001311163830000	Birch Bay Lighting	84	020	51.70
661	122454	4001311173440000	Birch Bay Lighting	84	020	53.40
662	122455	4001311173970000	Birch Bay Lighting	84	020	16.00
663	122456	4001311183600000	Birch Bay Lighting	84	020	50.00
664	122459	4001311193290000	Birch Bay Lighting	84	020	33.00
665	122460	4001311193870000	Birch Bay Lighting	84	020	50.00
666	122461	4001311202360000	Birch Bay Lighting	84	020	38.62
667	122462	4001311203180000	Birch Bay Lighting	84	020	50.00
668	122463	4001311203930000	Birch Bay Lighting	84	020	139.00
669	122468	4001311205540000	Birch Bay Lighting	84	020	40.00
670	122471	4001311213090000	Birch Bay Lighting	84	020	79.00
671	122472	4001311213510000	Birch Bay Lighting	84	020	140.20
672	122473	4001311213640000	Birch Bay Lighting	84	020	50.00
673	122475	4001311215440001	Birch Bay Lighting	84	020	92.00
674	122476	4001311215440002	Birch Bay Lighting	84	020	23.00
675	122478	4001311223310000	Birch Bay Lighting	84	020	37.50
676	122479	4001311223700000	Birch Bay Lighting	84	020	92.00
677	122486	4001311243180000	Birch Bay Lighting	84	020	29.00
678	122488	4001311253360000	Birch Bay Lighting	84	020	60.00
679	122514	4001311305460000	Birch Bay Lighting	84	020	10.00
680	122520	4001311325420000	Birch Bay Lighting	84	020	60.00
681	122521	4001311335530000	Birch Bay Lighting	84	020	60.00
682	122528	4001311365470000	Birch Bay Lighting	84	020	50.00
683	122530	4001311385130000	Birch Bay Lighting	84	020	190.00
684	122532	4001311395300000	Birch Bay Lighting	84	020	189.00
685	122553	4001311453500000	Birch Bay Lighting	84	020	283.52
686	122559	4001311485530000	Birch Bay Lighting	84	020	60.00
687	122562	4001311495460000	Birch Bay Lighting	84	020	26.00
688	122568	4001311505380000	Birch Bay Lighting	84	020	44.00
689	122580	4001311535460000	Birch Bay Lighting	84	020	50.00
690	122581	4001311535530000	Birch Bay Lighting	84	020	60.00
691	122585	4001311543750000	Birch Bay Lighting	84	020	109.10
692	122586	4001311544440000	Birch Bay Lighting	84	020	128.00
693	122597	4001311593700000	Birch Bay Lighting	84	020	60.00
694	122600	4001311603880000	Birch Bay Lighting	84	020	100.00
695	122612	4001311623590000	Birch Bay Lighting	84	020	52.70
696	122620	4001311643460000	Birch Bay Lighting	84	020	60.00
697	122621	4001311643520000	Birch Bay Lighting	84	020	61.70
698	122622	4001311643660000	Birch Bay Lighting	84	020	70.70
699	122629	4001311654210000	Birch Bay Lighting	84	020	70.00

EXHIBIT A

700	122632	4001311663400000	Birch Bay Lighting	84	020	60.00
701	122633	4001311663850000	Birch Bay Lighting	84	020	70.00
702	122639	4001311673330000	Birch Bay Lighting	84	020	56.00
703	122651	4001311723280000	Birch Bay Lighting	84	020	55.00
704	122652	4001311723820000	Birch Bay Lighting	84	020	60.00
705	122653	4001311724210000	Birch Bay Lighting	84	020	70.00
706	122670	4001311773220000	Birch Bay Lighting	84	020	57.90
707	122671	4001311774210000	Birch Bay Lighting	84	020	70.00
708	122676	4001311783580000	Birch Bay Lighting	84	020	68.60
709	122677	4001311783790000	Birch Bay Lighting	84	020	60.00
710	122687	4001311804560000	Birch Bay Lighting	84	020	410.00
711	122688	4001311813430000	Birch Bay Lighting	84	020	159.70
712	122697	4001311823200000	Birch Bay Lighting	84	020	60.00
713	122700	4001311833540000	Birch Bay Lighting	84	020	60.00
714	122701	4001311833760000	Birch Bay Lighting	84	020	60.00
715	122702	4001311834240000	Birch Bay Lighting	84	020	67.00
716	122711	4001311864240000	Birch Bay Lighting	84	020	145.30
717	122714	4001311873160000	Birch Bay Lighting	84	020	60.00
718	122715	4001311873390000	Birch Bay Lighting	84	020	60.30
719	122716	4001311883510000	Birch Bay Lighting	84	020	60.00
720	122717	4001311883720000	Birch Bay Lighting	84	020	60.00
721	122725	4001311923130000	Birch Bay Lighting	84	020	60.00
722	122726	4001311923360000	Birch Bay Lighting	84	020	60.00
723	122727	4001311933480000	Birch Bay Lighting	84	020	60.00
724	122728	4001311933690000	Birch Bay Lighting	84	020	60.00
725	122735	4001311964590000	Birch Bay Lighting	84	020	60.00
726	122737	4001311973070000	Birch Bay Lighting	84	020	87.60
727	122738	4001311973330000	Birch Bay Lighting	84	020	60.00
728	122740	4001311983450000	Birch Bay Lighting	84	020	60.00
729	122741	4001311983660000	Birch Bay Lighting	84	020	60.00
730	122748	4001312003840000	Birch Bay Lighting	84	020	255.74
731	122751	4001312023300000	Birch Bay Lighting	84	020	60.00
732	122752	4001312024180000	Birch Bay Lighting	84	020	110.00
733	122755	4001312033420000	Birch Bay Lighting	84	020	60.00
734	122756	4001312033630000	Birch Bay Lighting	84	020	60.00
735	122777	4001312073260000	Birch Bay Lighting	84	020	66.60
736	122779	4001312083390000	Birch Bay Lighting	84	020	60.00
737	122780	4001312083600000	Birch Bay Lighting	84	020	60.00
738	122793	4001312102600000	Birch Bay Lighting	84	020	94.51
739	122794	4001312104080000	Birch Bay Lighting	84	020	50.00
740	122795	4001312104110000	Birch Bay Lighting	84	020	85.00
741	122798	4001312114270000	Birch Bay Lighting	84	020	90.00
742	122806	4001312143220000	Birch Bay Lighting	84	020	57.50
743	122807	4001312143350000	Birch Bay Lighting	84	020	60.00

EXHIBIT A

744	122808	4001312143560000	Birch Bay Lighting	84	020	60.00
745	122821	4001312183030000	Birch Bay Lighting	84	020	85.00
746	122824	4001312193320000	Birch Bay Lighting	84	020	60.00
747	122825	4001312193540000	Birch Bay Lighting	84	020	65.00
748	122826	4001312194110000	Birch Bay Lighting	84	020	75.00
749	122834	4001312204260000	Birch Bay Lighting	84	020	50.00
750	122839	4001312224040000	Birch Bay Lighting	84	020	90.00
751	122841	4001312233060000	Birch Bay Lighting	84	020	85.00
752	122843	4001312243280000	Birch Bay Lighting	84	020	175.60
753	122844	4001312244280000	Birch Bay Lighting	84	020	50.00
754	122850	4001312253500000	Birch Bay Lighting	84	020	75.00
755	122876	4001312304040000	Birch Bay Lighting	84	020	70.00
756	122878	4001312304270000	Birch Bay Lighting	84	020	50.00
757	122880	4001312304750000	Birch Bay Lighting	84	020	326.98
758	122892	4001312313460000	Birch Bay Lighting	84	020	60.00
759	122902	4001312344270000	Birch Bay Lighting	84	020	50.00
760	122923	4001312363090000	Birch Bay Lighting	84	020	60.00
761	122924	4001312364260000	Birch Bay Lighting	84	020	50.00
762	122926	4001312364420000	Birch Bay Lighting	84	020	273.55
763	122938	4001312374040000	Birch Bay Lighting	84	020	70.00
764	122941	4001312383400000	Birch Bay Lighting	84	020	50.00
765	122942	4001312393190000	Birch Bay Lighting	84	020	60.02
766	122950	4001312403340000	Birch Bay Lighting	84	020	54.90
767	122958	4001312413260000	Birch Bay Lighting	84	020	50.00
768	122959	4001312414040000	Birch Bay Lighting	84	020	70.00
769	122980	4001312444260000	Birch Bay Lighting	84	020	87.50
770	123002	4001312503120000	Birch Bay Lighting	84	020	47.38
771	123006	4001312504030000	Birch Bay Lighting	84	020	50.00
772	123010	4001312534260000	Birch Bay Lighting	84	020	62.50
773	123011	4001312544010000	Birch Bay Lighting	84	020	88.80
774	123013	4001312544120000	Birch Bay Lighting	84	020	55.20
775	123016	4001312544180000	Birch Bay Lighting	84	020	72.00
776	151176	4051234972580000	Birch Bay Lighting	84	020	60.00
777	151180	4051235052560000	Birch Bay Lighting	84	020	75.00
778	151186	4051235132550000	Birch Bay Lighting	84	020	90.00
779	151192	4051235212550000	Birch Bay Lighting	84	020	90.00
780	151204	4051235453020000	Birch Bay Lighting	84	020	285.33
781	151205	4051235572560000	Birch Bay Lighting	84	020	60.00
782	151207	4051240042520000	Birch Bay Lighting	84	020	60.00
783	151208	4051240043260000	Birch Bay Lighting	84	020	30.00
784	151209	4051240043410000	Birch Bay Lighting	84	020	34.01
785	151210	4051240053510000	Birch Bay Lighting	84	020	59.91
786	151211	4051240063580000	Birch Bay Lighting	84	020	73.31
787	151212	4051240063660000	Birch Bay Lighting	84	020	70.00

EXHIBIT A

788	151213	4051240063730000	Birch Bay Lighting	84	020	70.00
789	151214	4051240063790000	Birch Bay Lighting	84	020	70.00
790	151215	4051240063870000	Birch Bay Lighting	84	020	70.00
791	151216	4051240063940000	Birch Bay Lighting	84	020	70.00
792	151217	4051240064010000	Birch Bay Lighting	84	020	70.00
793	151218	4051240064080000	Birch Bay Lighting	84	020	70.00
794	151219	4051240064150000	Birch Bay Lighting	84	020	70.00
795	151220	4051240064210000	Birch Bay Lighting	84	020	70.00
796	151221	4051240064290000	Birch Bay Lighting	84	020	70.70
797	151222	4051240093380000	Birch Bay Lighting	84	020	27.90
798	151223	4051240102470000	Birch Bay Lighting	84	020	70.02
799	151225	4051240163410000	Birch Bay Lighting	84	020	35.90
800	151227	4051240182330000	Birch Bay Lighting	84	020	223.07
801	151228	4051240192460000	Birch Bay Lighting	84	020	90.25
802	151229	4051240223390000	Birch Bay Lighting	84	020	72.40
803	151230	4051240223560000	Birch Bay Lighting	84	020	69.59
804	151231	4051240233260000	Birch Bay Lighting	84	020	53.40
805	151232	4051240233640000	Birch Bay Lighting	84	020	79.33
806	151233	4051240234100000	Birch Bay Lighting	84	020	96.60
807	151234	4051240234260000	Birch Bay Lighting	84	020	84.60
808	151236	4051240253730000	Birch Bay Lighting	84	020	70.00
809	151237	4051240253790000	Birch Bay Lighting	84	020	70.00
810	151238	4051240253860000	Birch Bay Lighting	84	020	70.00
811	151239	4051240253930000	Birch Bay Lighting	84	020	70.00
812	151240	4051240254000000	Birch Bay Lighting	84	020	70.00
813	151242	4051240282440000	Birch Bay Lighting	84	020	90.32
814	151243	4051240293070000	Birch Bay Lighting	84	020	207.30
815	151245	4051240303390000	Birch Bay Lighting	84	020	72.12
816	151246	4051240314260000	Birch Bay Lighting	84	020	74.00
817	151247	4051240323290000	Birch Bay Lighting	84	020	54.90
818	151257	4051240332550000	Birch Bay Lighting	84	020	58.30
819	151260	4051240334100000	Birch Bay Lighting	84	020	92.30
820	151263	4051240373400000	Birch Bay Lighting	84	020	72.08
821	151264	4051240373600000	Birch Bay Lighting	84	020	155.06
822	151265	4051240384260000	Birch Bay Lighting	84	020	74.00
823	151266	4051240393920000	Birch Bay Lighting	84	020	70.00
824	151267	4051240394000000	Birch Bay Lighting	84	020	70.00
825	151268	4051240403710000	Birch Bay Lighting	84	020	62.50
826	151269	4051240403780000	Birch Bay Lighting	84	020	70.00
827	151270	4051240403850000	Birch Bay Lighting	84	020	85.00
828	151271	4051240413270000	Birch Bay Lighting	84	020	91.00
829	151272	4051240424100000	Birch Bay Lighting	84	020	96.60
830	151273	4051240432450000	Birch Bay Lighting	84	020	62.80
831	151274	4051240433390000	Birch Bay Lighting	84	020	72.50

EXHIBIT A

832	151275	4051240464270000	Birch Bay Lighting	84	020	45.00
833	151280	4051240492420000	Birch Bay Lighting	84	020	80.50
834	151281	4051240493190000	Birch Bay Lighting	84	020	91.61
835	151282	4051240502540000	Birch Bay Lighting	84	020	67.50
836	151283	4051240513390000	Birch Bay Lighting	84	020	76.30
837	151284	4051240533020000	Birch Bay Lighting	84	020	28.20
838	151285	4051240543290000	Birch Bay Lighting	84	020	120.30
839	151286	4051240554270000	Birch Bay Lighting	84	020	31.00
840	151287	4051240562400000	Birch Bay Lighting	84	020	54.50
841	151288	4051240572530000	Birch Bay Lighting	84	020	27.50
842	151289	4051240593400000	Birch Bay Lighting	84	020	110.80
843	151290	4051240594070000	Birch Bay Lighting	84	020	70.00
844	151292	4051240603580000	Birch Bay Lighting	84	020	76.30
845	151293	4051240603650000	Birch Bay Lighting	84	020	73.31
846	151294	4051240603720000	Birch Bay Lighting	84	020	70.00
847	151295	4051240603790000	Birch Bay Lighting	84	020	70.00
848	151296	4051240603860000	Birch Bay Lighting	84	020	70.00
849	151297	4051240603930000	Birch Bay Lighting	84	020	70.00
850	151298	4051240604000000	Birch Bay Lighting	84	020	70.00
851	151299	4051240604150000	Birch Bay Lighting	84	020	74.80
852	151300	4051240614220000	Birch Bay Lighting	84	020	31.00
853	151301	4051240622390000	Birch Bay Lighting	84	020	52.50
854	151303	4051240643040000	Birch Bay Lighting	84	020	47.10
855	151304	4051240662520000	Birch Bay Lighting	84	020	21.20
856	151305	4051240673080000	Birch Bay Lighting	84	020	49.80
857	151306	4051240682140000	Birch Bay Lighting	84	020	180.00
858	151307	4051240682370000	Birch Bay Lighting	84	020	62.50
859	151309	4051240703240000	Birch Bay Lighting	84	020	104.20
860	151310	4051240703800000	Birch Bay Lighting	84	020	30.01
861	151311	4051240713120000	Birch Bay Lighting	84	020	49.20
862	151312	4051240713580000	Birch Bay Lighting	84	020	30.50
863	151313	4051240713660000	Birch Bay Lighting	84	020	30.01
864	151314	4051240713730000	Birch Bay Lighting	84	020	30.01
865	151315	4051240723330000	Birch Bay Lighting	84	020	68.50
866	151316	4051240732490000	Birch Bay Lighting	84	020	27.40
867	151317	4051240733470000	Birch Bay Lighting	84	020	61.10
868	151319	4051240763150000	Birch Bay Lighting	84	020	67.90
869	151320	4051240773210000	Birch Bay Lighting	84	020	105.90
870	151321	4051240793290000	Birch Bay Lighting	84	020	159.50
871	151322	4051240793570000	Birch Bay Lighting	84	020	62.79
872	151323	4051240802540000	Birch Bay Lighting	84	020	46.30
873	151324	4051240803470000	Birch Bay Lighting	84	020	39.30
874	151325	4051240812120000	Birch Bay Lighting	84	020	138.90
875	151326	4051240823010000	Birch Bay Lighting	84	020	105.50

EXHIBIT A

876	151328	4051240863470000	Birch Bay Lighting	84	020	39.30
877	151329	4051240873750000	Birch Bay Lighting	84	020	130.54
878	151330	4051240883060000	Birch Bay Lighting	84	020	55.90
879	151331	4051240883980000	Birch Bay Lighting	84	020	39.60
880	151332	4051240892070000	Birch Bay Lighting	84	020	131.70
881	151333	4051240893590000	Birch Bay Lighting	84	020	127.97
882	151334	4051240893870000	Birch Bay Lighting	84	020	40.60
883	151335	4051240913120000	Birch Bay Lighting	84	020	68.10
884	151336	4051240913420000	Birch Bay Lighting	84	020	70.50
885	151337	4051240923210000	Birch Bay Lighting	84	020	74.90
886	151338	4051240923290000	Birch Bay Lighting	84	020	75.20
887	151340	4051240972100000	Birch Bay Lighting	84	020	131.70
888	151341	4051240973840000	Birch Bay Lighting	84	020	74.10
889	151342	4051240974030000	Birch Bay Lighting	84	020	50.00
890	151345	4051240983740000	Birch Bay Lighting	84	020	76.10
891	151347	4051241024280000	Birch Bay Lighting	84	020	31.57
892	151348	4051241034140000	Birch Bay Lighting	84	020	71.29
893	151349	4051241034210000	Birch Bay Lighting	84	020	27.40
894	151350	4051241042040000	Birch Bay Lighting	84	020	134.10
895	151351	4051241044090000	Birch Bay Lighting	84	020	54.50
896	151353	4051241053590000	Birch Bay Lighting	84	020	153.57
897	151354	4051241063840000	Birch Bay Lighting	84	020	77.30
898	151355	4051241064010000	Birch Bay Lighting	84	020	96.90
899	151356	4051241073740000	Birch Bay Lighting	84	020	167.88
900	151359	4051241122000000	Birch Bay Lighting	84	020	140.00
901	151361	4051241124280000	Birch Bay Lighting	84	020	40.96
902	151363	4051241152600000	Birch Bay Lighting	84	020	75.00
903	151364	4051241173330000	Birch Bay Lighting	84	020	70.00
904	151365	4051241173400000	Birch Bay Lighting	84	020	70.00
905	151366	4051241173470000	Birch Bay Lighting	84	020	70.00
906	151367	4051241181980000	Birch Bay Lighting	84	020	140.00
907	151368	4051241183120000	Birch Bay Lighting	84	020	70.00
908	151369	4051241183190000	Birch Bay Lighting	84	020	70.00
909	151370	4051241183260000	Birch Bay Lighting	84	020	70.00
910	151371	4051241193040000	Birch Bay Lighting	84	020	75.00
911	151373	4051241224290000	Birch Bay Lighting	84	020	28.38
912	151374	4051241233560000	Birch Bay Lighting	84	020	30.31
913	151375	4051241233640000	Birch Bay Lighting	84	020	30.01
914	151376	4051241233700000	Birch Bay Lighting	84	020	30.07
915	151377	4051241233770000	Birch Bay Lighting	84	020	63.18
916	151378	4051241233850000	Birch Bay Lighting	84	020	83.60
917	151379	4051241233990000	Birch Bay Lighting	84	020	85.60
918	151380	4051241244090000	Birch Bay Lighting	84	020	65.76
919	151381	4051241244160000	Birch Bay Lighting	84	020	72.99

EXHIBIT A

920	151382	4051241244220000	Birch Bay Lighting	84	020	36.28
921	151383	4051241252460000	Birch Bay Lighting	84	020	307.00
922	151384	4051241271890000	Birch Bay Lighting	84	020	100.00
923	151385	4051241361860000	Birch Bay Lighting	84	020	6.00
924	151387	4051241393050000	Birch Bay Lighting	84	020	100.00
925	151388	4051241393130000	Birch Bay Lighting	84	020	75.00
926	151389	4051241402200000	Birch Bay Lighting	84	020	43.00
927	151390	4051241402350000	Birch Bay Lighting	84	020	153.47
928	151391	4051241402470000	Birch Bay Lighting	84	020	72.20
929	151392	4051241402540000	Birch Bay Lighting	84	020	70.00
930	151393	4051241402600000	Birch Bay Lighting	84	020	69.90
931	151399	4051241492240000	Birch Bay Lighting	84	020	93.12
932	151400	4051241492340000	Birch Bay Lighting	84	020	88.20
933	151404	4051241492540000	Birch Bay Lighting	84	020	62.00
934	151405	4051241502130000	Birch Bay Lighting	84	020	100.00
935	151407	4051241502630000	Birch Bay Lighting	84	020	125.60
936	151408	4051241513130000	Birch Bay Lighting	84	020	95.50
937	151410	4051241542300000	Birch Bay Lighting	84	020	50.20
938	151411	4051241561790000	Birch Bay Lighting	84	020	50.00
939	151413	4051241601780000	Birch Bay Lighting	84	020	50.00
940	151414	4051241612270000	Birch Bay Lighting	84	020	50.00
941	151417	4051241622420000	Birch Bay Lighting	84	020	60.00
942	151418	4051241622500000	Birch Bay Lighting	84	020	60.00
943	151419	4051241622630000	Birch Bay Lighting	84	020	60.00
944	151421	4051241651760000	Birch Bay Lighting	84	020	50.00
945	151422	4051241653060000	Birch Bay Lighting	84	020	80.00
946	151423	4051241662260000	Birch Bay Lighting	84	020	70.00
947	151426	4051241672610000	Birch Bay Lighting	84	020	60.00
948	151428	4051241682400000	Birch Bay Lighting	84	020	60.00
949	151429	4051241682470000	Birch Bay Lighting	84	020	60.00
950	151430	4051241683040000	Birch Bay Lighting	84	020	50.00
951	151433	4051241701730000	Birch Bay Lighting	84	020	50.00
952	151436	4051241722230000	Birch Bay Lighting	84	020	50.00
953	151437	4051241722590000	Birch Bay Lighting	84	020	60.00
954	151438	4051241723030000	Birch Bay Lighting	84	020	50.00
955	151439	4051241732370000	Birch Bay Lighting	84	020	50.00
956	151440	4051241741710000	Birch Bay Lighting	84	020	50.00
957	151442	4051241742440000	Birch Bay Lighting	84	020	60.00
958	151445	4051241782210000	Birch Bay Lighting	84	020	85.00
959	151446	4051241782350000	Birch Bay Lighting	84	020	70.00
960	151447	4051241782430000	Birch Bay Lighting	84	020	60.00
961	151448	4051241782570000	Birch Bay Lighting	84	020	60.00
962	151449	4051241791690000	Birch Bay Lighting	84	020	50.00
963	151450	4051241792650000	Birch Bay Lighting	84	020	60.00

EXHIBIT A

964	151453	4051241841670000	Birch Bay Lighting	84	020	60.00
965	151454	4051241842330000	Birch Bay Lighting	84	020	45.00
966	151455	4051241842540000	Birch Bay Lighting	84	020	60.00
967	151456	4051241852170000	Birch Bay Lighting	84	020	45.00
968	151458	4051241852400000	Birch Bay Lighting	84	020	60.00
969	151459	4051241852610000	Birch Bay Lighting	84	020	90.00
970	151461	4051241872300000	Birch Bay Lighting	84	020	35.00
971	151462	4051241881650000	Birch Bay Lighting	84	020	40.00
972	151463	4051241882160000	Birch Bay Lighting	84	020	45.00
973	151465	4051241902510000	Birch Bay Lighting	84	020	60.00
974	151469	4051241912370000	Birch Bay Lighting	84	020	67.00
975	151470	4051241922290000	Birch Bay Lighting	84	020	50.00
976	151471	4051241931630000	Birch Bay Lighting	84	020	50.00
977	151472	4051241932150000	Birch Bay Lighting	84	020	45.00
978	151473	4051241942580000	Birch Bay Lighting	84	020	90.00
979	151475	4051241952490000	Birch Bay Lighting	84	020	60.00
980	151476	4051241962280000	Birch Bay Lighting	84	020	50.00
981	151478	4051241972360000	Birch Bay Lighting	84	020	67.00
982	151481	4051241992000000	Birch Bay Lighting	84	020	86.02
983	151483	4051242002470000	Birch Bay Lighting	84	020	55.00
984	151485	4051242012340000	Birch Bay Lighting	84	020	11.00
985	151486	4051242022250000	Birch Bay Lighting	84	020	65.00
986	151488	4051242022550000	Birch Bay Lighting	84	020	90.00
987	151490	4051242032320000	Birch Bay Lighting	84	020	30.00
988	151491	4051242051580000	Birch Bay Lighting	84	020	40.37
989	151492	4051242052100000	Birch Bay Lighting	84	020	25.00
990	151493	4051242052320000	Birch Bay Lighting	84	020	35.00
991	151494	4051242052450000	Birch Bay Lighting	84	020	50.00
992	151496	4051242071560000	Birch Bay Lighting	84	020	25.00
993	151497	4051242072230000	Birch Bay Lighting	84	020	65.00
994	151500	4051242082520000	Birch Bay Lighting	84	020	45.00
995	151501	4051242092080000	Birch Bay Lighting	84	020	50.00
996	151502	4051242092440000	Birch Bay Lighting	84	020	40.00
997	151503	4051242112290000	Birch Bay Lighting	84	020	90.00
998	151505	4051242121540000	Birch Bay Lighting	84	020	150.00
999	151506	4051242122140000	Birch Bay Lighting	84	020	100.00
1000	151507	4051242122430000	Birch Bay Lighting	84	020	35.00
1001	151508	4051242122510000	Birch Bay Lighting	84	020	45.00
1002	151509	4051242132070000	Birch Bay Lighting	84	020	50.00
1003	151510	4051242132210000	Birch Bay Lighting	84	020	50.00
1004	151511	4051242162410000	Birch Bay Lighting	84	020	30.00
1005	151512	4051242171890000	Birch Bay Lighting	84	020	25.00
1006	151513	4051242172490000	Birch Bay Lighting	84	020	44.90
1007	151514	4051242182180000	Birch Bay Lighting	84	020	56.10

EXHIBIT A

1008	151515	4051242182260000	Birch Bay Lighting	84	020	57.20
1009	151516	4051242192040000	Birch Bay Lighting	84	020	56.70
1010	151519	4051242201510000	Birch Bay Lighting	84	020	50.00
1011	151520	4051242202400000	Birch Bay Lighting	84	020	38.90
1012	151524	4051242242020000	Birch Bay Lighting	84	020	57.80
1013	151525	4051242242160000	Birch Bay Lighting	84	020	57.30
1014	151526	4051242242250000	Birch Bay Lighting	84	020	57.30
1015	151527	4051242242370000	Birch Bay Lighting	84	020	45.00
1016	151528	4051242242470000	Birch Bay Lighting	84	020	69.80
1017	151529	4051242251490000	Birch Bay Lighting	84	020	50.00
1018	151531	4051242272350000	Birch Bay Lighting	84	020	35.50
1019	151535	4051242291470000	Birch Bay Lighting	84	020	50.00
1020	151536	4051242291990000	Birch Bay Lighting	84	020	60.00
1021	151537	4051242292120000	Birch Bay Lighting	84	020	71.00
1022	151538	4051242292210000	Birch Bay Lighting	84	020	71.00
1023	151539	4051242292460000	Birch Bay Lighting	84	020	50.00
1024	151541	4051242331450000	Birch Bay Lighting	84	020	50.00
1025	151544	4051242342330000	Birch Bay Lighting	84	020	35.50
1026	151545	4051242351960000	Birch Bay Lighting	84	020	40.00
1027	151546	4051242352080000	Birch Bay Lighting	84	020	70.00
1028	151547	4051242352210000	Birch Bay Lighting	84	020	70.00
1029	151548	4051242352310000	Birch Bay Lighting	84	020	71.00
1030	151549	4051242352450000	Birch Bay Lighting	84	020	65.40
1031	151551	4051242381430000	Birch Bay Lighting	84	020	50.00
1032	151555	4051242402280000	Birch Bay Lighting	84	020	70.00
1033	151558	4051242412050000	Birch Bay Lighting	84	020	70.00
1034	151559	4051242412160000	Birch Bay Lighting	84	020	70.00
1035	151561	4051242421410000	Birch Bay Lighting	84	020	50.00
1036	151562	4051242421920000	Birch Bay Lighting	84	020	100.00
1037	151563	4051242422490000	Birch Bay Lighting	84	020	66.40
1038	151564	4051242442390000	Birch Bay Lighting	84	020	43.90
1039	151565	4051242461390000	Birch Bay Lighting	84	020	50.00
1040	151567	4051242471900000	Birch Bay Lighting	84	020	81.50
1041	151568	4051242472020000	Birch Bay Lighting	84	020	70.00
1042	151569	4051242472130000	Birch Bay Lighting	84	020	70.00
1043	151570	4051242472260000	Birch Bay Lighting	84	020	70.00
1044	151571	4051242482510000	Birch Bay Lighting	84	020	72.90
1045	151572	4051242501740000	Birch Bay Lighting	84	020	100.00
1046	151574	4051242552290000	Birch Bay Lighting	84	020	50.00
1047	151575	4051242562340000	Birch Bay Lighting	84	020	70.00
1048	151576	4051242562410000	Birch Bay Lighting	84	020	61.00
1049	151577	4051242562460000	Birch Bay Lighting	84	020	61.00
1050	151578	4051242562520000	Birch Bay Lighting	84	020	61.00
1051	151579	4051242562590000	Birch Bay Lighting	84	020	90.00

EXHIBIT A

1052	151580	4051242571950000	Birch Bay Lighting	84	020	50.00
1053	151581	4051242572150000	Birch Bay Lighting	84	020	100.00
1054	151584	4051242591830000	Birch Bay Lighting	84	020	75.00
1055	151586	4051242591890000	Birch Bay Lighting	84	020	50.00
1056	151587	4051242601310000	Birch Bay Lighting	84	020	100.00
1057	176752	4051242602040000	Birch Bay Lighting	84	020	150.00
1058	151593	4051243031770000	Birch Bay Lighting	84	020	23.10
1059	151594	4051243041610000	Birch Bay Lighting	84	020	46.30
1060	151595	4051243041940000	Birch Bay Lighting	84	020	49.20
1061	151596	4051243051760000	Birch Bay Lighting	84	020	23.20
1062	151597	4051243081380000	Birch Bay Lighting	84	020	330.00
1063	151598	4051243091580000	Birch Bay Lighting	84	020	46.30
1064	151599	4051243091730000	Birch Bay Lighting	84	020	46.30
1065	151600	4051243091920000	Birch Bay Lighting	84	020	49.20
1066	151602	4051243131560000	Birch Bay Lighting	84	020	46.30
1067	151603	4051243131710000	Birch Bay Lighting	84	020	46.30
1068	151604	4051243131900000	Birch Bay Lighting	84	020	57.80
1069	151605	4051243152030000	Birch Bay Lighting	84	020	220.00
1070	151608	4051243171540000	Birch Bay Lighting	84	020	46.30
1071	151609	4051243171690000	Birch Bay Lighting	84	020	46.30
1072	151611	4051243191890000	Birch Bay Lighting	84	020	57.80
1073	151612	4051243201670000	Birch Bay Lighting	84	020	46.30
1074	151613	4051243211510000	Birch Bay Lighting	84	020	46.30
1075	151615	4051243231120000	Birch Bay Lighting	84	020	90.00
1076	151616	4051243231850000	Birch Bay Lighting	84	020	57.80
1077	151617	4051243241620000	Birch Bay Lighting	84	020	0.00
1078	151618	4051243241690000	Birch Bay Lighting	84	020	46.30
1079	151619	4051243251490000	Birch Bay Lighting	84	020	46.30
1080	151624	4051243281610000	Birch Bay Lighting	84	020	0.00
1081	151625	4051243282490000	Birch Bay Lighting	84	020	565.00
1082	151626	4051243291470000	Birch Bay Lighting	84	020	46.30
1083	151627	4051243291660000	Birch Bay Lighting	84	020	46.30
1084	151628	4051243291840000	Birch Bay Lighting	84	020	57.80
1085	151630	4051243322080000	Birch Bay Lighting	84	020	150.00
1086	151631	4051243331250000	Birch Bay Lighting	84	020	100.00
1087	151632	4051243331450000	Birch Bay Lighting	84	020	46.30
1088	151633	4051243331600000	Birch Bay Lighting	84	020	46.30
1089	151635	4051243331940000	Birch Bay Lighting	84	020	50.00
1090	151638	4051243341820000	Birch Bay Lighting	84	020	67.80
1091	151639	4051243341990000	Birch Bay Lighting	84	020	50.00
1092	151640	4051243361430000	Birch Bay Lighting	84	020	0.00
1093	151641	4051243362030000	Birch Bay Lighting	84	020	50.00
1094	151643	4051243382290000	Birch Bay Lighting	84	020	55.00
1095	151644	4051243391550000	Birch Bay Lighting	84	020	46.30

EXHIBIT A

1096	151645	4051243391620000	Birch Bay Lighting	84	020	81.90
1097	151646	4051243391760000	Birch Bay Lighting	84	020	40.00
1098	151647	4051243391850000	Birch Bay Lighting	84	020	102.30
1099	151649	4051243411420000	Birch Bay Lighting	84	020	46.30
1100	151650	4051243431050000	Birch Bay Lighting	84	020	50.00
1101	151651	4051243442310000	Birch Bay Lighting	84	020	50.00
1102	151653	4051243451370000	Birch Bay Lighting	84	020	48.30
1103	151656	4051243451620000	Birch Bay Lighting	84	020	40.00
1104	151657	4051243471030000	Birch Bay Lighting	84	020	50.00
1105	151659	4051243481770000	Birch Bay Lighting	84	020	60.00
1106	151660	4051243481870000	Birch Bay Lighting	84	020	64.60
1107	151661	4051243481940000	Birch Bay Lighting	84	020	50.00
1108	151662	4051243482080000	Birch Bay Lighting	84	020	55.00
1109	151668	4051243492310000	Birch Bay Lighting	84	020	50.00
1110	151669	4051243492330000	Birch Bay Lighting	84	020	20.00
1111	174422	4051243501970000	Birch Bay Lighting	84	020	50.00
1112	174423	4051243502020000	Birch Bay Lighting	84	020	50.00
1113	151671	4051243511420000	Birch Bay Lighting	84	020	79.61
1114	151672	4051243521010000	Birch Bay Lighting	84	020	50.00
1115	151673	4051243531770000	Birch Bay Lighting	84	020	50.00
1116	151676	4051243532090000	Birch Bay Lighting	84	020	55.00
1117	151677	4051243541590000	Birch Bay Lighting	84	020	120.00
1118	151678	4051243542310000	Birch Bay Lighting	84	020	50.00
1119	151679	4051243542320000	Birch Bay Lighting	84	020	50.00
1120	151680	4051243542470000	Birch Bay Lighting	84	020	50.00
1121	151682	4051243542570000	Birch Bay Lighting	84	020	50.00
1122	151683	4051243560980000	Birch Bay Lighting	84	020	50.00
1123	151684	4051243561460000	Birch Bay Lighting	84	020	86.00
1124	151685	4051243581990000	Birch Bay Lighting	84	020	50.00
1125	151686	4051243591370000	Birch Bay Lighting	84	020	101.70
1126	151688	4051243591790000	Birch Bay Lighting	84	020	50.00
1127	151689	4051243592310000	Birch Bay Lighting	84	020	50.00
1128	151690	4051243592320000	Birch Bay Lighting	84	020	50.00
1129	151691	4051243592570000	Birch Bay Lighting	84	020	50.00
1130	151692	4051243600940000	Birch Bay Lighting	84	020	50.00
1131	151694	4051243601580000	Birch Bay Lighting	84	020	31.40
1132	151695	4051243602470000	Birch Bay Lighting	84	020	50.00
1133	151698	4051243631790000	Birch Bay Lighting	84	020	50.00
1134	151699	4051243631990000	Birch Bay Lighting	84	020	50.00
1135	151700	4051243642470000	Birch Bay Lighting	84	020	50.00
1136	151701	4051243642570000	Birch Bay Lighting	84	020	50.00
1137	151702	4051243650940000	Birch Bay Lighting	84	020	50.00
1138	151705	4051243651600000	Birch Bay Lighting	84	020	40.00
1139	151706	4051243652310000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1140	151707	4051243671790000	Birch Bay Lighting	84	020	25.00
1141	151708	4051243672330000	Birch Bay Lighting	84	020	100.00
1142	151709	4051243691630000	Birch Bay Lighting	84	020	56.90
1143	151710	4051243692000000	Birch Bay Lighting	84	020	50.00
1144	151712	4051243692310000	Birch Bay Lighting	84	020	50.00
1145	151714	4051243692470000	Birch Bay Lighting	84	020	50.00
1146	151715	4051243692570000	Birch Bay Lighting	84	020	50.00
1147	151716	4051243700920000	Birch Bay Lighting	84	020	50.00
1148	151718	4051243701790000	Birch Bay Lighting	84	020	25.00
1149	151719	4051243731790000	Birch Bay Lighting	84	020	50.00
1150	151720	4051243732310000	Birch Bay Lighting	84	020	50.00
1151	151721	4051243732470000	Birch Bay Lighting	84	020	50.00
1152	151722	4051243732570000	Birch Bay Lighting	84	020	50.00
1153	151726	4051243742320000	Birch Bay Lighting	84	020	50.00
1154	151727	4051243750860000	Birch Bay Lighting	84	020	100.00
1155	151730	4051243751400000	Birch Bay Lighting	84	020	156.20
1156	151731	4051243751510000	Birch Bay Lighting	84	020	115.00
1157	151732	4051243752000000	Birch Bay Lighting	84	020	75.00
1158	151734	4051243772310000	Birch Bay Lighting	84	020	50.00
1159	151736	4051243781800000	Birch Bay Lighting	84	020	89.60
1160	151738	4051243791550000	Birch Bay Lighting	84	020	60.00
1161	151740	4051243821400000	Birch Bay Lighting	84	020	46.20
1162	151741	4051243821880000	Birch Bay Lighting	84	020	40.00
1163	151742	4051243821940000	Birch Bay Lighting	84	020	40.00
1164	151743	4051243822010000	Birch Bay Lighting	84	020	40.00
1165	151744	4051243822050000	Birch Bay Lighting	84	020	40.00
1166	151745	4051243822100000	Birch Bay Lighting	84	020	65.00
1167	151746	4051243822290000	Birch Bay Lighting	84	020	55.00
1168	151747	4051243822350000	Birch Bay Lighting	84	020	100.00
1169	151748	4051243822600000	Birch Bay Lighting	84	020	100.00
1170	151750	4051243831830000	Birch Bay Lighting	84	020	101.40
1171	151751	4051243831970000	Birch Bay Lighting	84	020	40.00
1172	151752	4051243832180000	Birch Bay Lighting	84	020	0.00
1173	151753	4051243832230000	Birch Bay Lighting	84	020	50.00
1174	151754	4051243832450000	Birch Bay Lighting	84	020	100.00
1175	151755	4051243832500000	Birch Bay Lighting	84	020	54.40
1176	151757	4051243832540000	Birch Bay Lighting	84	020	27.20
1177	151758	4051243841600000	Birch Bay Lighting	84	020	60.00
1178	151759	4051243850850000	Birch Bay Lighting	84	020	100.00
1179	151760	4051243861410000	Birch Bay Lighting	84	020	46.20
1180	151762	4051243871650000	Birch Bay Lighting	84	020	60.00
1181	151763	4051243882560000	Birch Bay Lighting	84	020	27.20
1182	151764	4051243901720000	Birch Bay Lighting	84	020	60.00
1183	151765	4051243911430000	Birch Bay Lighting	84	020	46.20

EXHIBIT A

1184	151766	4051243920800000	Birch Bay Lighting	84	020	50.00
1185	151767	4051243921830000	Birch Bay Lighting	84	020	56.00
1186	151769	4051243942580000	Birch Bay Lighting	84	020	100.00
1187	151770	4051243951430000	Birch Bay Lighting	84	020	46.20
1188	151771	4051243951880000	Birch Bay Lighting	84	020	50.00
1189	151772	4051243952080000	Birch Bay Lighting	84	020	100.00
1190	151773	4051243960780000	Birch Bay Lighting	84	020	50.00
1191	151774	4051243961710000	Birch Bay Lighting	84	020	45.00
1192	151775	4051243961930000	Birch Bay Lighting	84	020	50.00
1193	151776	4051243961980000	Birch Bay Lighting	84	020	50.00
1194	151777	4051243962030000	Birch Bay Lighting	84	020	50.00
1195	151778	4051243962180000	Birch Bay Lighting	84	020	97.00
1196	151779	4051243962250000	Birch Bay Lighting	84	020	113.00
1197	151781	4051243962450000	Birch Bay Lighting	84	020	100.00
1198	151782	4051243962490000	Birch Bay Lighting	84	020	50.00
1199	151784	4051243972330000	Birch Bay Lighting	84	020	125.00
1200	151786	4051243981610000	Birch Bay Lighting	84	020	92.40
1201	151787	4051243981830000	Birch Bay Lighting	84	020	44.00
1202	151788	4051244001430000	Birch Bay Lighting	84	020	46.20
1203	151790	4051244011710000	Birch Bay Lighting	84	020	45.00
1204	151791	4051244022320000	Birch Bay Lighting	84	020	25.00
1205	151792	4051244022480000	Birch Bay Lighting	84	020	50.00
1206	151793	4051244030740000	Birch Bay Lighting	84	020	75.00
1207	151794	4051244031880000	Birch Bay Lighting	84	020	50.00
1208	151795	4051244032040000	Birch Bay Lighting	84	020	50.00
1209	151796	4051244032210000	Birch Bay Lighting	84	020	50.00
1210	151798	4051244032440000	Birch Bay Lighting	84	020	50.00
1211	151799	4051244032580000	Birch Bay Lighting	84	020	50.00
1212	151802	4051244051430000	Birch Bay Lighting	84	020	46.20
1213	151803	4051244051620000	Birch Bay Lighting	84	020	46.20
1214	151804	4051244051710000	Birch Bay Lighting	84	020	45.00
1215	151806	4051244080710000	Birch Bay Lighting	84	020	75.00
1216	151807	4051244081890000	Birch Bay Lighting	84	020	50.00
1217	151808	4051244082040000	Birch Bay Lighting	84	020	50.00
1218	151809	4051244082310000	Birch Bay Lighting	84	020	50.00
1219	151810	4051244082470000	Birch Bay Lighting	84	020	50.00
1220	151811	4051244082580000	Birch Bay Lighting	84	020	50.00
1221	151813	4051244091440000	Birch Bay Lighting	84	020	45.00
1222	151814	4051244091620000	Birch Bay Lighting	84	020	45.00
1223	151815	4051244091710000	Birch Bay Lighting	84	020	45.00
1224	151816	4051244092200000	Birch Bay Lighting	84	020	75.00
1225	151817	4051244102040000	Birch Bay Lighting	84	020	50.00
1226	151818	4051244122330000	Birch Bay Lighting	84	020	50.00
1227	151819	4051244122470000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1228	151820	4051244122580000	Birch Bay Lighting	84	020	50.00
1229	151821	4051244130670000	Birch Bay Lighting	84	020	50.00
1230	151822	4051244131720000	Birch Bay Lighting	84	020	45.00
1231	151823	4051244131900000	Birch Bay Lighting	84	020	50.00
1232	151824	4051244141440000	Birch Bay Lighting	84	020	45.00
1233	151825	4051244141620000	Birch Bay Lighting	84	020	45.00
1234	151827	4051244171900000	Birch Bay Lighting	84	020	50.00
1235	151828	4051244172210000	Birch Bay Lighting	84	020	75.00
1236	151829	4051244172330000	Birch Bay Lighting	84	020	50.00
1237	151831	4051244172470000	Birch Bay Lighting	84	020	50.00
1238	151832	4051244172580000	Birch Bay Lighting	84	020	50.00
1239	151834	4051244181440000	Birch Bay Lighting	84	020	45.00
1240	151835	4051244181620000	Birch Bay Lighting	84	020	45.00
1241	151836	4051244181710000	Birch Bay Lighting	84	020	45.00
1242	151837	4051244182040000	Birch Bay Lighting	84	020	50.00
1243	151839	4051244221440000	Birch Bay Lighting	84	020	45.00
1244	151840	4051244221620000	Birch Bay Lighting	84	020	45.00
1245	151841	4051244221710000	Birch Bay Lighting	84	020	45.00
1246	151843	4051244222000000	Birch Bay Lighting	84	020	50.00
1247	151845	4051244222220000	Birch Bay Lighting	84	020	69.95
1248	151846	4051244222300000	Birch Bay Lighting	84	020	69.42
1249	151847	4051244232470000	Birch Bay Lighting	84	020	67.50
1250	151848	4051244232580000	Birch Bay Lighting	84	020	50.00
1251	151849	4051244241850000	Birch Bay Lighting	84	020	95.00
1252	151851	4051244270830000	Birch Bay Lighting	84	020	50.00
1253	151853	4051244271480000	Birch Bay Lighting	84	020	45.00
1254	151854	4051244271620000	Birch Bay Lighting	84	020	45.00
1255	151855	4051244271710000	Birch Bay Lighting	84	020	45.00
1256	151860	4051244292000000	Birch Bay Lighting	84	020	90.00
1257	151862	4051244292580000	Birch Bay Lighting	84	020	87.50
1258	151864	4051244302200000	Birch Bay Lighting	84	020	69.95
1259	151865	4051244302330000	Birch Bay Lighting	84	020	69.42
1260	151866	4051244302470000	Birch Bay Lighting	84	020	72.50
1261	151868	4051244311420000	Birch Bay Lighting	84	020	45.00
1262	151870	4051244311620000	Birch Bay Lighting	84	020	45.00
1263	151871	4051244311680000	Birch Bay Lighting	84	020	45.00
1264	151872	4051244311850000	Birch Bay Lighting	84	020	45.00
1265	151879	4051244350960000	Birch Bay Lighting	84	020	13.60
1266	151880	4051244360760000	Birch Bay Lighting	84	020	42.33
1267	151883	4051244360830000	Birch Bay Lighting	84	020	37.00
1268	151885	4051244400740000	Birch Bay Lighting	84	020	50.00
1269	151886	4051244400950000	Birch Bay Lighting	84	020	21.60
1270	151887	4051244430700000	Birch Bay Lighting	84	020	50.00
1271	151889	4051244430920000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1272	151890	4051244450650000	Birch Bay Lighting	84	020	50.00
1273	151891	4051244460880000	Birch Bay Lighting	84	020	50.00
1274	151892	4051244490700000	Birch Bay Lighting	84	020	50.00
1275	151893	4051244490850000	Birch Bay Lighting	84	020	50.00
1276	151894	4051244500640000	Birch Bay Lighting	84	020	35.10
1277	151896	4051244530810000	Birch Bay Lighting	84	020	50.00
1278	151897	4051244541010000	Birch Bay Lighting	84	020	30.00
1279	151899	4051244560590000	Birch Bay Lighting	84	020	36.70
1280	151900	4051244570780000	Birch Bay Lighting	84	020	50.00
1281	151901	4051244570930000	Birch Bay Lighting	84	020	50.00
1282	151902	4051244580570000	Birch Bay Lighting	84	020	50.00
1283	151905	4051244600520000	Birch Bay Lighting	84	020	45.00
1284	151906	4051244600740000	Birch Bay Lighting	84	020	50.00
1285	151910	4051244610890000	Birch Bay Lighting	84	020	50.00
1286	151911	4051244621210000	Birch Bay Lighting	84	020	60.00
1287	151963	4051244650720000	Birch Bay Lighting	84	020	50.00
1288	151967	4051244660500000	Birch Bay Lighting	84	020	105.00
1289	151968	4051244670840000	Birch Bay Lighting	84	020	100.00
1290	151971	4051244711080000	Birch Bay Lighting	84	020	50.00
1291	151974	4051244720800000	Birch Bay Lighting	84	020	50.00
1292	151975	4051244740430000	Birch Bay Lighting	84	020	50.00
1293	151976	4051244741050000	Birch Bay Lighting	84	020	50.00
1294	151978	4051244750650001	Birch Bay Lighting	84	020	25.00
1295	151979	4051244750650002	Birch Bay Lighting	84	020	25.00
1296	151980	4051244750650003	Birch Bay Lighting	84	020	25.00
1297	151981	4051244750650004	Birch Bay Lighting	84	020	25.00
1298	151982	4051244750650005	Birch Bay Lighting	84	020	25.00
1299	151983	4051244750650006	Birch Bay Lighting	84	020	25.00
1300	151984	4051244750650007	Birch Bay Lighting	84	020	25.00
1301	151985	4051244750650008	Birch Bay Lighting	84	020	25.00
1302	151988	4051244770780000	Birch Bay Lighting	84	020	50.00
1303	151989	4051244781010000	Birch Bay Lighting	84	020	50.00
1304	151991	4051244800740000	Birch Bay Lighting	84	020	50.00
1305	151992	4051244820530000	Birch Bay Lighting	84	020	50.00
1306	151993	4051244820980000	Birch Bay Lighting	84	020	50.00
1307	151997	4051244840700000	Birch Bay Lighting	84	020	50.00
1308	151998	4051244850950000	Birch Bay Lighting	84	020	50.00
1309	151999	4051244851090000	Birch Bay Lighting	84	020	50.00
1310	152000	4051244860570000	Birch Bay Lighting	84	020	58.00
1311	152001	4051244881050000	Birch Bay Lighting	84	020	50.00
1312	152003	4051244890910000	Birch Bay Lighting	84	020	50.00
1313	152004	4051244900650000	Birch Bay Lighting	84	020	75.40
1314	152010	4051244911030000	Birch Bay Lighting	84	020	50.00
1315	152016	4051244930880000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1316	152019	4051244960470000	Birch Bay Lighting	84	020	71.00
1317	152020	4051244960850000	Birch Bay Lighting	84	020	50.00
1318	152021	4051244960990000	Birch Bay Lighting	84	020	50.00
1319	152022	4051244961230000	Birch Bay Lighting	84	020	47.00
1320	152025	4051244970280001	Birch Bay Lighting	84	020	8.00
1321	152026	4051244970280002	Birch Bay Lighting	84	020	8.00
1322	152027	4051244970280003	Birch Bay Lighting	84	020	8.00
1323	152028	4051244970280004	Birch Bay Lighting	84	020	8.00
1324	152029	4051244970280005	Birch Bay Lighting	84	020	8.00
1325	152030	4051244970280006	Birch Bay Lighting	84	020	8.00
1326	152031	4051244970280007	Birch Bay Lighting	84	020	8.00
1327	152032	4051244970280008	Birch Bay Lighting	84	020	8.00
1328	152033	4051244970280009	Birch Bay Lighting	84	020	8.00
1329	152034	4051244970280010	Birch Bay Lighting	84	020	8.00
1330	152035	4051244970280011	Birch Bay Lighting	84	020	8.00
1331	152036	4051244970280012	Birch Bay Lighting	84	020	8.00
1332	152037	4051244970280013	Birch Bay Lighting	84	020	8.00
1333	152038	4051244970280014	Birch Bay Lighting	84	020	8.00
1334	152039	4051244970280015	Birch Bay Lighting	84	020	8.00
1335	152040	4051244970280016	Birch Bay Lighting	84	020	8.00
1336	152041	4051244970280017	Birch Bay Lighting	84	020	8.00
1337	152042	4051244970280018	Birch Bay Lighting	84	020	8.00
1338	152043	4051244970280019	Birch Bay Lighting	84	020	8.00
1339	152044	4051244970280020	Birch Bay Lighting	84	020	8.00
1340	152045	4051244970280021	Birch Bay Lighting	84	020	8.00
1341	152046	4051244970280022	Birch Bay Lighting	84	020	8.00
1342	152047	4051244970280023	Birch Bay Lighting	84	020	8.00
1343	152048	4051244970280024	Birch Bay Lighting	84	020	8.00
1344	152049	4051244970280025	Birch Bay Lighting	84	020	8.00
1345	152050	4051244970280026	Birch Bay Lighting	84	020	8.00
1346	152053	4051244990960000	Birch Bay Lighting	84	020	50.00
1347	152054	4051244991150000	Birch Bay Lighting	84	020	50.00
1348	152055	4051245000810000	Birch Bay Lighting	84	020	50.00
1349	152058	4051245020540000	Birch Bay Lighting	84	020	27.40
1350	152059	4051245021110000	Birch Bay Lighting	84	020	50.00
1351	152061	4051245030920000	Birch Bay Lighting	84	020	50.00
1352	152062	4051245050150000	Birch Bay Lighting	84	020	50.00
1353	152063	4051245060500000	Birch Bay Lighting	84	020	50.00
1354	152065	4051245070750000	Birch Bay Lighting	84	020	89.20
1355	152066	4051245070880000	Birch Bay Lighting	84	020	50.00
1356	152067	4051245071060000	Birch Bay Lighting	84	020	50.00
1357	152069	4051245100110000	Birch Bay Lighting	84	020	25.00
1358	152070	4051245100470000	Birch Bay Lighting	84	020	58.70
1359	152071	4051245101080000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1360	152077	4051245120840000	Birch Bay Lighting	84	020	90.00
1361	152078	4051245130430000	Birch Bay Lighting	84	020	50.00
1362	152079	4051245130690000	Birch Bay Lighting	84	020	139.00
1363	152080	4051245131120000	Birch Bay Lighting	84	020	50.00
1364	152094	4051245161160000	Birch Bay Lighting	84	020	50.00
1365	152095	4051245170390000	Birch Bay Lighting	84	020	50.00
1366	152099	4051245190800000	Birch Bay Lighting	84	020	93.50
1367	152100	4051245200170000	Birch Bay Lighting	84	020	25.00
1368	152101	4051245200950000	Birch Bay Lighting	84	020	50.20
1369	152102	4051245201190000	Birch Bay Lighting	84	020	50.00
1370	152103	4051245210350000	Birch Bay Lighting	84	020	50.00
1371	152104	4051245210620000	Birch Bay Lighting	84	020	50.00
1372	152105	4051245220600000	Birch Bay Lighting	84	020	10.00
1373	152108	4051245230090000	Birch Bay Lighting	84	020	33.33
1374	152109	4051245230990000	Birch Bay Lighting	84	020	50.20
1375	152110	4051245231230000	Birch Bay Lighting	84	020	50.00
1376	152112	4051245240320000	Birch Bay Lighting	84	020	50.00
1377	152114	4051245250740000	Birch Bay Lighting	84	020	50.00
1378	152117	4051245261020000	Birch Bay Lighting	84	020	50.20
1379	152118	4051245271260000	Birch Bay Lighting	84	020	50.00
1380	152120	4051245280280000	Birch Bay Lighting	84	020	50.00
1381	152121	4051245280560000	Birch Bay Lighting	84	020	60.00
1382	152122	4051245280680000	Birch Bay Lighting	84	020	50.00
1383	152123	4051245280860000	Birch Bay Lighting	84	020	50.00
1384	152124	4051245290020000	Birch Bay Lighting	84	020	16.67
1385	152126	4051245300910000	Birch Bay Lighting	84	020	50.00
1386	152127	4051245301060000	Birch Bay Lighting	84	020	50.20
1387	152128	4051245310250000	Birch Bay Lighting	84	020	50.00
1388	152129	4051245310710000	Birch Bay Lighting	84	020	50.00
1389	152130	4051245311290000	Birch Bay Lighting	84	020	84.50
1390	152131	4051245320510000	Birch Bay Lighting	84	020	50.00
1391	152132	4051245331100000	Birch Bay Lighting	84	020	50.20
1392	152134	4051245340210000	Birch Bay Lighting	84	020	60.00
1393	152135	4051245340940000	Birch Bay Lighting	84	020	50.00
1394	152136	4051245360480000	Birch Bay Lighting	84	020	50.00
1395	152137	4051245360630000	Birch Bay Lighting	84	020	61.50
1396	152138	4051245361140000	Birch Bay Lighting	84	020	50.20
1397	152139	4051245370180000	Birch Bay Lighting	84	020	50.00
1398	152140	4051245380780000	Birch Bay Lighting	84	020	95.20
1399	152141	4051245381190000	Birch Bay Lighting	84	020	50.20
1400	152142	4051245390970000	Birch Bay Lighting	84	020	50.00
1401	152143	4051245400140000	Birch Bay Lighting	84	020	50.00
1402	152144	4051245400460000	Birch Bay Lighting	84	020	50.00
1403	152146	4051245400590000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1404	152147	4051245401230000	Birch Bay Lighting	84	020	25.20
1405	152149	4051245421000000	Birch Bay Lighting	84	020	50.00
1406	152150	4051245430410000	Birch Bay Lighting	84	020	50.00
1407	152154	4051245441050000	Birch Bay Lighting	84	020	50.00
1408	152155	4051245450550000	Birch Bay Lighting	84	020	91.00
1409	152156	4051245460060000	Birch Bay Lighting	84	020	25.00
1410	152157	4051245460380000	Birch Bay Lighting	84	020	49.10
1411	152158	4051245470710000	Birch Bay Lighting	84	020	49.30
1412	152159	4051245471230000	Birch Bay Lighting	84	020	82.30
1413	152161	4051245480750000	Birch Bay Lighting	84	020	50.00
1414	152162	4051245480800000	Birch Bay Lighting	84	020	50.00
1415	152163	4051245480850000	Birch Bay Lighting	84	020	45.60
1416	152164	4051245480900000	Birch Bay Lighting	84	020	136.30
1417	152165	4051245481080000	Birch Bay Lighting	84	020	50.00
1418	152168	4051245490140000	Birch Bay Lighting	84	020	30.00
1419	152169	4051245490640000	Birch Bay Lighting	84	020	139.90
1420	152170	4051245500340000	Birch Bay Lighting	84	020	49.10
1421	152171	4051245500480000	Birch Bay Lighting	84	020	59.00
1422	152172	4051245521120000	Birch Bay Lighting	84	020	50.00
1423	152174	4051245530090000	Birch Bay Lighting	84	020	45.00
1424	152175	4051245530300000	Birch Bay Lighting	84	020	50.00
1425	152176	4051245530440000	Birch Bay Lighting	84	020	53.10
1426	152177	4051245531250000	Birch Bay Lighting	84	020	65.00
1427	152183	4051245541160000	Birch Bay Lighting	84	020	50.00
1428	152191	4051245580400000	Birch Bay Lighting	84	020	17.00
1429	152192	4051245580550000	Birch Bay Lighting	84	020	85.40
1430	152193	4051245580600000	Birch Bay Lighting	84	020	50.00
1431	152194	4051245580660000	Birch Bay Lighting	84	020	50.00
1432	152195	4051245580700000	Birch Bay Lighting	84	020	50.00
1433	152196	4051245580750000	Birch Bay Lighting	84	020	50.00
1434	152197	4051245580800000	Birch Bay Lighting	84	020	50.00
1435	152198	4051245580850000	Birch Bay Lighting	84	020	50.00
1436	152199	4051245580900000	Birch Bay Lighting	84	020	50.00
1437	152200	4051245581250000	Birch Bay Lighting	84	020	15.70
1438	174846	4051245590230000	Birch Bay Lighting	84	020	188.58
1439	152202	4051245590950000	Birch Bay Lighting	84	020	50.00
1440	152203	4051245591000000	Birch Bay Lighting	84	020	85.30
1441	152204	4051245591210000	Birch Bay Lighting	84	020	70.80
1442	152208	4051245610350000	Birch Bay Lighting	84	020	138.20
1443	152209	4051245611160000	Birch Bay Lighting	84	020	65.00
1444	152214	4051255415740000	Birch Bay Lighting	84	020	270.00
1445	152229	4051255425420000	Birch Bay Lighting	84	020	40.00
1446	152230	4051255435460000	Birch Bay Lighting	84	020	40.10
1447	152231	4051255445600000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

1448	152232	4051255555630000	Birch Bay Lighting	84	020	40.00
1449	152233	4051255565480000	Birch Bay Lighting	84	020	30.10
1450	152234	4051255575590000	Birch Bay Lighting	84	020	40.00
1451	152235	4051255585450000	Birch Bay Lighting	84	020	40.10
1452	152238	4051255625570000	Birch Bay Lighting	84	020	10.00
1453	152243	4051255685470000	Birch Bay Lighting	84	020	40.00
1454	152244	4051255695430000	Birch Bay Lighting	84	020	40.00
1455	152247	4051255705700000	Birch Bay Lighting	84	020	119.80
1456	152252	4051255725380001	Birch Bay Lighting	84	020	10.08
1457	152253	4051255725380002	Birch Bay Lighting	84	020	10.08
1458	152254	4051255725380003	Birch Bay Lighting	84	020	10.08
1459	152255	4051255725380004	Birch Bay Lighting	84	020	10.08
1460	152256	4051255725380005	Birch Bay Lighting	84	020	10.08
1461	152257	4051255725380006	Birch Bay Lighting	84	020	10.08
1462	152258	4051255725380007	Birch Bay Lighting	84	020	10.08
1463	152259	4051255725380008	Birch Bay Lighting	84	020	10.08
1464	152260	4051255725380009	Birch Bay Lighting	84	020	10.08
1465	152261	4051255725380010	Birch Bay Lighting	84	020	10.08
1466	152262	4051255725380011	Birch Bay Lighting	84	020	10.08
1467	152263	4051255725380012	Birch Bay Lighting	84	020	10.08
1468	152264	4051255725380013	Birch Bay Lighting	84	020	10.08
1469	152265	4051255725380014	Birch Bay Lighting	84	020	10.08
1470	152266	4051255725380015	Birch Bay Lighting	84	020	10.08
1471	152267	4051255725380016	Birch Bay Lighting	84	020	10.07
1472	152268	4051255725380017	Birch Bay Lighting	84	020	10.07
1473	152269	4051255725380018	Birch Bay Lighting	84	020	10.07
1474	152270	4051255765060000	Birch Bay Lighting	84	020	120.00
1475	152631	4051364050900000	Birch Bay Lighting	84	020	27.00
1476	152634	4051364530930000	Birch Bay Lighting	84	020	57.00
1477	152635	4051364540420000	Birch Bay Lighting	84	020	80.00
1478	152636	4051364550700000	Birch Bay Lighting	84	020	46.30
1479	152637	4051364560170000	Birch Bay Lighting	84	020	60.00
1480	152639	4051364580960000	Birch Bay Lighting	84	020	40.00
1481	152640	4051364590770000	Birch Bay Lighting	84	020	40.00
1482	152641	4051364600450000	Birch Bay Lighting	84	020	80.00
1483	152643	4051364610990000	Birch Bay Lighting	84	020	50.00
1484	152644	4051364620090000	Birch Bay Lighting	84	020	40.00
1485	152645	4051364620800000	Birch Bay Lighting	84	020	40.00
1486	152646	4051364630210000	Birch Bay Lighting	84	020	75.00
1487	152647	4051364650820000	Birch Bay Lighting	84	020	40.00
1488	152648	4051364660480000	Birch Bay Lighting	84	020	80.00
1489	152649	4051364661030000	Birch Bay Lighting	84	020	70.00
1490	152650	4051364701060000	Birch Bay Lighting	84	020	40.00
1491	152651	4051364710240000	Birch Bay Lighting	84	020	75.00

EXHIBIT A

1492	152652	4051364710500000	Birch Bay Lighting	84	020	80.00
1493	152653	4051364710870000	Birch Bay Lighting	84	020	80.00
1494	152654	4051364720110000	Birch Bay Lighting	84	020	80.00
1495	152655	4051364741080000	Birch Bay Lighting	84	020	48.00
1496	152656	4051364750890000	Birch Bay Lighting	84	020	40.00
1497	152658	4051364771110000	Birch Bay Lighting	84	020	40.00
1498	152659	4051364780270000	Birch Bay Lighting	84	020	75.00
1499	152661	4051364780530000	Birch Bay Lighting	84	020	150.00
1500	152662	4051364780930000	Birch Bay Lighting	84	020	40.00
1501	152663	4051364801130000	Birch Bay Lighting	84	020	40.00
1502	152664	4051364810110000	Birch Bay Lighting	84	020	80.00
1503	152666	4051364820940000	Birch Bay Lighting	84	020	40.00
1504	152667	4051364841150000	Birch Bay Lighting	84	020	40.00
1505	152668	4051364850970000	Birch Bay Lighting	84	020	40.00
1506	152669	4051364860300000	Birch Bay Lighting	84	020	75.00
1507	152670	4051364860610000	Birch Bay Lighting	84	020	70.00
1508	152672	4051364871170000	Birch Bay Lighting	84	020	40.00
1509	152673	4051364880990000	Birch Bay Lighting	84	020	40.00
1510	152674	4051364890120000	Birch Bay Lighting	84	020	80.00
1511	152675	4051364901200000	Birch Bay Lighting	84	020	40.00
1512	152677	4051364910650000	Birch Bay Lighting	84	020	70.00
1513	152678	4051364911020000	Birch Bay Lighting	84	020	40.00
1514	152679	4051364930330000	Birch Bay Lighting	84	020	75.00
1515	152680	4051364931230000	Birch Bay Lighting	84	020	40.00
1516	152682	4051364951040000	Birch Bay Lighting	84	020	40.00
1517	152684	4051364970110000	Birch Bay Lighting	84	020	80.00
1518	152686	4051364970670000	Birch Bay Lighting	84	020	78.40
1519	152687	4051364971260000	Birch Bay Lighting	84	020	40.00
1520	152688	4051364981060000	Birch Bay Lighting	84	020	40.00
1521	152689	4051365000360000	Birch Bay Lighting	84	020	75.00
1522	152690	4051365011080000	Birch Bay Lighting	84	020	40.00
1523	152691	4051365011270000	Birch Bay Lighting	84	020	53.20
1524	152694	4051365030730000	Birch Bay Lighting	84	020	69.00
1525	152695	4051365041100000	Birch Bay Lighting	84	020	40.00
1526	152696	4051365041310000	Birch Bay Lighting	84	020	103.10
1527	152697	4051365050110000	Birch Bay Lighting	84	020	80.00
1528	152698	4051365060240000	Birch Bay Lighting	84	020	123.69
1529	152699	4051365070390000	Birch Bay Lighting	84	020	98.80
1530	152700	4051365080770000	Birch Bay Lighting	84	020	70.00
1531	152701	4051365081130000	Birch Bay Lighting	84	020	40.00
1532	152702	4051365101160000	Birch Bay Lighting	84	020	40.00
1533	152703	4051365130820000	Birch Bay Lighting	84	020	70.00
1534	152704	4051365141180000	Birch Bay Lighting	84	020	40.00
1535	152705	4051365180070000	Birch Bay Lighting	84	020	80.20

EXHIBIT A

1536	152706	4051365180870000	Birch Bay Lighting	84	020	70.00
1537	152707	4051365181550000	Birch Bay Lighting	84	020	85.20
1538	152710	4051365220220000	Birch Bay Lighting	84	020	75.00
1539	152711	4051365220930000	Birch Bay Lighting	84	020	70.00
1540	152712	4051365221210000	Birch Bay Lighting	84	020	38.80
1541	152714	4051365230290000	Birch Bay Lighting	84	020	75.00
1542	152715	4051365230370000	Birch Bay Lighting	84	020	75.00
1543	152716	4051365240110000	Birch Bay Lighting	84	020	40.00
1544	152717	4051365240440000	Birch Bay Lighting	84	020	75.00
1545	152722	4051365260560000	Birch Bay Lighting	84	020	93.10
1546	152723	4051365261310000	Birch Bay Lighting	84	020	10.00
1547	152724	4051365261310001	Birch Bay Lighting	84	020	10.00
1548	152725	4051365261310002	Birch Bay Lighting	84	020	10.00
1549	152726	4051365261310003	Birch Bay Lighting	84	020	10.00
1550	152727	4051365261310004	Birch Bay Lighting	84	020	10.00
1551	152728	4051365261310005	Birch Bay Lighting	84	020	10.00
1552	152729	4051365261310006	Birch Bay Lighting	84	020	10.00
1553	152730	4051365261310007	Birch Bay Lighting	84	020	10.00
1554	152731	4051365261310008	Birch Bay Lighting	84	020	10.00
1555	152732	4051365261310009	Birch Bay Lighting	84	020	10.00
1556	152733	4051365261630000	Birch Bay Lighting	84	020	50.00
1557	152734	4051365270970000	Birch Bay Lighting	84	020	75.00
1558	152737	4051365290630000	Birch Bay Lighting	84	020	93.10
1559	152738	4051365291670000	Birch Bay Lighting	84	020	50.00
1560	152740	4051365311550000	Birch Bay Lighting	84	020	10.00
1561	152741	4051365311710000	Birch Bay Lighting	84	020	50.00
1562	152742	4051365321020000	Birch Bay Lighting	84	020	80.00
1563	152743	4051365341580000	Birch Bay Lighting	84	020	50.00
1564	152744	4051365341750000	Birch Bay Lighting	84	020	50.00
1565	152745	4051365370700000	Birch Bay Lighting	84	020	75.00
1566	152746	4051365371070000	Birch Bay Lighting	84	020	70.00
1567	152747	4051365371620000	Birch Bay Lighting	84	020	50.00
1568	152748	4051365371790000	Birch Bay Lighting	84	020	50.00
1569	152749	4051365380630000	Birch Bay Lighting	84	020	75.00
1570	152750	4051365390070000	Birch Bay Lighting	84	020	77.80
1571	152751	4051365390150000	Birch Bay Lighting	84	020	75.00
1572	152752	4051365390220000	Birch Bay Lighting	84	020	75.00
1573	152753	4051365390290000	Birch Bay Lighting	84	020	75.00
1574	152755	4051365390410000	Birch Bay Lighting	84	020	150.00
1575	152757	4051365390550000	Birch Bay Lighting	84	020	75.00
1576	152758	4051365401650000	Birch Bay Lighting	84	020	50.00
1577	152759	4051365410800000	Birch Bay Lighting	84	020	184.00
1578	152760	4051365421860000	Birch Bay Lighting	84	020	50.00
1579	152761	4051365431540000	Birch Bay Lighting	84	020	41.70

EXHIBIT A

1580	152762	4051365431700000	Birch Bay Lighting	84	020	50.00
1581	152763	4051365451900000	Birch Bay Lighting	84	020	50.00
1582	152764	4051365461730000	Birch Bay Lighting	84	020	50.00
1583	152765	4051365471550000	Birch Bay Lighting	84	020	50.00
1584	152767	4051365481950000	Birch Bay Lighting	84	020	58.10
1585	172317	4051365491580000	Birch Bay Lighting	84	020	50.00
1586	152768	4051365501810000	Birch Bay Lighting	84	020	50.00
1587	172318	4051365521600000	Birch Bay Lighting	84	020	100.00
1588	152770	4051365521990000	Birch Bay Lighting	84	020	50.10
1589	152771	4051365531850000	Birch Bay Lighting	84	020	50.00
1590	152773	4051365542030000	Birch Bay Lighting	84	020	50.00
1591	152774	4051365562060000	Birch Bay Lighting	84	020	30.00
1592	152776	4051365571890000	Birch Bay Lighting	84	020	59.90
1593	152778	4051365580070000	Birch Bay Lighting	84	020	77.50
1594	152779	4051365580630000	Birch Bay Lighting	84	020	150.00
1595	152780	4051365580780000	Birch Bay Lighting	84	020	75.00
1596	152781	4051365582090000	Birch Bay Lighting	84	020	46.90
1597	152782	4051365590150000	Birch Bay Lighting	84	020	75.00
1598	152783	4051365590220000	Birch Bay Lighting	84	020	75.00
1599	152786	4051365590850000	Birch Bay Lighting	84	020	75.00
1600	152787	4051365590920000	Birch Bay Lighting	84	020	75.00
1601	152788	4051365600290000	Birch Bay Lighting	84	020	75.00
1602	152789	4051365600370000	Birch Bay Lighting	84	020	75.00
1603	152790	4051365600440000	Birch Bay Lighting	84	020	75.00
1604	152791	4051365601760000	Birch Bay Lighting	84	020	61.70
1605	152793	4051365601950000	Birch Bay Lighting	84	020	50.00
1606	152794	4051365631990000	Birch Bay Lighting	84	020	50.00
1607	152795	4051365632170000	Birch Bay Lighting	84	020	42.00
1608	152796	4051365641790000	Birch Bay Lighting	84	020	50.00
1609	152797	4051365642030000	Birch Bay Lighting	84	020	65.30
1610	152798	4051365651250000	Birch Bay Lighting	84	020	60.00
1611	152799	4051365651310000	Birch Bay Lighting	84	020	60.00
1612	152800	4051365661840000	Birch Bay Lighting	84	020	50.00
1613	152801	4051365662210000	Birch Bay Lighting	84	020	50.00
1614	152803	4051365681670000	Birch Bay Lighting	84	020	30.00
1615	152804	4051365692250000	Birch Bay Lighting	84	020	50.00
1616	152805	4051365711890000	Birch Bay Lighting	84	020	50.00
1617	152806	4051365730570000	Birch Bay Lighting	84	020	100.00
1618	152807	4051365730650000	Birch Bay Lighting	84	020	50.00
1619	152808	4051365730700000	Birch Bay Lighting	84	020	50.00
1620	152809	4051365732290000	Birch Bay Lighting	84	020	50.00
1621	152812	4051365740060000	Birch Bay Lighting	84	020	50.15
1622	152813	4051365740100000	Birch Bay Lighting	84	020	50.00
1623	152814	4051365740330000	Birch Bay Lighting	84	020	150.00

EXHIBIT A

1624	152815	4051365740460000	Birch Bay Lighting	84	020	50.00
1625	152816	4051365740750000	Birch Bay Lighting	84	020	50.00
1626	152817	4051365740820000	Birch Bay Lighting	84	020	70.00
1627	152819	4051365740870000	Birch Bay Lighting	84	020	70.00
1628	152821	4051365740950000	Birch Bay Lighting	84	020	140.00
1629	152823	4051365741520000	Birch Bay Lighting	84	020	55.00
1630	152824	4051365741930000	Birch Bay Lighting	84	020	50.00
1631	152826	4051365750160000	Birch Bay Lighting	84	020	50.00
1632	152827	4051365750230000	Birch Bay Lighting	84	020	100.00
1633	152828	4051365751120000	Birch Bay Lighting	84	020	409.10
1634	152843	4051365762320000	Birch Bay Lighting	84	020	50.00
1635	152845	4051365772050000	Birch Bay Lighting	84	020	94.50
1636	152846	4051365781600000	Birch Bay Lighting	84	020	100.00
1637	152847	4051365781980000	Birch Bay Lighting	84	020	39.20
1638	152848	4051365782110000	Birch Bay Lighting	84	020	91.90
1639	152849	4051365810950000	Birch Bay Lighting	84	020	10.00
1640	152850	4051365811680000	Birch Bay Lighting	84	020	50.00
1641	152851	4051365812410000	Birch Bay Lighting	84	020	56.20
1642	152852	4051365821730000	Birch Bay Lighting	84	020	47.50
1643	152853	4051365822170000	Birch Bay Lighting	84	020	72.00
1644	152854	4051365832240000	Birch Bay Lighting	84	020	92.40
1645	152855	4051365832450000	Birch Bay Lighting	84	020	50.10
1646	152858	4051365851830000	Birch Bay Lighting	84	020	188.00

EXHIBIT A

As of September 18, 2017, subject to any segregations, combinations, additions, deletions, corrections, or any other changes to parcels on the rolls; the undersigned, does hereby certify to the best of my knowledge, that the attached assessment roll for **Birch Bay Lighting District** has been prepared in accordance with RCW 36.88, and is a true and correct system of assessment that has been applied within the District to the best of our ability.

Signed _____ Date _____

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Cliff Strong	<i>CS</i>	3/28/2017	<div style="text-align: center;"> <p>RECEIVED</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	4/4/2017	COTW
Division Head: Mark Personius	<i>MP</i>	3/28/2017		4/18/2017	COTW
Dept. Head: Sam Ryan		3/28/2017		5/2/17	COTW
Prosecutor: Royce Buckingham				5/16/2017	COTW
Purchasing/Budget:				5/30/2017	COTW
Executive: Jack Louws				6/13/2017	COTW

TITLE OF DOCUMENT:

2016 Critical Areas Ordinance Update

Agenda Bill continued on next page

- Review of certain questions, comments, and suggestions by Council members.

ATTACHMENTS: (all current and past materials provided to the Council can be found at <http://www.whatcomcounty.us/2417/County-Council-Review>)

SEPA review required? ☒ YES ☐ NO
SEPA review completed? ☒ YES ☐ NO

Should Clerk schedule a hearing? ☐ YES ☒ NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This is another workshop (in a series of many) on the proposed ordinance to amend Whatcom County Critical Areas Ordinance (CAO) (WCC 16.16) pursuant to RCW 36.70A.130(1). The Growth Management Act (RCW 360.70A) defines critical areas as wetlands, frequently flooded areas, fish and wildlife habitat conservation areas (including streams), geologically hazardous areas, and critical aquifer recharge areas. The purpose of this periodic update is to ensure that the CAO meets the GMA requirements, including consistency with the Whatcom County Comprehensive Plan, best available science, and state agency guidance updates. Numerous amendments are being proposed, though most of them pertain to correcting grammar, updating references to other documents or laws, clarifying and updating administrative procedures, etc. The County is also required to integrate the CAO provisions with its Shoreline Master Program (SMP). Whatcom County has done so by adopting the CAO by reference within the SMP (WCC 23.10.060(A)). This reference is also proposed to be amended.

COMMITTEE ACTION:

4/4/2017: Discussed and amended
4/18/2017: Discussed and amended
5/2/2017: Amended and discussed
5/16/2017: Discussed and amended
5/30/2017: Presented, discussed and amended
6/13/2017: Discussed, amended, and approved a motion to request staff to identify and engage all relevant stakeholders to come up with a recommendation for a feedback loop in CARAs

COUNCIL ACTION:

AGENDA BILL CONTINUED ON NEXT PAGE

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

2016 Critical Areas Ordinance Update
 Review of certain questions, comments, and
 suggestions by Council members

<i>Agenda Date</i>	<i>Assigned to:</i>
6/27/2017	COTW
7/11/2017	COTW
7/25/2017	COTW
8/8/2017	COTW
9/12/2017	COTW

COMMITTEE ACTION:

6/27/2017: Discussed and Amended
 7/11/2017: Discussed and Amended
 7/25/2017: Discussed and amended
 8/8/2017: Discussed and amended
 9/12/2017: Discussed and amended

COUNCIL ACTION:

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan
Director

Memorandum

TO: The Honorable County Council
Jack Louws, County Executive

FROM: Cliff Strong, Senior Planner
Ryan Ericson, PDS Supervisor

THROUGH: Mark Personius, Asst. Director

DATE: September 20, 2017

SUBJECT: 2016 Critical Areas Ordinance Update
County Council Review Workshop on September 26, 2017

On September 26th the Council will continue its review of the 2016 Critical Areas Ordinance Update. Topics to be covered include:

- Review of certain questions, comments, and suggestions by Council members related to:
 - Article 6, Wetlands
 - Article 8, Conservation Program on Agriculture Lands
 - Article 2, Administration

To prepare for this meeting, please review this memo.

Issues Tabled at the 9/12/17 Workshop

The following first three issues were tabled by CM Brenner due to having received a letter addressing the 2nd two issues from Joseph Leyda dated 9/7/17. Staff had not received this letter and she wanted us to be able to review it.

ITEM 1 (Issue 181) (Brenner)

In 16.16.670(B)(6) remove all mention of wetland boundary being surveyed. It hasn't been required in the past for single family and/or small properties due to the expense. How much will this requirement add to the cost of a house? Surveying is a major expense. What is gained?

Staff Response: [Note: Mr. Leyda did not address this issue in his letter.] Staff does not recommend this amendment. The GMA references the use of the U.S. Army Corps of Engineers wetland delineation manual in determining wetland boundaries, and it requires a survey of them. However, it does not reference the detail of the survey, and staff has always tailored the scope of the survey to that of the project, i.e., we do not require the same level of detail in a survey for a single family residence as we do for a Major Development, for instance. What is gained is knowing the location of the wetland boundary so that an adequate analysis can be performed.

Staff does, however, recommend adding a definition that would allow for a method of survey appropriate to the scale of development. See addendum.

Add to WCC 16.16.900

"Survey" means one of the following:

1. A survey completed by a licensed Surveyor
2. Mapping using a compass and tape
3. Mapping using a smart phone or hand held GPS.

ITEM 2 (Issue 182) (Brenner)

Remove 16.16.670(B)(7)(c)(viii), "Topographic elevation, at two-foot contours" unless the County will provide GIS topography service. How much would this requirement add to the cost of a home?

Staff Response: Staff does not recommend this amendment. Using 2-foot contours is the norm for most jurisdictions these days, and most engineers/surveyors already have those GIS layers. Furthermore, once Whatcom County obtains the forthcoming new LiDAR data, PDS plans on creating a 2-foot contour layer that will be made readily available to the public.

UPDATE: According to our contact at DNR, from whom we're obtaining the LiDAR data, we should be receiving it in October. Our GIS Specialist says that it will only take a week to prepare a 2-ft contour layer and post it to our website for all to use. Thus its availability should coincide with the adoption of the CAO.

Nonetheless, staff recommends adding to 16.16.670(B)(7)(c)(viii) "provided by Whatcom County PDS or the applicant may provide a topographic survey conducted using the survey standards of Whatcom County."

ITEM 3 (Issue 183) (Brenner)

In regards to 16.16.670(B)(7)(c)(ix), why do we need a "functional assessment of wetland and buffer" in a delineation report? Why not leave this under mitigation plan requirements? This will also increase the cost of a home, unless they allow the rating form to serve as a functional assessment tool. Make wetland delineation reports reflect "existing conditions" only, and Mitigation Plans reflect "proposed conditions." It will save money and assist applicants and consultants in streamlining the process.

Original Staff Response: Realize that the delineation report is a part of the Critical Area Assessment. We need such assessment up front (prior to the mitigation plan being developed) to assess whether mitigation is even needed. In many cases we don't require mitigation (e.g., if impacts are avoided), but we do need the functional assessment in order to determine this.

UPDATE: In his letter, Mr. Leyda makes the argument that a delineation report should be separate from a mitigation report, and that a functional assessment should be part of the mitigation report. Our Natural Resources Supervisor, Ryan Ericson, who provided the original staff response, says he agrees with Mr. Leyda's argument but has a different plan for addressing it. Under the Code Revision Project, he would like to remove all references to processing requirements from code (not just, but including the CAO) and instead place them in a PDS Administrative Manual. This manual is already substantially drafted, and the Code Revision Project has already commenced with Planning Commission review. However, he didn't want to postpone adoption of the CAO any longer, so didn't propose revised language to this section earlier.

The administrative manual will only apply to application submittal requirements. Staff recommends adding the following to 16.16.250:

16.16.250 Submittal requirements and critical areas review process.

E. Elements of a critical area assessment are encouraged to be submitted together for timely review. However, the Technical Administrator may allow the various components to be submitted independently at different phases of a project if s/he determines piecemeal review will benefit the review process or at the request of the applicant.

ITEM 4 (Issue 196) (Sidhu/Brenner)

Exempting Agricultural Youth Club Activities from the CPAL Program

At your workshop of 7/25/17 CM Sidhu raised the issue of exempting activities done for agricultural youth clubs (e.g., 4H, FFA, etc.) from the CPAL (and possibly other) requirements. CM Brenner says she raised this as well.

At your 9/12/17 workshop staff had suggested codifying PDS Policy PL1-85-004Z CPAL – Animal Threshold, Resource Priority as a way to address those with few animals. Council indicated that this

wasn't exactly what you were looking for in terms of exempting youth agricultural clubs. Nonetheless, it may still be a good idea to codify that policy, to read (amended since the last version):

16.16.814 Exemptions.

The following are exempt from having to obtain a Conservation Farm Plan:

- A. Landowners who do not have critical areas on their property.
- B. Landowners who keep agricultural activities out of the standard critical areas and their buffers.
- C. Landowners who do not exceed a ratio of 1 animal unit per 3 grazable acres and manage their animals to avoid a direct discharge of sediment or fecal matter to surface waters. Indicators of direct discharge can include de-vegetated riparian area, unfenced access to a stream, or animal confinement areas adjacent to surface waters. This is a ratio of animal units to grazable acres and may be used on parcels of any size.
- D. Youth agriculture education programs that promote the use of agriculture best management practices through the use of a checklist developed by the Whatcom County Conservation District in cooperation with Whatcom County.

Staff also recommends adding the following definition to 16.16.900 Definitions:

"Grazable acres" means both pasture and hayland as described in the Whatcom County Standard Farm Conservation Planning Workbook.

Some questions about exempting kids' clubs arose, such as:

1. What if the kids have more than 1 animal unit¹? Or what if they have less than 3 acres on which to raise their animals?
Response: This has been addressed in the revised language above.
2. What should the upper limit on the number of exempted animals be?
Response: Council did not provide any direction this question. However, staff suggests 6 animal units as proposed in the revised language above.
3. What if someone just says their animals are their kids' 4H (or other club's) project to get out of having to comply with the code?
Response: There was general talk of having the kids have to read some educational materials and sign something attesting that it's a club project and promising to use BMPs, to which staff responded that that basically sounds like preparing a Type I Conservation Farm Plan (3 pages, self-filled, and free through the Whatcom Conservation District or Planning and Development Services).
4. Why would we exempt a certain class of people (kids in clubs) but not others with a small amount of animals? That doesn't seem fair.
Response: Adopting the proposed 16.16.814 section above would treat all people in the same situation similarly.

In the end, Council asked the ag representatives in the room to come up with some proposed language.

¹ Note that per 16.16.900 "Animal unit" means 1,000 pounds of livestock live weight. This term is already used elsewhere in Article 8.

ITEM 5 (Issue 197) (Barbara)

Mr. Leyda has a good point about buffers on Category IV wetlands. His letter mentions deficiencies in the Ecology Rating systems when scoring habitat on small wetlands and the buffers are assigned based on habitat. Use something else in WCC 16.16.630 Table 1.

Staff Response: A simpler single buffer for all category IV is possible. The buffers for category IV currently don't change between habitat scores and could be a single line in Table 1. A single buffer for each of the three land-use intensity for special characteristic wetlands is also found in Best Available Science. Currently King County uses this approach.

ITEM 6 (Issue 198) (Staff)

Staff thinks it would be a good idea to add a definition of the word “may” to WCC 16.16.900 to read:

“May” means the action is allowable, provided it conforms to the provisions of this Chapter.

This definition comes from our SMP, WCC 23.110.130(6).

ITEM 7 (Issue 199) (Staff)

After recent compliance cases staff recommends make some additional changes to certain sections of the code to make the intent of the chapter clear and simpler, which provides for greater enforceability. See attached addendum from Ryan Ericson.

ITEM 9 (Issue 200) (Staff)

Lastly, in preparation for the consolidation effort to move all land use permit procedures to a single new title the following changes are recommend by staff. See attached addendum from Ryan Ericson.

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan

Director

Memorandum

TO: The Honorable County Council
Jack Louws, County Executive

FROM: Ryan Ericson, PDS Supervisor

THROUGH: Mark Personius, Asst. Director

DATE: August 24, 2017

SUBJECT: 2016 Critical Areas Ordinance Update
County Council Review Workshop on September 26, 2017

This is an addendum to the Memorandum dated September 20, 2017 of staff responses to Whatcom County Council Review Workshop. These are recommended changes to clarify proposed code for compliance and future land use procedure code alterations.

16.16.200 Authority.

This chapter is adopted under the authority of Chapters 36.70 and 36.70A RCW; which empowers a county to enact a critical area ordinance and provide for its administration, enforcement and amendment, and Article 11 of the Washington State Constitution.

16.16.205 Authorizations required.

- A. No action shall be taken by any person, company, agency, governmental body (including Whatcom County), applicant, owner, or owner's agent, which results in any alteration of a critical area or its setback or buffer without prior authorization by submitting an application to the Technical Administrator and obtaining either the required permit or an approval of a notice of activity, as specified herein.
- A.B. Prior to issuing a permit, the County shall determine if the proposed activity or use is permitted pursuant to this chapter. No land use development permit, construction permit, or land division approval required by County ordinance shall be granted until the County decision-maker has determined that the applicant has complied with the applicable provisions purposes, requirements, objectives, and goals of this chapter including the mitigation standards set forth in WCC 16.16.260.
- B.C. Authorizations required under this chapter overlay other permit and approval requirements of the Whatcom County Code. Critical areas review pursuant to this chapter shall be conducted as part of the underlying permit or approval. Any proposed critical area alteration that does not require other County project permits or approvals, such as variances and reasonable use

exceptions, Project permits must comply with the substantive and procedural requirements of this chapter and the procedural requirements of Chapter 2.33 WCC.

C.D. The requirements of this chapter shall apply concurrently with review conducted under the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW), as locally adopted (Chapter 16.08 WCC). Any conditions required pursuant to this chapter shall be coordinated with the SEPA review and threshold determination.

D. Areas characterized by a particular critical area may also be subject to other regulations established by this chapter due to the overlap or multiple functions of some critical areas. When one critical area adjoins or overlaps another, the more restrictive standards shall apply.

E. _____

16.16.230 Exempt activities.

Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction. The following activities as specified are exempt from the provisions requirements of this chapter:

16.16.220 Identification and mapping of critical areas.

A. The approximate location and extent of these areas in Whatcom County is displayed on various inventory maps available at the County's Department of Planning and Community Development and online. Maps and inventory lists are guides to the general location and extent of critical areas. Critical areas not shown are presumed to exist in Whatcom County and are protected under all the provisions of this chapter. In the event that any of the designations shown on the maps or inventory lists conflict with the site-specific conditions, site-specific conditions shall control.

B. ~~The County has identified critical areas and areas where the conditions under which critical areas typically occur and/or have the potential to occur. The approximate location and extent of critical areas within the County's jurisdiction are shown on maps, which shall be available at the planning and development services department for public inspection. Property owners, the technical administrator, and/or members of the public may use these maps as a general guide, but the maps do not provide a comprehensive accounting of areas subject to this chapter nor do they provide a definitive critical areas designation. Critical area locations and boundaries shown on the County's maps are approximate and do not include buffers that may be associated with critical areas, and some critical areas may not be shown on the maps at all. It is also possible that some maps showing critical areas in certain areas may not be accurate.~~ Field investigation, analysis by a qualified professional, and/or consideration of other sources of credible scientific information may be required to confirm the presence or absence of a critical area and its boundaries and buffers.

A.C. Planning and Development Services has the authority to update critical areas maps and shall do so as new critical areas are identified and as new information becomes available.

16.16.250 Submittal requirements and critical area review process.

A. All applicants shall complete a prescreening meeting with the technical administrator prior to submitting an application subject to this chapter. The purpose of this meeting shall be to discuss the requirements for a complete application; the critical area standards and procedures; to review conceptual site plans prepared by the applicant; to discuss appropriate investigative techniques and methods; and to determine reporting requirements.

- B. Review and approval of a proposed development within a critical area or its buffer may be initiated through the application for any project permit in Whatcom County. ~~If another authority does not require a project permit, application shall be made pursuant to Chapter 2.33 WCC.~~
- C. The technical administrator shall be responsible, in a timely manner, to make one of the following determinations regarding critical areas ~~project~~ review:
1. Initial Determination. ~~When County critical area maps or other sources of credible information indicate that a site may be located, contain or abut critical areas, critical area buffers or setbacks the technical administrator shall require technical studies in accordance with that critical area's specific Article.~~
 - 1.2. Determination of Impacts. ~~Upon receipt of a permit application, t~~The technical administrator shall use best available science, including but not limited to the County's critical areas maps, his/her field investigation results, his/her own knowledge of the site, information from appropriate resource agencies, or documentation from a scientific or other credible source to determine if the project will more probably than not adversely impact a critical area or its buffer. ~~Identified adverse impacts shall be fully mitigated in accordance with WCC 16.16.260.~~
 - 2.3. Determination of Compliance. If the applicant demonstrates to the satisfaction of the technical administrator that the project meets the provisions of this chapter and is not likely to adversely affect the functions and values of critical areas or buffers ~~or provides mitigation to reduce the adverse impact to meet no net loss of the function and values of critical areas or its buffer~~, the technical administrator shall ~~issue written verification that they make the determination the proposal complies with this chapter. Written verification shall be included in the project review record for the underlying permit, or issued in accordance with Chapter 2.33 WCC, and no further critical areas review is required.~~
 3. ~~Need for Critical Area Assessment. If the proposed activity does not meet the criteria of subsection (C)(2) of this section and would more probably than not affect the functions and values of a critical area or buffer, the technical administrator shall require confirmation of the presence or absence of critical areas through site inspection by a qualified professional or other appropriate means consistent with best available science, and shall notify the applicant in writing of the need to prepare a critical areas assessment report in conformance with WCC 16.16.225.~~
 4. Decision to Approve, Condition, or Deny. The technical administrator shall review all pertinent information pertaining to the proposed development and shall approve, approve with conditions, or deny the permit based on their review, and shall provide a detailed written decision of compliance, this, determination shall be included in the project review record for the project permit in accordance with Chapter 2.33 WCC. ~~including findings of fact to support the decision made, to the applicant.~~
- D. The technical administrator may waive the requirement for critical areas review under this chapter when s/he determines that all of the following conditions are met:
1. The proposed development activity is located on a parcel that received approval of a previous critical areas review within the prior 5 years, site conditions have not changed, and the applicable regulations have not substantively changed;
 2. All critical areas on the parcel have been identified and delineated and the effects of the proposed development activity have been thoroughly considered in accordance with the most current regulations and Best Available Science;
 3. The activity is in compliance with all permit conditions including mitigating measures, as applicable, that were imposed as part of the prior review and there are no outstanding violations of conditions that were imposed as part of the previous review;

4. The development activity involves a use that is equally or less intensive than the development activity that was subject to the prior permit. Land use intensity shall be based on factors including development density, critical areas impacts, impervious surface, noise, glare, dust, hours of operation, and traffic.
- E. Submittal Materials:
 1. Complete Application
 2. A detailed site map drawn to a common scale, or survey, showing at least the following:
 - a. Vicinity Map
 - b. Topographic, hydrologic, and vegetative features.
 - c. The location and description of known wildlife and habitat features and all known critical areas.
 - d. Proposed development activity with dimensions.
 - e. Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc. Structures shall be dimensioned.

16.16.255 Critical areas assessment reports.

~~The intent of these provisions is to require a reasonable level of technical study and alternatives analysis pursuant to WCC 16.16.225 sufficient to assess potential project impacts and to protect critical areas.~~

- A.** When the technical administrator determines a need for a critical area assessment pursuant to WCC 16.16.250(C)(31), s/he shall have the authority to require a critical areas assessment report, to be prepared by a qualified professional and be consistent with best available science. The analysis shall be commensurate with the value or sensitivity of a particular critical area and relative to the scale and potential impacts of the proposed activity. A critical area assessment shall have all of the following elements, unless determined by the Technical Administrator :
1. Requirements in WCC 16.16.255(B)&(H)
 2. Geological Hazard Assessment
 3. Critical Aquifer Recharge Assessment
 4. Frequently Flooded Area Assessment
 5. Wetland Assessment
 6. Fish and Wildlife Habitat Conservation Area Assessment
 7. Mitigation Plan - Addressing all mitigation requirements in this Chapter.

A.B. The critical areas assessment report shall:

1. Demonstrate that the submitted proposal is consistent with the purposes and specific standards of this chapter;
2. Describe all relevant aspects of the development proposal and critical areas adversely affected by the proposal including any geological hazards and risks associated with the proposal, and assess impacts on the critical area from activities and uses proposed; and
3. Where impacts are unavoidable, demonstrate through an alternatives analysis that no other feasible alternative exists.
4. Considers the cumulative impacts of the proposed action that includes past, present, and reasonably foreseeable future actions to facilitate the goal of no net loss of critical areas. Such impacts shall include those to wildlife, habitat, and migration corridors; water quality and quantity; and other watershed processes that relate to critical area condition, process, and/or service.
5. Identify proposed mitigation and protective measures as required by this chapter.

- B.C. The technical administrator shall review the critical areas assessment report for completeness and accuracy and shall consider the recommendations and conclusions of the critical areas assessment report to assist in making administrative decisions concerning approval, conditional approval, or denial of the subject project and to resolve issues concerning critical areas jurisdiction and appropriate mitigation and protective measures.
- C.D. Critical areas assessment reports shall generally be valid for a period of five years from the date the assessment is approved by the technical administrator. Future land use applications may require preparation of new or supplemental critical area assessment reports unless it can be demonstrated to the satisfaction of the technical administrator that the previously prepared report is adequate for current analysis. The technical administrator may also require the preparation of a new critical area assessment report or a supplemental report when new information is found demonstrating that the initial assessment is in error. If the technical administrator requires more information in the report, s/he shall make the request in writing to the applicant stating what additional information is needed and why.
- D.E. The technical administrator shall reject or request revision of the field and literature findings and conclusions reached in a critical areas assessment report when s/he can demonstrate that the assessment is inaccurate, incomplete, or does not fully address the critical areas impacts involved.
- E.F. To avoid duplication, the reporting requirements of this chapter shall be coordinated if more than one critical area assessment report is required for a site or development proposal. Similarly, where other agencies assessments or reports are required pursuant to other state or federal laws, the applicant is encouraged to submit one report that satisfies all such agencies' requirements.
- F.G. In addition to a hard copy, applicants shall provide reports and maps to the County in an electronic format that allows site data to be incorporated into the County critical areas database; however, the County may waive the electronic format requirement for single-family building permits. Applicants shall follow Whatcom County electronic submittal guidelines. This requirement shall not be construed as a requirement to use specific computer software, though it must be in a format useable by the County.
- G.H. The intent of these provisions is to require a reasonable level of technical study and alternatives analysis pursuant to WCC 16.16.225 sufficient to assess potential project impacts and to protect critical areas. At a minimum, a critical areas assessment report shall include the following information:
1. A site plan showing the proposed development footprint and clearing limits, all relevant critical areas and buffers within and abutting the site, a written description of the project, an examination of project on-site design alternatives, and an explanation of why the proposed activity requires a location on, or access across, a critical area and why alternatives are not feasible;
 2. A written description of the critical areas and buffers on or in the vicinity of the site, including their size, type, classification or rating, condition, disturbance history, and functions and values. Projects in frequently flooded areas must comply with the reporting requirements of WCC Title 17. Projects on or adjacent to geologically hazardous areas shall identify the type of hazard and assess the associated risks posed by the development or that the development may be subject to;
 3. An analysis of potential adverse critical area impacts associated with the proposed activity including, but not limited to, effects related to clearing, grading, noise, light/glare, drilling, damming, draining, creating impervious surface, managing stormwater, releasing hazardous materials, and other alterations, and including an explanation of critical area processes and functions that may be affected;

4. An analysis of how critical area impacts or risks will be avoided and/or minimized, and/or an analysis of the proposed measures to prevent or minimize hazards. When impacts cannot be avoided, the report shall include a plan describing mitigation that will be provided to replace critical area functions and values altered as a result of the proposal. The mitigation plan shall be consistent with the provisions of WCC 16.16.260 and provide written documentation showing what the applicant considered for each step in the mitigation sequencing and the other applicable articles of this chapter;
5. The dates, names, signature, and qualifications of the persons preparing the report and documentation of analysis methods including any fieldwork performed on the site; and
6. Additional reasonable information requested by the technical administrator for the assessment of critical areas impacts or otherwise required by the subsequent articles of this chapter.

16.16.670 Review and reporting requirements.

A. When County critical area maps or other sources of credible information indicate that a site proposed for development or alteration may contain or abut wetlands or wetland buffers, the technical administrator may require a site evaluation (~~Reconnaissance~~~~field investigation~~) or critical area assessment report by a qualified professional to determine whether or not a regulated wetland is present and, if so, its relative location in relation to the proposed project area or site. If no regulated wetlands are present, then wetland review will be considered complete.

B.

~~B.C.~~ If When the technical administrator determines that a wetland is more likely than not present, the technical administrator shall require a wetland critical area assessment report pursuant to WCC 16.16.255 and subsection B.C. of this section. ~~If no regulated wetlands are present, then wetland review will be considered complete.~~

D. A wetland assessment ~~is an element of a critical area assessment report which report~~ describes the characteristics of the subject property and adjacent areas ~~and must be consistent with WCC 16.16.255.~~ The wetland assessment shall include the occurrence, distribution, delineation, and determination of the wetland category and standard wetland buffers as set forth in WCC 16.16.630. ~~The investigation shall also include field identification and a complete delineation of all wetland boundaries (with delineations field flagged and left in the field for County verification),~~ and may include analysis of historical aerial photos, and review of public records.

~~C.E.~~ A wetland Assessment assessment reports shall include the following site- and proposal-related information unless the technical administrator determines that any portion of these requirements is already required by Article 2 Administration or unnecessary given the scope and/or scale of the proposed development:

1. Location information (legal description, parcel number, and address);

2. A vicinity Map

1.3. A site plan that includes scale, and wetlands and associated buffers and proposed development if appropriate

2.4. A qualitative written assessment and accompanying maps of wetlands and buffers within 300 feet of the site and an estimate of the existing acreage for each. For on-site wetlands, the assessment shall include the dominant and subdominant plant species; soil type, color and texture; sources of hydrology (patterns of surface and subsurface water movement, precipitation, etc.); topography; and other pertinent information. The assessment of off-site wetlands shall be based on available information and shall not require accessing off-site properties;

3. Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;
5. Wetland Analysis. an analysis of all wetlands and buffers (to the extent they can be legally accessed) including, at a minimum, the following information:
 - i. Wetland delineation conducted by a qualified professional and completed in accordance with WCC 16.16.610(A).
 - ii. The wetland boundary shall be marked in the field (with flagging left in the field for Whatcom County verification and placed high enough to allow line of sight with vegetation growth) and surveyed using a methodology appropriate to scale of development. The surveyed wetlands areas shall be mapped showing location and size of all wetlands. Methodology used shall be in the report with description of equipment (specs), accuracy, pDop and any other pertinent description of how the x and y coordinates were gathered.
 - iii. Determination of each wetland size.
 - iv. Description of each wetland class and category.
 - v. Description of overall water sources and drainage patterns on site. Include all streams and drainages (Type S, F, Np, or Ns streams), shorelines, floodplains, flood prone areas
 - vi. Description of vegetation, hydrologic conditions, and soil and substrate conditions.
 - vii. Description of wildlife and habitat. Include all critical habitat for threatened and endangered species within 300 feet of the development footprint.
 - viii. Topographic elevation, at two-foot contours provided by Whatcom County PDS for single family proposals.
 - ix. Functional assessment of the wetland and adjacent buffer using a local or state agency-recognized method and including the reference of the method and all data sheets.
 - x. Standard buffer requirements for each wetland. Copies of the wetland rating forms and associated figures from the Ecology Wetland Rating System for Western Washington, as amended
- 4.6. Copies of the wetland rating forms and associated figures from the Ecology Wetland Rating System for Western Washington, as amended.

Wetland Determination and Mapping. The exact location of all wetland boundaries shall be determined through the performance of a field investigation by a qualified wetland professional applying the U.S. Army Corps of Engineers Wetlands Delineation Manual, 1987 Edition, and the Western Mountains, Valleys, and Coast Region supplement (Version 2.0) 2010 or as revised. The wetland boundary shall be marked in the field and surveyed. The surveyed wetlands areas shall be mapped showing location and size of all wetlands. The Technical Administrator may request verification of the wetland delineation by the Army Corps of Engineers when a high degree of accuracy is necessary to determine applicable regulations and requirements.
5. Wetland Delineation Requirements. The following are required components of a wetland delineation report.
 - a. The report shall be prepared by a qualified professional for wetlands, who meets the minimum requirements as defined in this chapter
 - b. Maps. The wetland delineation report shall include the following maps:
 - i. Vicinity map.
 - ii. Parcel map, with scale, showing all wetlands within 300 feet of the development footprint unless access is denied in writing by the adjacent property owner. Parcel map shall include all streams and drainages (Type S, F, Np, or Ns streams), shorelines, floodplains, flood prone areas and critical habitat for threatened and endangered species within 150 feet of the development footprint.

- iii. ~~Topographic map based on city or surveyed data.~~
- iv. ~~Map of development proposal with accurate scale.~~
- c. ~~Wetland Analysis. A wetland delineation report shall provide an analysis of all wetlands and buffers (to the extent they can be legally accessed) including, at a minimum, the following information:~~
 - i. ~~Wetland delineation.~~
 - ii. ~~The wetland boundaries shall be surveyed by a licensed surveyor or using an equivalent method with an accuracy of plus or minus one foot of a survey.~~
 - iii. ~~Determination of each wetland size.~~
 - iv. ~~Description of each wetland class and category.~~
 - v. ~~Description of overall water sources and drainage patterns on site.~~
 - vi. ~~Description of vegetation, hydrologic conditions, and soil and substrate conditions.~~
 - vii. ~~Description of wildlife and habitat.~~
 - viii. ~~Topographic elevation, at two-foot contours.~~
 - ix. ~~Functional assessment of the wetland and adjacent buffer using a local or state agency-recognized method and including the reference of the method and all data sheets.~~
 - x. ~~Standard buffer requirements for each wetland.~~
 - xi. ~~Site plan that includes scale, and wetlands and associated buffers and proposed development~~

16.16.690 Compensatory wetland mitigation plan.

A. In addition to meeting the requirements of WCC [16.16.260\(B\)](#), a compensatory mitigation plan for wetland and wetland buffer impacts shall meet the following requirements:

1. Provide analysis of existing wetland functions and values and a detailed description of the effects of the proposed development on wetland and buffer function and value, including the area of direct wetland disturbance, area of buffer disturbance, area of buffer reduction, area of buffer averaging including documentation that the functions and values will be increased through reduction or average; effects of stormwater management; proposed hydrologic alteration including changes to natural drainage or infiltration patterns; effects on fish and wildlife species and their habitats; clearing and grading impacts; temporary construction impacts; and effects of increased noise, light, and human intrusion.
- 1.2. The plan shall be based on applicable portions of the Washington State Department of Ecology's Guidelines for Developing Freshwater Wetland Mitigation Plans and Proposals, 2004, or other appropriate guidance document that is consistent with best available science.
- 2.3. The plan shall contain sufficient information to demonstrate that the proposed activities are logistically feasible, constructible, ecologically sustainable, and likely to succeed. Specific information to be provided in the plan shall include:
 - a. The rationale for site selection;
 - b. General goals of the plan, including wetland function, value, and acreage;
 - c. Description of baseline (existing) site conditions including topography, vegetation, soils, hydrology, habitat features (i.e., snags), surrounding land use, and other pertinent information;
 - d. Field data confirming the presence of adequate hydrology (surface and/or groundwater) to support existing and compensatory wetland area(s);
 - e. Nature of mitigation activities, including area of restored, created, enhanced, rehabilitated and preserved wetland, by wetland type;

- f. Detailed grading and planting plans showing proposed post-construction topography; general hydrologic patterns; spacing and distribution of plant species; size and type of proposed planting stock; watering or irrigation plans; and other pertinent information;
- g. A description of site treatment measures including invasive species removal, use of mulch and fertilizer, placement of erosion and sediment control devices, and best management practices that will be used to protect existing wetlands and desirable vegetation;
- h. A demonstration that the site will have adequate buffers sufficient to permanently protect the wetland functions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

WHATCOM COUNTY COUNCIL
Special Committee of the Whole

June 13, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 9:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

COMMITTEE DISCUSSION

1. CONTINUATION OF COUNCIL'S REVIEW OF THE 2016 CRITICAL AREAS ORDINANCE UPDATE (AB2016-276K) REVIEW OF CERTAIN QUESTIONS, COMMENTS, AND SUGGESTIONS BY STAFF AND COUNCILMEMBERS RELATED TO: ARTICLE 5 – CRITICAL AQUIFER RECHARGE AREAS, ARTICLE 8 – CONSERVATION PROGRAM ON AGRICULTURE LANDS, ARTICLE 9 – DEFINITIONS

The following staff answered questions:

- Cliff Strong, Planning and Development Services Department
- George Boggs, Conservation District
- Ryan Ericson, Planning and Development Services Department

Staff and councilmembers discussed the following items:

- Staff response to an email from Wendy Harris regarding best available science (BAS)
- Whether and how they should protect critical aquifer recharge areas (CARAs) from agricultural pollution from 1,500 small farms in the county without farm plans, which are impacting the CARAs, but are not mentioned in Article 5
- Creating a new Article in the code for agricultural-related statutes and changing the membership of the Agricultural Advisory Committee
- Possible processes for educating farm owners regarding problems and best management practices
- Possibly contracting with the Conservation District to collect data on the number and types of small farms in the county

Weimer moved to look at the septic system model for a self-reporting feedback loop within the high susceptibility CARAs.

The motion was seconded.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2 **Browne suggested a friendly amendment** that considers a broader range of
3 participants to come up with a solution, such as the agricultural community, rather than just
4 use the septic system model, "to ~~look at the septic system model~~ **identify and engage all**
5 **relevant stakeholders.**"
6

7 **Weimer accepted** the friendly amendment.
8

9 Brenner stated the County must engage all relevant agricultural users.
10

11 **Weimer restated the motion** to ask staff to identify and engage all relevant
12 agricultural stakeholders for a self-reporting feedback loop.
13

14 Strong stated he understands that the motion is to request staff to create a draft
15 path forward for how they would put together a program to educate people on best
16 practices, and once Council agrees with the process, they would engage the stakeholders.
17

18 **The Council concurred** with Mr. Strong.
19

20 The motion carried by the following vote:

21 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

22 **Nays:** None (0)
23

24 **Donovan moved** to amend 16.16.810, "~~Agricultural operations have the potential to~~
25 **Keeping horses and other large animals** creates **s potential** adverse impacts to critical areas
26 **and to water quality.** It is the County's policy to minimize such impacts."
27

28 The motion was seconded.
29

30 **Brenner suggested a friendly amendment**, "...It is the County's policy to
31 minimize such **potential** impacts."
32

33 **Donovan accepted** the friendly amendment.
34

35 **Donovan amended the motion** to amend 16.16.810, "Agricultural operations,
36 **including keeping horses and other large animals**, create potential adverse impacts to
37 critical areas and water quality. It is the County's policy to minimize such **potential**
38 impacts."
39

40 The motion carried by the following vote:

41 **Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

42 **Nays:** None (0)

43 **Abstains:** Brenner (1)
44

45 **Brenner moved** to amend 16.16.810(D), "Degradation of Riparian Areas. The
46 term...and keep water cooler in summer. **If it occurs,** uncontrolled grazing ~~removes~~ **has the**
47 **potential to remove** important riparian vegetation."
48

49 The motion was seconded.
50

1 The motion carried by the following vote:

2 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

3 **Nays:** None (0)

4
5 **Brenner moved** to amend 16.16.820(D)(1), "Type 1 low impact farm or livestock
6 operations."

7
8 The motion was seconded.

9
10 Staff and councilmembers discussed identifying level of impact of a farm versus farm
11 size.

12
13 The motion failed by the following vote:

14 **Ayes:** Brenner (1)

15 **Nays:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

16
17 **Brenner moved** to amend 16.16.820(D)(2)(a), "Type 2 operations are farms that
18 include, but are not limited to those that exceed one...."

19
20 The motion was seconded.

21
22 The motion carried by the following vote:

23 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

24 **Nays:** None (0)

25
26 **Brenner moved** to amend 16.16.830(B)(1), "Only on ~~ongoing~~ agricultural land
27 where such activities are a demonstrated to be an integral part of the ~~ongoing~~ agriculture
28 use or part of routine maintenance; and."

29
30 The motion was seconded.

31
32 Councilmembers and staff discussed defining an active, ongoing agricultural status.

33
34 The motion failed by the following vote:

35 **Ayes:** Brenner (1)

36 **Nays:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

37
38 **Browne moved** to amend 16.16.830(B)(1), "Only on ongoing agricultural land
39 where such activities are a demonstrated part of the ~~ongoing~~ a history of legal agriculture
40 use or part of routine maintenance; and."

41
42 The motion was seconded.

43
44 **Sidhu suggested a friendly amendment** to add language, "Other state or federal
45 rules may apply."

46
47 **Browne accepted** the friendly amendment.

48
49 Councilmembers and staff discussed historical uses and how the County is the
50 State's enforcement mechanism for the Growth Management Act.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2 ***Browne withdrew*** the motion.
3

4 Councilmembers stated they would like more information on the definition of ongoing
5 agriculture and historical agriculture.
6
7
8

1 **OTHER BUSINESS**

2
3 There was no other business.
4

5
6 **ADJOURN**

7
8 The meeting adjourned at 11:00 a.m.
9

10 The Council approved these minutes on September 26, 2017.
11

12 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

13
14
15
16
17 _____
18 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

19
20
21
22 _____
23 Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Committee Of The Whole

June 13, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1:30 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Rud Browne, Barry Buchanan, Ken Mann, Todd Donovan and Carl Weimer

Absent: None

COMMITTEE DISCUSSION

1. **DISCUSSION WITH PUBLIC WORKS STAFF REGARDING A POTENTIAL PROPERTY ACQUISITION FOR FLOOD CONTROL ZONE DISTRICT PURPOSES (AB2017-018)**
Attorney Present: None

Buchanan stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.110 (1)(b). Executive session will conclude no later than 2:00 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Brenner moved to go into executive session until no later than 2:00 p.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Chair. The motion was seconded.

The motion carried by the following vote:

Ayes: Sidhu, Brenner, Browne, Buchanan, Mann, Donovan and Weimer (7)

Nays: None (0)

OTHER BUSINESS

ADJOURN

The meeting adjourned at 1:47 p.m.

The Council approved these minutes on September 26, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

1
2
3
4

Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Regular County Council Meeting

June 13, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Rud Browne and Barry Buchanan.

Absent: Todd Donovan.

FLAG SALUTE

ANNOUNCEMENTS

PUBLIC HEARINGS

1. RESOLUTION APPROVING THE SALE OF A CONSERVATION EASEMENT (AB2017-178)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved to approve the resolution.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

Nays: None (0)

Absent: Donovan (1)

2. ORDINANCE TO ESTABLISH SPEED LIMITS ON CERTAIN COUNTY ROADS (AB2017-179)

Joe Rutan, Public Works Department, gave a staff report and stated the department agrees with the request.

Buchanan opened the public hearing, and the following people spoke:

1 David Stritch stated he supports the change in speed limit to make the community
2 safer.

3
4 Hearing no one else, Buchanan closed the public hearing.

5
6 **Mann moved** to adopt the ordinance.

7
8 The motion was seconded.

9
10 The motion carried by the following vote:

11 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

12 **Nays:** None (0)

13 **Absent:** Donovan (1)

14
15 **3. ORDINANCE REGARDING ESTABLISHMENT OF SPEED LIMIT ON A PORTION**
16 **OF SLATER ROAD (AB2017-180)**

17
18 Joe Rutan, Public Works Department, gave a staff report and stated staff supports
19 the ordinance.

20
21 Buchanan opened the public hearing, and hearing no one, closed the public hearing.

22
23 **Mann moved** to adopt the ordinance.

24
25 The motion was seconded.

26
27 The motion carried by the following vote:

28 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

29 **Nays:** None (0)

30 **Absent:** Donovan (1)

31
32 **4. PUBLIC HEARING TO GATHER PUBLIC COMMENT ON THE SIZING OF A**
33 **PROPOSED NEW WHATCOM COUNTY JAIL (PER RESOLUTION 2017-034,**
34 **APPROVED MAY 30, 2017) (AB2017-185A)**

35
36 Buchanan opened the public hearing, and the following people spoke:

37
38 Joy Gilfilen submitted and read from a handout (*on file*) and stated she is opposed to
39 a new tax and new jail.

40
41 Dena Jensen stated she recommends the jail size remain at its current size, they
42 must fix the current jail, and invest in the triage center and in measures to prevent and
43 reduce incarceration.

44
45 Sandy Robson stated do not build a new and bigger jail or pass a sales tax measure
46 at this time. Fix the existing jail facility and gather data on the impact of jail reduction
47 efforts, then plan for a new jail in the future. Invest in incarceration prevention and
48 reduction efforts.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 Amy Glasser stated she agrees with the previous speakers. They don't have the
2 data yet on what they need. Sell the property reserved for a new jail and invest the funds
3 in fixing the existing jail. Invest in incarceration prevention and reduction efforts and
4 providing services.

5
6 Lisa Farino stated they need mental health treatment, not jails.

7
8 Peter Holcomb stated locking people up corrupts the community.

9
10 Dean Tuckerman stated they don't need a new jail. He does not support a sales tax,
11 because a sales tax is the most regressive tax.

12
13 Alex McLean stated America has more people locked up than any other country.
14 Invest instead in behavioral health services. Don't move the County Seat to the Ferndale
15 location.

16
17 Marla Bronstein spoke on behalf of Irene Morgan, stating she does not support a new
18 jail. Maintain the existing jail. Invest in jail alternatives. Do not approve a new sales tax.

19
20 Carole Perry stated they need correct jail data. Show the people the jail condition
21 and all the work that has been done.

22
23 Max Perry stated studies have shown that the existing jail can't be renovated. He
24 supports the current proposed size of 440 beds. He supports the sales tax ballot measure.

25
26 Everett Barton stated they need data before making decisions. The government is a
27 corporation, and taxpayers are shareholders.

28
29 Bob Burr stated they must wait until the consultant report is in and a needs
30 assessment is done. He does not support the current proposed jail size and location.
31 Invest in jail alternatives. He does not support a sales tax ballot measure.

32
33 Dianne Foster stated the public wants a smaller jail located downtown. Don't create
34 a Homeland Security detention center near the border. Don't privatize the jail once it's
35 developed.

36
37 Clint Lincoln stated he supports getting a current needs analysis and the jail
38 alternative efforts. He does not support the proposed location. Maintain the current jail.

39
40 Amy Malone stated she does not support the proposed new jail or sales tax. They
41 need more data. Invest in jail alternatives, prevention, and behavioral health services. Use
42 the current sales tax collection to fix the existing jail.

43
44 Eric Lawrence stated he does not support building a new jail. Invest in behavioral
45 health services.

46
47 Ronna Loerch stated they don't have the data necessary to decide an appropriate jail
48 size. She does not support the proposed sales tax measure. Invest in jail prevention,
49 diversion, and behavioral health services. She does not support the Ferndale location for
50 the jail or the County Seat.

1
2 Charles White stated he does not support a new jail or sales tax.
3

4 Debra David stated she supports increased behavioral health services.
5

6 Deborah Hawley stated she supports behavioral health services for people in the
7 criminal justice system.
8

9 Mary Kay Robinson stated they need a new jail facility at the proposed new location
10 right now, for many reasons.
11

12 Chris Freeman stated he is a corrections officer in the current jail. They need a new
13 jail for the safety of everyone in the jail. Increase the size to house the inmates safely.
14

15 Brian Heinrich, Bellingham Mayor's Office, referenced the jail facilities use agreement
16 and stated three important points in the agreement are that the new facility includes
17 medical beds, the advisory board, and the expanded use of greater incarceration
18 alternatives.
19

20 John Mutchler, Ferndale Mayor, stated he supports the current proposals for a new
21 jail facility for the safety of the community. The proposed jail facility use agreement was a
22 compromise among all the jurisdictions.
23

24 Nicole Kallin stated she is a corrections officer in the current jail. The current jail is
25 very dangerous. She supports a new jail facility.
26

27 Roger Schvettke stated he is opposed to the current proposal for a new jail. He
28 supports investment in behavioral health services.
29

30 Andronetta Douglass stated she supports efforts to reduce jail population and to
31 implement jail diversion efforts.
32

33 Mike Kaufman stated he does not support the proposed jail and sales tax. The
34 criminal justice and healthcare systems are the most expensive for society. He supports the
35 comments by Joy Gilfilen and the corrections officers. Invest money in fixing the healthcare
36 system.
37

38 Ray Baribeau referenced the 2011 Jail Planning Task Force and the current
39 Incarceration Prevention and Reduction Task Force. He described similar task forces around
40 the country. They don't know the right jail size. No matter the size built, they will
41 eventually outgrow it. They need a new jail.
42

43 Charlie Storrs stated people don't need to be locked up at the rate they are in the
44 United States. Reduce the jail population. Wait to get the anticipated reports for more
45 information on data.
46

47 Jess Barrios, Whatcom County Sheriff's Office Jail Alternative Work Release Program,
48 described the current jail alternative programs in the Sheriff's Office. Don't privatize jail
49 alternatives. He supports the sales tax ballot measure.
50

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 Wendy Tarkan stated they can't predict the correct size of the jail. They need help
2 to treat people with behavioral health problems. The current jail is unsafe.
3

4 Dave Charleston stated he is a former jail work crew supervisor. He agrees with the
5 comments from Ray Baribeau. He supports a new jail.
6

7 Daron Smith stated he is a corrections officer in the jail. The current jail is unsafe.
8 They need a new facility. They can engage in restorative justice while developing a new
9 jail. He supports a new jail facility and a sales tax ballot issue. Don't keep delaying the
10 problems.
11

12 Matthew Goggins stated he supports the comments from Mary Kay Robinson. A new
13 jail is necessary. Whatcom County incarcerates fewer than similarly-sized counties. He
14 supports the proposed sales tax ballot measure.
15

16 Karen Weill stated they need a new jail, but she doesn't agree with the size or
17 location. Tear down and rebuild the current jail. Reduce jail population.
18

19 Larry Hildes stated the current jail is in terrible shape. There are problems with jail
20 management. The national crime rate is going down. Don't build a larger facility. Keep
21 mental health out of the jail.
22

23 Keith Fredrikson stated the voters have already spoken. He is opposed to another
24 ballot measure. National crime rates are going down. He is opposed to the proposed new
25 jail.
26

27 Patrick Alesse stated make it a property tax, not a sales tax. He supports a jail
28 location closer to Bellingham.
29

30 Caleb Erickson stated he is a Sheriff's Deputy. The work center was never intended
31 for its use. It's too small and the design is ineffective. They need more space to implement
32 new programs and jail alternatives that will benefit the offenders. He supports the proposed
33 ballot measure.
34

35 Robert Leib stated he is opposed to building a new jail. They don't have data on
36 local needs. Consider improvements in the local criminal justice system. He does not
37 support the proposed sales tax ballot measure.
38

39 Wendy Harris stated something is wrong with the process. Get the data before
40 making decisions. Follow the proper process.
41

42 Dan McShane stated the existing facility has had little maintenance in the past 20
43 years. There needs to be more assurances about funding programs into the future, and
44 that the proposed new jail facility won't undermine services.
45

46 Kristin Hanna stated the proposal as it is now isn't supportable. Councilmembers
47 represent the citizens of the county. Make a wise choice.
48

49 Christina (*no last name given*) stated she does not support a larger jail. Instead,
50 help people improve their lives and stay out of the criminal justice system.

1
2 Dana Douglas stated the bigger problem is systemic and how they deal with criminal
3 justice in the community.
4

5 Jessie Worland stated a sales tax will disproportionally fall on lower income people.
6

7 Lindsey McDonald spoke about the opioid epidemic. There need to be more
8 behavioral health treatment services in the community for Medicaid patients.
9

10 Hearing no one else, Buchanan closed the public hearing.
11

12 *(Clerk's Note: The Council took a 10-minute break at 9:21 p.m.)*
13

14 Councilmembers discussed the result of the previous ballot measure two years ago,
15 making progress to reduce the incarceration rate, creating a safe space for people with
16 mental health problems, finding solutions for behavioral health issues within the healthcare
17 system instead of the criminal justice system, decisions that impact jail size are not up to
18 the County, national incarceration rates, appropriate jail size, a multiple-story jail versus a
19 one-story jail, the proposed sales tax, other funding sources, workplace safety, all the
20 benefits and increased services to offenders that a new jail would provide, and getting more
21 information and data from VERA Institute consultants.
22

23 Jack Louws, County Executive, spoke about the cost of remodeling the current jail,
24 beginning to contract for work in the existing jail, the possibility of sending County inmates
25 to Yakima, the inability to provide new programs in the existing jail, and that the LaBounty
26 Road property acquisition was done legally and properly.
27

28 Buchanan stated the next step is to hear from the VERA Institute consultant on July
29 11, 2017.
30

31 **OPEN SESSION** 32

33
34 The following people spoke:

- 35 • Bob Burr spoke about water quality and the proposed Wildwood project.
- 36 • Mike Kaufman spoke about the Comprehensive Plan and Cherry Point.
- 37 • Matthew Goggins spoke about Cherry Point and BP operations.
- 38 • Joy Gilfilen spoke about using the Economic Development Investment (EDI)
- 39 fund for capital improvements.
40

41 **CONSENT AGENDA** 42

43
44 **Browne** reported for the Finance and Administrative Services Committee and
45 **moved** to approve Consent Agenda items one through four.
46

47 The motion carried by the following vote:

48 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

49 **Nays:** None (0)

50 **Absent:** Donovan (1)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO GRANT A NON-EXCLUSIVE RESIDENTIAL DRIVEWAY EASEMENT ACROSS PARK PROPERTY TO DEWEY AND JANET HUSTON AT 3315 NORTH SHORE DRIVE (AB2017-188)
2. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND THE STATE OF WASHINGTON COUNTY ROAD ADMINISTRATION BOARD IN ORDER TO RECEIVE RURAL ARTERIAL PROGRAM (RAP) FUNDING FOR THE EAST SMITH ROAD PAVEMENT REHABILITATION PROJECT, IN THE AMOUNT OF \$549,430 (AB2017-189)
3. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN INTERAGENCY AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION TO CONTINUE TO REIMBURSE THE COUNTY FOR UP TO FIFTY PERCENT OF THE PREVIOUS YEAR'S ANNUAL OPERATING DEFICIT INCURRED IN THE OPERATION AND MAINTENANCE OF THE COUNTY FERRY SYSTEM (AB2017-190)
4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND ADVANCEMENT NORTHWEST TO PROVIDE "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY ACCESS" SERVICES TO ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES (AB2017-191)

OTHER ITEMS

1. ORDINANCE REPEALING AND REPLACING WHATCOM COUNTY CODE CHAPTER 1.18, COURT FINES AND COSTS (AB2017-181)

Browne reported for the Finance and Administrative Services Committee and *moved* to approve the request.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

Nays: None (0)

Absent: Donovan (1)

2. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CREDIT TRANSACTION AGREEMENT BETWEEN WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT AND LUMMI NATION WETLAND AND HABITAT MITIGATION BANK TO SECURE WETLAND MITIGATION CREDITS TO FULFILL REQUIREMENTS FOR THE HIGH CREEK SEDIMENT MANAGEMENT AND FISH PASSAGE IMPROVEMENT PROJECT, IN THE AMOUNT OF \$21,600 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-187)

1 **Browne** reported for the Finance and Administrative Services Committee and
2 **moved** to approve the request.
3

4 The motion carried by the following vote:

5 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

6 **Nays:** None (0)

7 **Absent:** Donovan (1)
8
9

10 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

11 12 **DISCUSSION OF A PROPOSED ORDINANCE ESTABLISHING WHATCOM COUNTY** 13 **CODE 2.126, CREATING THE WHATCOM COUNTY BUSINESS AND COMMERCE** 14 **COMMITTEE (AB2017-182)** 15

16 **Browne** reported for the Finance and Administrative Services Committee and
17 **moved** to approve the concept and forward to the Port of Bellingham for review.
18
19

20 The motion carried by the following vote:

21 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

22 **Nays:** None (0)

23 **Absent:** Donovan (1)
24
25

26 **OTHER ITEMS**

27 28 **3. APPROVAL OF THE DRAFT PUBLIC PARTICIPATION PLAN FOR WHATCOM** 29 **COUNTY COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION** 30 **AMENDMENTS (AB2017-192)** 31

32 **Weimer** reported for the Planning and Development Committee and **moved** to
33 approve the plan.
34

35 The motion carried by the following vote:

36 **Ayes:** Mann, Sidhu, Browne, Buchanan, and Weimer (5)

37 **Nays:** Brenner (1)

38 **Absent:** Donovan (1)
39

40 **4. RESOLUTION ACCEPTING A PETITION TO CREATE THE LUMMI ISLAND PARK** 41 **AND RECREATION DISTRICT AND SET A DATE FOR PUBLIC HEARING ON THE** 42 **PROPOSAL (AB2017-200)** 43

44 **Brenner moved** to approve the resolution.
45

46 The motion was seconded
47

48 The motion carried by the following vote:

49 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

50 **Nays:** None (0)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 **Absent:** Donovan (1)
2
3

4 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
5

6 **1. APPOINTMENT TO THE NOXIOUS WEED CONTROL BOARD, DISTRICT 4,**
7 **APPLICANT: ALEXANDER VONDRELL (AB2017-186)**
8

9 ***Brenner moved*** to appoint Alexander Vondrell.
10

11 The motion was seconded.
12

13 The motion carried by the following vote:

14 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

15 **Nays:** None (0)

16 **Absent:** Donovan (1)
17
18
19

1 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

2
3 1. **REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S APPOINTMENTS TO**
4 **THE WHATCOM COUNTY PUBLIC DEFENSE ADVISORY COMMITTEE (AB2017-**
5 **193)**

6
7 ***Mann moved*** to confirm the appointments.

8
9 The motion was seconded

10
11 The motion carried by the following vote:

12 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

13 **Nays:** None (0)

14 **Absent:** Donovan (1)

15
16
17 **INTRODUCTION ITEMS**

18
19 ***Weimer moved*** to accept Introduction Items one through six.

20
21 Mann withdrew item one.

22
23 The motion was seconded

24
25 The motion carried by the following vote:

26 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

27 **Nays:** None (0)

28 **Absent:** Donovan (1)

29
30 1. **ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS**
31 **OF THE COUNTY A PROPOSITION AUTHORIZING A LOCAL SALES AND USE**
32 **TAX OF TWO-TENTHS OF ONE PERCENT FOR THE PURPOSE OF PROVIDING**
33 **FUNDS FOR COSTS ASSOCIATED WITH FINANCING, CONSTRUCTION,**
34 **MAINTENANCE AND OPERATION OF JAIL FACILITIES, AND FOR ADULT**
35 **CORRECTIONS PROGRAMS, INCLUDING MEDICAL AND BEHAVIORAL HEALTH**
36 **FACILITIES AND PROGRAMS, AND FOR OTHER PUBLIC SAFETY PURPOSES,**
37 **ALL PURSUANT TO RCW 82.14.450 (AB2017-194)**

38
39 ***Brenner moved*** to accept the Introduction Item, but hold discussion until after the
40 presentation from the VERA Institute consultants on July 11, 2017.

41
42 The motion was seconded.

43
44 Councilmembers discussed not making decisions until they've had input from the
45 public, City of Bellingham, and the VERA Institute consultant and the timing of this item
46 with other related items.

47
48 ***Brenner withdrew*** her motion to accept the Introduction Item.

49
50 ***Browne moved*** to hold in Council for two weeks.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2 The motion was seconded.
3

4 The motion carried by the following vote:

5 **Ayes:** Mann, Brenner, Sidhu, Browne, Buchanan, and Weimer (6)

6 **Nays:** None (0)

7 **Absent:** Donovan (1)
8

- 9 2. **ORDINANCE AMENDING WHATCOM COUNTY CODE TITLE 20 ZONING AND**
10 **THE WHATCOM COUNTY COMPREHENSIVE PLAN RELATING TO CUMULATIVE**
11 **IMPERVIOUS SURFACE COVERAGE STANDARDS (AB2017-195)**
12
13 3. **ORDINANCE ESTABLISHING THE SPEED LIMIT ON A PORTION OF NORTH**
14 **SHORE ROAD (AB2017-196)**
15
16 4. **ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, SIXTH REQUEST,**
17 **IN THE AMOUNT OF \$572,516 (AB2017-197)**
18
19 5. **ORDINANCE CLOSING THE 2015 CENTRAL PLAZA IMPROVEMENT FUND 360**
20 **(AB2017-198)**
21
22 6. **RESOLUTION AMENDING THE 2017 FLOOD CONTROL ZONE DISTRICT AND**
23 **SUBZONES BUDGET, THIRD REQUEST, IN THE AMOUNT OF \$15,000**
24 **(COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE**
25 **DISTRICT BOARD OF SUPERVISORS) (AB2017-199)**
26
27

28 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
29

30 Buchanan reported for the Special Committee of the Whole.

31
32 Browne reported for the Finance and Administrative Services Committee.
33

34 **DISCUSSION WITH PUBLIC WORKS STAFF REGARDING A POTENTIAL PROPERTY**
35 **ACQUISITION FOR FLOOD CONTROL ZONE DISTRICT PURPOSES (AB2017-018)**
36

37 **Buchanan** reported for Committee of the Whole. He ***moved*** to authorize the
38 County Executive, acting on behalf of the Whatcom County Flood Control Zone District
39 Board of Supervisors, to execute an option agreement for the property discussed in
40 executive session.
41

42 The motion was seconded.
43

44 The motion carried by the following vote:

45 **Ayes:** Mann, Brenner, Sidhu, Browne, Buchanan, and Weimer (6)

46 **Nays:** None (0)

47 **Absent:** Donovan (1)
48

49 Brenner reported for the Public Works, Health, and Safety Committee.
50

1 Weimer reported for the Planning and Development Committee.

2
3 **DISCUSSION CONCERNING REQUESTING THE PROSECUTOR MOVE FORWARD WITH**
4 **SPECIAL COUNSEL FOR REVIEWING THE COUNCIL'S LEGAL AUTHORITY AND**
5 **POLICY OPTIONS RELATED TO LIMITING FOSSIL FUEL EXPORTS (AB2017-201)**
6

7 **Weimer** reported for the Planning and Development Committee and **moved** to ask
8 the Prosecutor to move forward as soon as possible with the contract necessary for the
9 implementation of the study called for in new Comprehensive Plan Policy 2CC-16.

10
11 The motion carried by the following vote:

12 **Ayes:** Mann, Sidhu, Browne, Buchanan, and Weimer (5)

13 **Nays:** Brenner (1)

14 **Absent:** Donovan (1)

15
16 Councilmembers gave updates on recent activities and upcoming events.
17

18
19 **ADJOURN**

20
21 The meeting adjourned at 10:44 p.m.

22
23 The County Council approved these minutes on September 26, 2017.
24

25
26 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

27
28
29
30
31 _____
32 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

33
34
35
36 _____
37 Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Special Committee of the Whole

June 27, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 9:34 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.
Absent: None.

COMMITTEE DISCUSSION

1. CONTINUATION OF COUNCIL'S REVIEW OF THE 2016 CRITICAL AREAS ORDINANCE UPDATE (AB2016-276K) REVIEW OF CERTAIN QUESTIONS, COMMENTS, AND SUGGESTIONS BY STAFF AND COUNCILMEMBERS RELATED TO: ARTICLE 5 – CRITICAL AQUIFER RECHARGE AREAS; ARTICLE 8 – CONSERVATION PROGRAM ON AGRICULTURE LANDS, AND; ARTICLE 9 – DEFINITIONS

The following staff answered questions:

- Cliff Strong, Planning and Development Services Department
- Ryan Ericson, Planning and Development Services Department
- George Boggs, Whatcom Conservation District

Brenner moved for staff reports to list proposed amendments in numerical order by issue number.

Councilmembers discussed the format in which the proposed amendments are presented in the staff report.

Brenner withdrew the motion.

Brenner moved to amend 16.16.830(B)(1), "Only on ~~ongoing~~ agricultural land where such activities are a demonstrated **to be an integral** essential part of the ~~ongoing~~ agricultural use or part of...."

The motion was seconded.

Councilmembers discussed problems when farmers can't engage in farming continuously due to unavoidable circumstances, who would determine whether an

1 agricultural use is legal, applying this section only to lands in the (CPAL) program, and how
2 to determine if a farm has lost its legal ability to farm.

3
4
5 The motion failed by the following vote:

6 **Ayes:** Brenner and Sidhu (2)

7 **Nays:** Mann, Browne, Buchanan, Weimer and Donovan (5)

8
9 **Browne moved** to amend 16.16.830(B), "A conservation farm plan ~~shall not~~ may
10 authorize **may recommend** filling, draining, grading, or clearing...1. "Only **Except** on ongoing
11 agricultural land **with a history of legal agricultural uses and** where such activities are a
12 demonstrated essential part of the ongoing agricultural use or part of...."

13
14 The motion was seconded.

15
16 Councilmembers discussed the need for a definition of the history of legal agricultural
17 uses to be consistent with State and federal guidelines.

18
19 **Browne moved** to hold the motion in committee.

20
21 The motion to hold was seconded.

22
23 The motion to hold carried by the following vote:

24 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

25 **Nays:** None (0)

26
27 **Brenner moved** to amend 16.16.830(C), "A conservation farm plan ~~shall not~~
28 authorize **may recommend**...."

29
30 The motion was seconded.

31
32 Councilmembers discussed changing the language throughout from "shall not
33 authorize" to "may recommend."

34
35 The motion failed by the following vote:

36 **Ayes:** Brenner and Sidhu (2)

37 **Nays:** Mann, Browne, Buchanan, Weimer and Donovan (5)

38
39 **Brenner moved** to amend 16.16.840(A)(1)(a), "Where structures exist in critical
40 areas or buffers and cannot be relocated, corrective measures must be taken **if necessary** to
41 avoid runoff of pollutants and bacteria to critical areas."

42
43 The motion was seconded.

44
45 The motion carried by the following vote:

46 **Ayes:** Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

47 **Nays:** Browne (1)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Councilmembers discussed the recommendation of the Technical Advisory Committee to mitigate for temperature changes.

Brenner moved to amend 16.16.840(A)(1), "b. Along regulated streams[†], lakes, ponds, or wetlands: i. Where trees and shrubs already exist, they shall be retained and managed to preserve the existing functions of the buffer pursuant to the NRCS Conservation Practice 391, Riparian Forest Buffer"...[†]~~Note that ditched channels may or may not meet the definition of a stream. See Article 9, Definitions."~~

Councilmembers discussed whether the owner is restricted from getting rid of invasive vegetation and amending the definition of trees and shrubs, which should not include invasive species.

The motion failed by the following vote:

Ayes: Brenner, Sidhu, and Buchanan (3)

Nays: Weimer, Browne, and Donovan (3)

Absent: Mann (out of the room)(1)

Weimer stated there are hundreds of farms for which they don't have information on what they're doing. He's satisfied with the staff's answer on surface water runoff from these areas.

Brenner moved to amend 16.16.840(A)(5), "Existing native vegetation within critical areas and their buffers shall be retained **to the extent practicable.**"

The motion was seconded.

Councilmembers discussed whether vegetation can be changed and replaced when necessary.

The motion failed by the following vote:

Ayes: Brenner and Sidhu (2)

Nays: Browne, Buchanan, Weimer and Donovan (4)

Absent: Mann (out of the room)(1)

Weimer moved to amend 16.16.840, "A. ...designed **to assess risk** to protect water quality...**7. Fertilizers Other Than Manure. The rate and timing of fertilizer application shall not exceed crop requirements or cause surface or groundwater quality degradation.**"

The motion was seconded.

Councilmembers discussed the possibility of unpredictable weather that could cause temporary problems and risk assessment as part of the plan.

Brenner moved to amend the motion, "~~shall~~ **should.**" The motion was not seconded.

The motion carried by the following vote:

Ayes: Sidhu, Browne, Buchanan, Weimer and Donovan (5)

Nays: Brenner (1)

1 **Absent:** Mann (out of the room)(1)

2
3 **Weimer moved** to amend 16.16.840(B)(2), "Benchmark conditions are to be
4 captured and described in the plan, **except for critical area aquifers.**"

5
6 The motion was seconded.

7
8 Councilmembers discussed the lack of a benchmarking effort for groundwater issues,
9 the need for groundwater benchmarks for a farm plan, and the farm plan relationship
10 regarding protection of CARAs and of the status of the groundwater.

11
12 **Weimer withdrew** his motion.

13
14 Councilmembers discussed whether there are exceptions to Title 180 or sections that
15 allow different options.

16
17 **Brenner moved** to amend 16.16.840(B)(3). "**Except for impacts allowed by this**
18 **Title, wetlands** ~~Wetlands~~ shall be conserved pursuant to the provisions of Title 180...."

19
20 Councilmembers discussed whether anything is allowed elsewhere in the Title, the
21 Conservation District methodology for preparing farm plans, grandfathering wetlands
22 converted to agriculture before 1985 to protect agriculture, and whether the existing
23 language has clarity.

24
25 The motion was seconded.

26
27 **Browne moved** to call the question.

28
29 The motion to call the question was seconded.

30
31 The motion to call the question carried by the following vote:

32 **Ayes:** Sidhu, Browne, Buchanan, and Weimer (4)

33 **Nays:** Brenner and Donovan (2)

34 **Absent:** Mann (out of the room)(1)

35
36 The motion to amend failed by the following vote:

37 **Ayes:** Brenner (1)

38 **Nays:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

39 **Absent:** Mann (out of the room)(1)

40
41 **Brenner moved** to amend 16.16.840(B)(5), "Where potential significant impacts to
42 critical areas are identified through a risk assessment, then plans shall be prepared to
43 **mitigate and/or** prevent same by:...d. ...Developing a plan to **mitigate and/or** prevent any
44 identified risks; and."

45
46 The motion was seconded.

47
48 The motion carried by the following vote:

49 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Nays: None (0)

Absent: Mann (out of the room)(1)

Brenner moved to amend Table 1 to allow a qualified consultant to prepare farm plans for Type 2 and 3 operations.

The motion was seconded.

Councilmembers discussed requirements to be a planning advisor to do Type 2 and 3 operations compared to the requirements of a qualified consultant.

Browne moved to call the question.

The motion was seconded.

1 The motion to call the question carried by the following vote:

2 **Ayes:** Mann, Sidhu, Browne, Buchanan, and Weimer (5)

3 **Nays:** Brenner and Donovan (2)

4
5 The motion to amend failed by the following vote:

6 **Ayes:** Brenner (1)

7 **Nays:** Mann, Sidhu, Browne, Buchanan, and Weimer (5)

8 **Abstains:** Donovan (1)

9
10 Councilmembers discussed companies that do global gap certification for farmers and
11 consolidating the plan where possible.

12
13 Weimer referenced the staff report and stated he has no more questions on
14 monitoring and compliance.

15
16 Councilmembers discussed adding definitions for "monitoring" and "qualified
17 consultant."

18
19 ***Brenner moved*** to define "monitoring" in terms of the CPAL program.

20
21 The motion was seconded.

22
23 *(Clerk's Note: This motion was not voted on.)*

24
25
26 **OTHER BUSINESS**

27
28 There was no other business.

29
30
31 **ADJOURN**

32
33 The meeting adjourned at 10:59 a.m.

34
35 The Council approved these minutes on September 26, 2017.

36
37 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

38
39
40
41
42
43 _____
44 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

45
46
47 _____
48 Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Committee Of The Whole
June 27, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1:30 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Rud Browne, Barry Buchanan, Ken Mann, Todd Donovan and Carl Weimer
Absent: Satpal Sidhu

COMMITTEE DISCUSSION

1. DISCUSSION WITH CHIEF CIVIL DEPUTY PROSECUTOR DANIEL GIBSON REGARDING TWO CASES INVOLVING POTENTIAL EXERCISE OF EMINENT DOMAIN (AB2017-018)
Attorney Present: Daniel Gibson

Buchanan stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.110 (1)(i). Executive session will conclude no later than 2:15 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Browne moved to go into executive session until no later than 2:15 p.m. to discuss the agenda item pursuant to RCW citations as announced by the Council Chair. The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Browne, Buchanan, Mann, Donovan and Weimer (6)
Nays: None (0)
Absent: Sidhu (1)

At 2:15 p.m., Buchanan announced that the meeting is extended to no later than 2:30 p.m.

OTHER BUSINESS

ADJOURN

The meeting adjourned at 2:30 p.m.

The Council approved these minutes on September 26, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

1 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

2

3

4

5

Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Special Committee of the Whole

June 27, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 2:35 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.
Absent: None.

COMMITTEE DISCUSSION

1. DISCUSSION OF A LETTER RECEIVED FROM THE CITY OF BELLINGHAM REGARDING THE PROPOSED NEW WHATCOM COUNTY JAIL (AB2017-185B)

Scott Korthuis, Lynden Mayor, spoke on behalf of the small city mayors and stated they support the proposed jail facility financial use agreement (JFFUA). Put the jail funding request to the voters.

Mike Lilliquist, Bellingham City Council President, referenced the letter from the City Council beginning on packet page 275 and stated the City Council has many concerns and would like the focus to be on how to reduce incarceration and recidivism. He read through and addressed the concerns described in the letter. Commit to funding jail alternatives recommended by the Incarceration Prevention and Reduction Task Force and the VERA Institute consultants.

Councilmembers and Lilliquist spoke about:

- The Incarceration Prevention & Reduction Task Force Phase 3 report is not due until after the November election.
- Creating an interlocal agreement among the County and small cities to commit to funding the IPRTF and VERA Institute recommendations and other jail reduction efforts.
- Crediting the County for past commitments to prioritize behavioral health and other medical issues, such as the mental health tax.
- The specificity of the JFFUA as a requirement for the bond market.
- Whether the County is doing enough work on jail diversion programs.
- Whether the best location is at the LaBounty Road location or downtown.

1 Browne submitted and spoke about a substitute ordinance submitting the proposition
2 to the County voters (*on file*).
3
4

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Councilmembers continued to discuss the following items:

- Options for funding behavioral health and jail alternative programs
- All the factors that impact jail population and over which the County has no control
- The features they need in a new jail
- Jail operating costs
- The appropriate jail site

Lilliquist spoke about the substitute ordinance submitting the proposition to the County voters from Councilmember Browne.

The following staff answered questions:

- Jack Louws, County Executive
- Tyler Schroeder, Executive's Office

Councilmembers continued to discuss the timing for adopting the JFFUA and the ordinance approving the ballot proposition, Councilmember Browne's draft response to the City Council's letter, and the possibility of scheduling a special joint meeting of the Bellingham City Council and County Council.

John Mutchler, Ferndale Mayor, spoke about the City of Ferndale's challenges with the County jail and his support of the JFFUA and a proposed new jail.

Councilmembers continued to discuss prevention efforts, committing to behavioral health funding in a separate agreement outside of the JFFUA, and the County's annual contribution.

Joy Gilfilen spoke about options if the voters don't approve the ballot proposition and taking people out of the criminal justice system. Implement alternatives and then evaluate results before building a new jail.

Browne moved to introduce the substitute ordinance at the evening meeting.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, and Weimer (5)

Nays: Mann and Donovan (2)

Forrest Longman, Council Legislative Analyst, spoke about what to expect from the VERA Institute consultants on July 11. They will not suggest an appropriate jail capacity. They will provide initial analysis on jail use and provide some early review of basic policy options that may have an impact on the jail.

OTHER BUSINESS

There was no other business.

1 **ADJOURN**

2
3 The meeting adjourned at 4:02 p.m.

4
5 The Council approved these minutes on September 26, 2017.

6
7 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

8
9
10
11
12 _____
13 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

14
15
16
17 _____
18 Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Regular County Council Meeting

June 27, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

Brenner moved to approve Minutes Consent items one and two.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

1. SPECIAL COMMITTEE OF THE WHOLE FOR MAY 30, 2017

2. REGULAR COUNTY COUNCIL FOR MAY 30, 2017

PUBLIC HEARINGS

1. ORDINANCE ESTABLISHING THE SPEED LIMIT ON A PORTION OF NORTH SHORE ROAD (AB2017-196)

Joe Rutan, Public Works Department, gave a staff report on the ordinance and answered councilmember questions about other options and locations.

Buchanan opened the public hearing, and the following people spoke:

1 John Campbell stated road signs are necessary for people who are unfamiliar with
2 the road. He supports speed reduction to 35 miles per hour and considering other
3 improvements in the future.

4
5 Hearing no one else, Buchanan closed the public hearing.

6
7 **Browne moved** to adopt the ordinance.

8
9 The motion was seconded.

10
11 Councilmembers spoke about whether changing speed limits will change behavior,
12 having several different speed limits on one road, and an error in the ordinance that
13 indicates the change is to 30 miles per hour, not 35 miles per hour.

14
15 Rutan stated the staff proposes the speed limit be changed to 35 miles per hour. He
16 will resubmit a corrected ordinance to the Council.

17
18 Karen Frakes, Prosecuting Attorney's Office, stated that although speed limit in the
19 ordinance is a typo, the public notice advertised the ordinance changing the speed limit to
20 30 miles per hour, not 35 miles per hour.

21
22 **Browne withdrew** his motion to adopt.

23
24
25 **OPEN SESSION**

26
27 The following people spoke:

- 28
 - Leslie Honcoop spoke about the critical areas review and agriculture.

29
30 Councilmembers discussed farm plans that address parts of the critical areas
31 ordinance.

- 32
33
 - Ladd Shumway spoke about whether the 4H and Future Farmers of America (FFA) kids could be exempt from the farm plan requirement and allowing small farmers with training to do their own farm plan.

34
35
36
37 Councilmembers discussed farm plan requirements.

- 38
39
 - Robert Wilson spoke about the impact of the Hirst decision on his property.
 - Lindsey Eldred spoke about a possible critical areas ordinance requirement of the 4H and FFA kids to have a farm plan.
 - Larry Helm, Conservation District Chair, whether the 4H and Future Farmers of America (FFA) kids could be exempt from the farm plan requirement and needing more staff to complete all the pending farm plans.
 - Theresa Sygitowicz, Whatcom County Cattlemen's Association Board Member, submitted and read from a handout (*on file*) regarding agriculture and the critical areas ordinance.
 - Amy Glasser spoke about a proposed new sales tax to pay for a new jail.
 - Joy Gilfilen spoke about a proposed new sales tax to pay for a new jail and the excessive cost of incarceration.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

- Amy Malone spoke about a proposed new sales tax to pay for a new jail and the possibility of the County seat moving to Ferndale.
- Patrick Alesse spoke about farmers and farm plan requirements.
- Mary Kay Robinson spoke about the proposed new jail.
- Max Perry spoke about the proposed new jail.
- Kristen Hanna spoke about the proposed new jail.
- Carole Perry spoke about the critical areas ordinance

CONSENT AGENDA

Browne reported for the Finance and Administrative Services Committee and **moved** to approve Consent Agenda items one through six.

Browne withdrew item six.

Brenner withdrew item five.

The motion to approve Consent Agenda items one through four carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

1. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND WORK OPPORTUNITIES TO PROVIDE "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY ACCESS" SERVICES TO ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES (AB2017-206)**
2. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND KULSHAN SUPPORTED EMPLOYMENT TO PROVIDE "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY ACCESS" SERVICES TO ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES (AB2017-207)**
3. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND CASCADE CONNECTIONS TO PROVIDE "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY ACCESS" SERVICES TO ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES (AB2017-208)**
4. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND THE OPPORTUNITY COUNCIL TO FUND ONE FULL-TIME PROFESSIONAL ON THE OPPORTUNITY COUNCIL'S HOMELESS OUTREACH TEAM TO CONTACT AND ACT AS CARE COORDINATOR FOR INDIVIDUALS WHO ARE READY TO ENGAGE IN TREATMENT AND PROVIDE SUPPORT SERVICES TO PEOPLE WITH OPIATE AND SUBSTANCE USE DISORDERS WHO REQUIRE A LENGTHIER ENGAGEMENT PROCESS, IN THE AMOUNT OF \$51,000 (AB2017-209)**

- 1 5. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A
2 CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND WHATCOM
3 CONSERVATION DISTRICT FOR THE LAKE WHATCOM HOMEOWNER
4 INCENTIVE PROGRAM TO MODIFY THE SCOPE OF WORK AND EXTEND THE
5 TERM OF THE AGREEMENT, IN THE AMOUNT OF \$221,794, FOR A TOTAL
6 AMENDED CONTRACT AMOUNT OF \$271,794 (AB2017-210)
7

8 **Browne** reported for the Finance and Administrative Services Committee and
9 **moved** to approve the request.
10

11 Councilmembers discussed whether it's appropriate to fund the program from the
12 flood tax.
13

14 The motion carried by the following vote:

15 **Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

16 **Nays:** Brenner (1)
17

- 18 6. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN
19 INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF
20 BELLINGHAM TO COORDINATE THE DESIGN AND COST SHARING OF THE
21 WEST HORTON ROAD EXTENSION, IN THE AMOUNT OF \$156,070 (AB2017-
22 211)
23

24 **Browne** reported for the Finance and Administrative Services Committee and
25 **moved** to approve the request.
26

27 The motion carried by the following vote:

28 **Ayes:** Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

29 **Nays:** None (0)

30 **Abstains:** Browne (1)
31
32

33 OTHER ITEMS 34

- 35 1. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, SIXTH REQUEST,
36 IN THE AMOUNT OF \$572,516 (AB2017-197)
37

38 **Browne** reported for the Finance and Administrative Services Committee and
39 **moved** to adopt the ordinance.
40

41 The motion carried by the following vote:

42 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

43 **Nays:** None (0)
44

- 45 2. ORDINANCE CLOSING THE 2015 CENTRAL PLAZA IMPROVEMENT FUND 360
46 (AB2017-198)
47

48 **Browne** reported for the Finance and Administrative Services Committee and
49 **moved** to adopt the ordinance.
50

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 The motion carried by the following vote:

2 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

3 **Nays:** None (0)

4
5 **3. RESOLUTION AMENDING THE 2017 FLOOD CONTROL ZONE DISTRICT AND**
6 **SUBZONES BUDGET, THIRD REQUEST, IN THE AMOUNT OF \$15,000**
7 **(COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE**
8 **DISTRICT BOARD OF SUPERVISORS) (AB2017-199)**
9

10 **Browne** reported for the Finance and Administrative Services Committee and
11 **moved** to approve the resolution.

12
13 Councilmembers discussed whether it's appropriate to pay this cost from the flood
14 fund.

15
16 The motion failed by the following vote:

17 **Ayes:** Mann and Sidhu (2)

18 **Nays:** Brenner, Donovan, Browne, Buchanan, and Weimer (5)

19
20 Jack Louws, County Executive, suggested that the Council reintroduce with payment
21 from the general fund instead of the flood fund.

22
23 **4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
24 **CONTRACT BETWEEN WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT**
25 **AND WHATCOM CONSERVATION DISTRICT TO SUPPORT THE POLLUTION**
26 **IDENTIFICATION AND CORRECTION PROGRAM, IN THE AMOUNT OF**
27 **\$353,366 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL**
28 **ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-205)**
29

30 **Browne** reported for the Finance and Administrative Services Committee and
31 **moved** to approve the request.

32
33 The motion carried by the following vote:

34 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

35 **Nays:** None (0)

36
37
38 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
39

40 **1. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S RE-APPOINTMENTS**
41 **OF JANA FINKBONNER AND JODI SIPES TO THE NORTHWEST SENIOR**
42 **SERVICES BOARD (AB2017-212)**
43

44 **Brenner moved** to confirm the appointments.

45
46 The motion was seconded.

47
48 The motion carried by the following vote:

49 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

50 **Nays:** None (0)

1
2 **2. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S APPOINTMENT OF**
3 **SHARI ROBINSON TO THE WHATCOM COUNTY PUBLIC HEALTH ADVISORY**
4 **BOARD (AB2017-213)**

5
6 ***Brenner moved*** to confirm the appointment.

7
8 The motion was seconded.

9
10 The motion carried by the following vote:

11 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

12 **Nays:** None (0)
13

14 **3. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S APPOINTMENT OF**
15 **RAMONA ABBOTT TO THE WHATCOM COUNTY ETHICS COMMISSION**
16 **(AB2017-214)**

17
18 ***Donovan moved*** to confirm the appointment.

19
20 The motion was seconded.

21
22 The motion carried by the following vote:

23 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

24 **Nays:** None (0)
25

26
27 **INTRODUCTION ITEMS**

28
29 Browne withdrew item three.

30
31 ***Mann moved*** to add the request authorization for the County Executive to
32 enter into a contract between Whatcom County Flood Control Zone District and
33 Whatcom Conservation District to support the Pollution Identification and
34 Correction Program, in the amount of \$353,366 (Council acting as the Whatcom
35 County Flood Control Zone District Board of Supervisors) (AB2017-205), but funded
36 from the general fund, as item five on the list of Introduction Items.

37
38 The motion to add was seconded.

39
40 The motion carried by the following vote:

41 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

42 **Nays:** None (0)
43

44 ***Sidhu moved*** to accept Introduction Items one, two, four, and five.

45
46 The motion was seconded.

47
48 The motion carried by the following vote:

49 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

50 **Nays:** None (0)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1. RESOLUTION VACATING A PORTION OF CHETS ROAD (AB2017-215)
2. ORDINANCE GRANTING MOBILITIE, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES (AB2017-216)
3. ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE COUNTY A PROPOSITION AUTHORIZING A LOCAL SALES AND USE TAX OF TWO-TENTHS OF ONE PERCENT FOR THE PURPOSE OF PROVIDING FUNDS FOR COSTS ASSOCIATED WITH FINANCING, CONSTRUCTION, MAINTENANCE AND OPERATION OF JAIL FACILITIES, AND FOR ADULT CORRECTIONS PROGRAMS, INCLUDING MEDICAL AND BEHAVIORAL HEALTH FACILITIES AND PROGRAMS, AND FOR OTHER PUBLIC SAFETY PURPOSES, ALL PURSUANT TO RCW 82.14.450 (AB2017-194)

Browne moved to introduce a substitute version.

Sidhu suggested a friendly amendment to amend line 37 on page 2, "...years, and is expected to **shall** last until repayment...."

Browne accepted the friendly amendment.

Sidhu suggested a friendly amendment to add "...associated with **financing,** construction, maintenance,...." to the ballot title.

Jack Louws, County Executive, stated he will have the Prosecuting Attorney consider whether they need to add the cost of financing to the ballot title.

Browne accepted the friendly amendment.

The motion as amended was seconded.

Councilmembers discussed whether or not they support the ordinance, reasons the request didn't pass the voters a few years ago, the progress the County has made on the proposal since the previous ballot measure, the benefits of a sales tax over property tax, whether the Council should decide on behalf of the voters, whether or not they can fix the existing jail, the ability to expand services with a new jail facility, unfunded mandates, and whether the LaBounty Road location is or isn't convenient.

The motion to introduce the amended substitute carried by the following vote:

Ayes: Brenner, Sidhu, Browne, and Weimer (4)

Nays: Donovan, Buchanan, and Mann (3)

4. RECEIPT OF APPLICATIONS FOR THE WHATCOM COUNTY PLANNING COMMISSION, PARTIAL TERM ENDING 1/31/2019, REPRESENTING DISTRICT 3, APPLICANTS: JOHN CAMPBELL AND KELLY KRIEGER (THE PLANNING COMMISSION ASSISTS THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT IN CARRYING OUT ITS DUTIES, WHICH INCLUDE HELPING TO PREPARE AND EXECUTE THE COMPREHENSIVE PLAN AND MAKE RECOMMENDATIONS FOR ADOPTION OF OFFICIAL CONTROLS AND/OR

1 **AMENDMENTS) (APPLICATION DEADLINE FOR ANY OTHER APPLICANTS TO**
2 **THIS VACANCY IS 10 A.M. ON JUNE 30, 2017) (AB2017-204)**

- 3
4 5. **ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET IN THE AMOUNT**
5 **OF \$15,000 (AB2017-199A)**

6
7
8 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

9
10 Buchanan reported for the Special Committee of the Whole meetings.

11
12 Buchanan reported for the Committee of the Whole meeting on the **discussion with**
13 **Chief Civil Deputy Prosecutor Daniel Gibson regarding two cases involving**
14 **potential exercise of eminent domain (AB2017-018)** in executive session.

15
16 **Browne moved** to request the that the Prosecutor's Office provide the Council with
17 an update in executive session on pending and potential jail-related litigation.

18
19 Karen Frakes, Prosecuting Attorney's Office, answered questions on whether a
20 motion and vote is necessary to make the request of the Prosecutor.

21
22 The motion was seconded.

23
24 The motion carried by the following vote:

25 **Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

26 **Nays:** None (0)

27 **Abstains:** Brenner (1)

28
29 Councilmembers discussed potential upcoming agenda items regarding immigration
30 enforcement and informing staff of critical areas ordinance requirements of 4H and FFA kids.
31 Councilmembers also gave updates on recent activities and upcoming events.

32
33
34 **ADJOURN**

35
36 The meeting adjourned at 9:05 p.m.

37
38 The County Council approved these minutes on September 26, 2017.

39
40
41 ATTEST:

42 WHATCOM COUNTY COUNCIL
43 WHATCOM COUNTY, WASHINGTON

44
45
46
47 _____
48 Dana Brown-Davis, Council Clerk

49 _____
50 Barry Buchanan, Council Chair

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

- 1 _____
- 2 Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
Special Committee of the Whole

July 11, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 9:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, and Barry Buchanan.
Absent: Rud Browne

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)
Nays: None (0)
Absent: Browne (1)

COMMITTEE DISCUSSION

1. CONTINUATION OF COUNCIL'S REVIEW OF THE 2016 CRITICAL AREAS ORDINANCE UPDATE (AB2016-276K) REVIEW OF CERTAIN QUESTIONS, COMMENTS, AND SUGGESTIONS BY STAFF AND COUNCILMEMBERS RELATED TO: ARTICLE 5 – CRITICAL AQUIFER RECHARGE AREAS, ARTICLE 8 – CONSERVATION PROGRAM ON AGRICULTURE LANDS, AND ARTICLE 9 – DEFINITIONS

The following staff answered questions:

- Cliff Strong, Planning and Development Services Department
- George Boggs, Conservation District
- Mark Personius, Planning and Development Services Department

Councilmembers and staff discussed whether self-certification is appropriate for Type 2 and Type 3 farm plans.

Brenner moved to amend 16.16.860(A), "A. The technical administrator...for Type 1 conservation farm plans or if the **for any** plan **that** is prepared by...."

The motion was seconded.

The motion failed by the following vote:

Ayes: Brenner (1)
Nays: Mann, Sidhu, Buchanan, Weimer and Donovan (5)
Absent: Browne (1)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2
3 **Brenner moved** to amend to create a definition for "imminent threat" as shown in
4 section 16.16.860(B), "...believe that there is an *imminent threat* to public health...."

5
6 The motion was seconded.

7
8 Councilmembers discussed section 16.16.860(B) and defining imminent threat.

9
10 **Weimer moved** to call the question.

11
12 The motion was seconded.

13
14 The motion to call the question carried by the following vote:

15 **Ayes:** Mann, Sidhu, Buchanan, Weimer and Donovan (5)

16 **Nays:** Brenner (1)

17 **Absent:** Browne (1)

18
19 The motion to amend failed by the following vote:

20 **Ayes:** Brenner (1)

21 **Nays:** Mann, Sidhu, Buchanan, Weimer and Donovan (5)

22 **Absent:** Browne (1)

23
24 **Brenner moved** to amend 16.16.860(D), "Agricultural operations shall cease to be
25 in compliance with this Article, and a new or revised conservation farm plan will be required
26 when the technical administrator determines **with detailed written findings** that any of the
27 following has occurred:...3. When substantial changes...b. Result ~~either~~ in **an increased** a
28 direct discharge or substantial potential discharge of pollution to surface or ground water,
29 or...."

30
31 The motion was seconded.

32
33 Councilmembers and staff discussed the level of detail in written findings if requested
34 by an applicant. Strong stated section .254 defines detailed written findings, and it covers
35 everything.

36
37 **Brenner withdrew** the motion.

38
39 **Weimer** described his questions regarding public disclosure of farm plans. He would
40 like certain information public to give the Council, the public, and Planning staff a sense of
41 whether they're making progress in closing the gap between 100 and 1,500 farm plans. He
42 **moved** to amend 16.16.870(B), "Provided, that the County will collect summary
43 information related to the **address and parcel numbers** ~~general location~~ of a farming
44 enterprise **covered by the farm plan**, the nature of the farming activity ~~and~~ the specific best
45 management practices to be implemented during the conservation farm plan review
46 process, **the number of acres included, and the date of the last compliance review. This**
47 **information, along with a map that shows parcels covered by approved farm plans, will be**
48 **made easily and publicly available on the county's website.** The summary information shall
49 be provided...."

1
2 The motion was seconded.
3

4 Councilmembers and staff discussed what information can be released to the public,
5 how to measure the County's progress in creating farm plans for farmers, and allowing staff
6 to propose alternative language.
7

8 **Brenner moved** to hold in Committee so staff can propose alternate language.
9

10 The motion to hold was seconded.
11

12 The motion to hold in Committee carried by the following vote:

13 **Ayes:** Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

14 **Nays:** None (0)

15 **Absent:** Browne (1)
16

17 Strong stated the term "actively farmed" is not used and they may delete the
18 definition.
19

20 **Brenner moved** to amend 16.16.900 and delete the definition of "actively farmed."
21

22 The motion was seconded.
23

24 The motion to hold in Committee carried by the following vote:

25 **Ayes:** Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

26 **Nays:** None (0)

27 **Absent:** Browne (1)
28

29 **Brenner moved** to amend 16.16.900, to amend the definition of "Agricultural
30 activities," "...or improved areas. ~~Neither the construction of new structures nor activities~~
31 ~~that bring an a new non-ongoing agricultural area into agricultural use are not considered~~
32 ~~agricultural activities."~~
33

34 Councilmembers and staff discussed how the Conservation Program on Agriculture
35 Lands (CPAL) program was developed for ongoing agriculture; whether or not they should
36 continue to delete the term "ongoing" throughout the program, which would make it
37 applicable to all agriculture and which was never the intent of the program; and allowing
38 staff to propose alternative language that is clearer.
39

40 **Brenner** amended her motion and **moved** to hold in Committee to allow staff to
41 propose alternative language.
42

43 The motion to hold was seconded.
44

45 The motion to hold in Committee carried by the following vote:

46 **Ayes:** Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

47 **Nays:** None (0)

48 **Absent:** Browne (1)
49

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Councilmembers discussed changing "aquifer susceptibility" and "aquifer vulnerability" to one definition that uses both terms.

Brenner moved to hold in Committee to get clarification from State law.

The motion to hold in Committee was seconded.

The motion to amend failed by the following vote:

Ayes: Brenner (1)

Nays: Mann, Sidhu, Buchanan, Weimer and Donovan (5)

Absent: Browne (1)

Brenner moved to combine the definitions of "aquifer susceptibility" and "aquifer vulnerability" to one definition that uses both terms.

The motion was seconded.

The motion to amend failed by the following vote:

Ayes: Brenner (1)

Nays: Mann, Sidhu, Buchanan, Weimer and Donovan (5)

Absent: Browne (1)

Brenner moved to delete the definition of "cumulative impact."

The motion was seconded.

Councilmembers and staff discussed how this is part of the Shoreline Management Plan and the State Environmental Policy Act (SEPA).

The motion to amend failed by the following vote:

Ayes: Brenner (1)

Nays: Mann, Sidhu, Buchanan, Weimer and Donovan (5)

Absent: Browne (1)

Brenner moved to amend the definition of "Geologically hazardous areas," "...or other geological events are **may** not **be** suited to the siting of...."

The motion was seconded.

Councilmembers discussed whether the amended language would limit or expand the power of the decision-makers and the definition being from the Revised Code of Washington (RCW).

The motion to amend failed by the following vote:

Ayes: Brenner and Donovan (2)

Nays: Mann, Sidhu, Buchanan, and Weimer (4)

Absent: Browne (1)

1 Brenner stated she doesn't like the definition of "ongoing agriculture" and would like
2 to hold this proposed amendment with the other amendments regarding ongoing
3 agriculture.
4

5 Councilmembers asked staff to provide a summary of all the Council's changes about
6 the CPAL program and ongoing agriculture.
7

8 Councilmembers discussed the square footage in the "reasonable use" definition,
9 which has been moved to the Reasonable Use section and about the baseline data to know
10 whether the critical areas ordinance is working to protect critical areas.
11

12
13 **OTHER BUSINESS**
14

15 There was no other business.
16
17

18 **ADJOURN**
19

20 The meeting adjourned at 10:55 a.m.
21

22 The Council approved these minutes on September 26, 2017.
23

24 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

25
26
27
28
29 _____
30 Dana Brown-Davis, Council Clerk
31
32
33
34 _____
35 Jill Nixon, Minutes Transcription

Barry Buchanan, Council Chair

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Special Committee of the Whole

July 11, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1:30 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

COMMITTEE DISCUSSION – COUNCIL CHAMBERS

1. PRESENTATION FROM VERA INSTITUTE ON PRELIMINARY DATA ANALYSIS AND RECOMMENDATIONS (AB2017-203)

The following VERA Institute for Justice consultants presented and read from a presentation (*on file*):

- Liz Swavola, Senior Program Associate
- Kristi Riley, Program Associate
- Stephen Roberts, Senior Research Associate

The consultants answered questions:

- How the Council, compared to the courts and prosecutor, can influence changes to the population
- The number of admissions by race
- How many holds in other jurisdictions are residents of Whatcom County
- Excluding information on holds from other jurisdiction, because those policies are decided by other jurisdictions
- Risk assessment criteria
- Reviewing data on people who are waiting to serve their sentence, but can't due to overcrowding
- Lack of pretrial services
- Enhanced jail facilities, such as programming areas and mental health beds
- The impact of the consultant reports on the ballot measure to increase sales tax to fund a new jail
- Whether or not they are proposing a "mega-jail"
- Pre-trial versus post-sentencing data
- Collecting better data
- The future of incarceration technology

1 Jeff Parks, Whatcom County Sheriff's Office, referenced an email to Council dated
2 today and stated the Sheriff's staff is working with the consultants on certain topics to refine
3 the information presented by the consultants in their memo.

4
5 **2. PRESENTATION OF INITIAL PHASE III REPORT OF THE INCARCERATION**
6 **PREVENTION AND REDUCTION TASK FORCE (AB2017-202)**
7

8 Jack Hovenier, Incarceration Prevention and Reduction Task Force Co-Chair, spoke
9 about the mission of the Task Force and how well it's functioned in the two years since it
10 was formed. He reported on the Triage Facility Subcommittee of the full Task Force.

11
12 Jill Bernstein, Incarceration Prevention and Reduction Task Force Co-Chair, continued
13 the presentation. She spoke about the benefits of having the VERA consultants to do data
14 analysis and map the system, collecting better data, and how the County Council can impact
15 jail population through policy changes. She reported on the work of the Legal and Justice
16 Systems and the Behavioral Health Subcommittees. She answered questions about
17 alternatives to bail.

18
19 Anne Deacon, Health Department, answered questions about funding for operation of
20 the triage facility.

21
22 Councilmembers thanked the Task Force members for their excellent work.
23
24

25 **DISCUSSION AND RECOMMENDATION TO COUNCIL – COUNCIL CHAMBERS**
26

27 **1. DISCUSSION AND RECOMMENDATION ON A DRAFT MEMORANDUM OF**
28 **AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF BELLINGHAM**
29 **REGARDING COMMITMENT TO INCARCERATION REDUCTION AND**
30 **PREVENTION (AB2017-194A)**
31

32 Tyler Schroeder, County Executive's Office, referenced and gave a staff report on a
33 substitute memorandum of agreement (MOA). The Bellingham City Council approved the
34 MOA unanimously.

35
36 ***Browne moved*** to recommend approval of the substitute to the full Council. The
37 motion was seconded.

38
39 The motion carried by the following vote:

40 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

41 **Nays:** None (0)
42
43

44 **COMMITTEE DISCUSSION – COUNCIL CONFERENCE ROOM**
45

46 **1. UPDATE FROM LEGAL COUNSEL ON PENDING AND POTENTIAL JAIL-**
47 **RELATED LITIGATION (AB2017-018)**
48

49 Buchanan stated that discussion of this agenda item may take place in executive
50 session pursuant to RCW42.30.110 (1)(i). Executive session will conclude no later than

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 7:00 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the
2 meeting to make a public announcement.
3

4 ***Browne moved*** to go into executive session until no later than 7:00 p.m. to discuss
5 the agenda items pursuant to RCW citations as announced by the Council Chair. The
6 motion was seconded.
7

8 The motion carried by the following vote:

9 **Ayes:** Sidhu, Brenner, Browne, Buchanan, Mann, Donovan and Weimer (7)

10 **Nays:** None (0)
11

12
13 **OTHER BUSINESS**

14
15 There was no other business.
16

17 **ADJOURN**

18
19 The meeting adjourned at 3:50 p.m.
20

21 The Council approved these minutes on September 26, 2017.
22

23 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

24
25
26
27
28
29 _____
Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

30
31
32
33 _____
34 Jill Nixon, Minutes Transcription

1 WHATCOM COUNTY COUNCIL
2 **Regular County Council Meeting**

3
4 July 11, 2017
5

6 **CALL TO ORDER**
7

8 Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council
9 Chambers, 311 Grand Avenue, Bellingham, Washington.
10

11
12 **ROLL CALL**
13

14
15 **Present:** Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd
16 Donovan, Rud Browne and Barry Buchanan.
17 **Absent:** None.
18

19
20 **FLAG SALUTE**
21

22
23 **ANNOUNCEMENTS**
24

25 Buchanan announced there are two vacancies on the Lummi Island Ferry Advisory
26 Committee.
27

28
29 **MINUTES CONSENT**
30

31 *Donovan moved* to approve Minutes Consent items one through three.
32

33 The motion was seconded.
34

35 The motion carried by the following vote:

36 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

37 **Nays:** None (0)
38

- 39 **1. SPECIAL COMMITTEE OF THE WHOLE FOR MAY 16, 2017**
40
41 **2. REGULAR COUNTY COUNCIL FOR MAY 16, 2017**
42
43 **3. SURFACE WATER WORK SESSION FOR MAY 23, 2017**
44

45
46 **ANNOUNCEMENTS**
47

48 Browne announced there is no campaigning on County property per Revised Code of
49 Washington (RCW) 42.52.180.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 **PUBLIC HEARINGS**

2
3 **1. PUBLIC HEARING ON A PROPOSAL TO CREATE THE LUMMI ISLAND PARK**
4 **AND RECREATION DISTRICT (PROPOSAL OFFICIALLY RECEIVED BY**
5 **COUNCIL ON JUNE 13, 2017) (AB2017-200)**
6

7 Buchanan opened the public hearing, and the following people spoke:

8
9 Steve Clift stated he would like to know about increased police support, emergency
10 services, and accommodations for off-islanders that may be necessary for the park and
11 recreation district.
12

13 Janice Holms spoke on behalf of volunteers who put together this petition. She
14 described the community outreach they've done for the community. She supports putting
15 this on the November ballot.
16

17 Hearing no one else, Buchanan closed the public hearing.
18

19 Buchanan stated no action is necessary at this time. An ordinance will be introduced
20 later in the meeting.
21

22 **2. ORDINANCE AMENDING WHATCOM COUNTY CODE TITLE 20 ZONING AND**
23 **THE WHATCOM COUNTY COMPREHENSIVE PLAN RELATING TO CUMULATIVE**
24 **IMPERVIOUS SURFACE COVERAGE STANDARDS (AB2017-195)**
25

26 Gary Davis, Planning and Development Services Department, submitted and read
27 from a presentation (*on file*) and gave a staff report. He answered questions on the original
28 calculations and whether this is for new development or projects.
29

30 Buchanan opened the public hearing, and hearing no one, closed the public hearing.
31

32 Councilmembers discussed the effect of the limit.
33

34 ***Weimer moved*** to refer to the Council's Planning Committee.
35

36 The motion was seconded.
37

38 The motion carried by the following vote:

39 **Ayes:** Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)

40 **Nays:** Sidhu (1)
41
42

43 **OPEN SESSION**
44

45 The following people spoke:

- 46 • Christopher Deile spoke about the proposed memorandum of agreement
47 (MOA) regarding commitment to incarceration reduction and prevention
48 (AB2017-194A) and the proposed ordinance submitting to the voters a local
49 sales and use tax (AB2017-194).

- Lisa McShane spoke about the proposed ordinance submitting to the voters a local sales and use tax (AB2017-194).
- Michael Lilliquist spoke about the proposed ordinance submitting to the voters a local sales and use tax (AB2017-194), the jail financing agreement, and determining an appropriate size for the proposed new jail.
- Everett Barton spoke about the membership of the Incarceration Prevention and Reduction Task Force.
- Josh Ceretti spoke about a proposed new jail and the proposed ordinance submitting to the voters a local sales and use tax (AB2017-194).
- Robert Leed submitted handouts (*on file*) and spoke about the proposed ordinance submitting to the voters a local sales and use tax (AB2017-194).
- Unidentified speaker spoke about the proposed new jail.
- Max Perry spoke about the proposed new jail.
- Carole Perry spoke about the proposed new jail.
- Kristin Hannah spoke about the proposed new jail.
- Roger Shetke spoke about the proposed new jail.

CONSENT AGENDA

Mann reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda items one through four.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

1. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #17-41 AND ENTER INTO A CONTRACT WITH LOW BIDDER FOSS MARITIME COMPANY FOR THE ANNUAL DRYDOCKING, REPAIR, AND MAINTENANCE OF THE WHATCOM CHIEF FERRY, IN THE AMOUNT OF \$446,251.64 (AB2017-217)**
2. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND SERVICE ALTERNATIVES, INC. TO PROVIDE "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY ACCESS" SERVICES TO ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES (AB2017-218)**
3. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND THE ARC OF WHATCOM COUNTY TO PROVIDE "INFORMATION, EDUCATION AND FAMILY SUPPORT" TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES, THEIR FAMILY MEMBERS, AND THE GENERAL PUBLIC, IN THE AMOUNT OF \$134,669 (AB2017-219)**

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

- 1 4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A
2 CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND VAN NESS
3 FELDMAN, LLP TO CONTINUE TO PROVIDE ON-CALL LEGAL SERVICES
4 RELATING TO ACCOMMODATING THE WASHINGTON SUPREME COURT'S
5 DECISION IN WHATCOM COUNTY V. WESTERN WASHINGTON GROWTH
6 MANAGEMENT HEARING BOARD, IN THE AMOUNT OF \$15,000, FOR A TOTAL
7 AMENDED AMOUNT OF \$50,000 (AB2017-220)
8
9

10 **OTHER ITEMS**
11

- 12 1. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, SEVENTH
13 REQUEST, IN THE AMOUNT OF \$15,000 (AB2017-199A)
14

15 *Mann* reported for the Finance and Administrative Services Committee and *moved*
16 to adopt the ordinance.
17

18 The motion carried by the following vote:

19 **Ayes:** Brenner, Mann, Sidhu, Browne, and Buchanan (5)

20 **Nays:** Weimer and Donovan (2)
21

- 22 2. APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN WHATCOM
23 COUNTY AND THE CITY OF BELLINGHAM REGARDING COMMITMENT TO
24 INCARCERATION REDUCTION AND PREVENTION (AB2017-194A)
25

26 *Buchanan* reported for the Special Committee of the Whole and *moved* to approve
27 the substitute Memorandum of Agreement.
28

29 Michael Lilliquist, Bellingham City Council Member, stated these additional monies
30 would be used to expand existing programs or create new programs.
31

32 Councilmembers discussed improving the entire justice system, enhancing and
33 creating new behavioral health programs, and all the jurisdictions collaborating on a
34 compromise.
35

36 Jack Louws, County Executive, answered questions about the amount paid for the
37 LaBounty Road property.
38

39 The motion carried by the following vote:

40 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

41 **Nays:** None (0)
42

- 43 3. ORDINANCE PROVIDING FOR SUBMISSION TO THE QUALIFIED VOTERS OF
44 THE COUNTY A PROPOSITION AUTHORIZING A LOCAL SALES AND USE TAX
45 OF TWO TENTHS OF ONE PERCENT FOR PUBLIC SAFETY PURPOSES,
46 INCLUDING THE COSTS ASSOCIATED WITH FINANCING, CONSTRUCTION,
47 MAINTENANCE, AND OPERATION OF JAIL FACILITIES, AND
48 INCARCERATION PREVENTION PROGRAMS, INCLUDING MEDICAL AND

1 **BEHAVIORAL HEALTH FACILITIES AND PROGRAMS, ALL PURSUANT TO RCW**
2 **82.14.450 (AB2017-194)**

3
4 ***Browne moved*** to adopt the ordinance.

5
6 The motion was seconded.

7
8 Jack Louws, County Executive, answered questions on the difference in cost of the
9 proposed new Whatcom County jail and the new Skagit County jail.

10
11 Councilmembers discussed ensuring a cost-effective project, an appropriate number
12 of dedicated behavioral health and medical jail beds, whether the jail facilities use
13 agreement among the jurisdictions would have to be amended if they change the jail size,
14 the difference between budgeted costs and actual costs, national policies and trends,
15 whether the question should be given to the voters to decide, saving money through the
16 design and construction phases, problems with the current jail, incorporating programs for
17 therapy animals and gardening at the jail location, reducing the number of pretrial inmates,
18 the City Council vote on this issue, extra expenses if they delay building a new jail, and a
19 different model that puts jail operation and administration under a department of
20 corrections.

21
22 The motion carried by the following vote:

23 **Ayes:** Brenner, Sidhu, Browne, and Weimer (4)

24 **Nays:** Donovan, Mann, and Buchanan (3)

25
26
27 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

28
29 **1. APPOINTMENT TO FILL VACANCY ON THE WHATCOM COUNTY PLANNING**
30 **COMMISSION REPRESENTING DISTRICT 3, FOR A PARTIAL TERM ENDING**
31 **1/31/2019, APPLICANTS: JOHN CAMPBELL, LARRY HELM, KELLY KRIEGER,**
32 **AND WILLIAM DOMINIC MOCERI (AB2017-204)**

33
34 ***Donovan moved*** to consider the late application of George Bock.

35
36 *(Clerk's Note: The motion was not seconded.)*

37
38 Councilmembers Browne and Mann stated they will vote against the motion because
39 the Council rules require an application to be submitted a week before the meeting to
40 enable the councilmembers to do research and make inquiries and to talk to the applicant if
41 they wish.

42
43 The motion carried by the following vote:

44 **Ayes:** Brenner, Sidhu, Buchanan, Weimer and Donovan (5)

45 **Nays:** Browne and Mann (2)

46
47 Browne nominated all applicants. The nomination was seconded.

1 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

2
3 1. **REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S RE-APPOINTMENT**
4 **OF BAOZHEN LUO TO THE NORTHWEST SENIOR SERVICES BOARD (AB2017-**
5 **221)**

6
7 *Donovan moved* to confirm the appointments.

8
9 The motion was seconded.

10
11 The motion carried by the following vote:

12 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

13 **Nays:** None (0)

14
15
16 **INTRODUCTION ITEMS**

17
18 *Browne moved* to accept the Introduction Items, including a substitute for
19 Introduction Item 5.

20
21 The motion was seconded.

22
23 The motion carried by the following vote:

24 **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

25 **Nays:** None (0)

- 26
27 1. **ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, EIGHTH**
28 **REQUEST, IN THE AMOUNT OF \$851,061 (AB2017-222)**
29
30 2. **RESOLUTION AMENDING THE 2017 FLOOD CONTROL ZONE DISTRICT AND**
31 **SUBZONES BUDGETS, THIRD REQUEST, IN THE AMOUNT OF \$15,000**
32 **(COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE**
33 **DISTRICT BOARD OF SUPERVISORS) (AB2017-199B)**
34
35 3. **ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE**
36 **20 ZONING, RELATING TO THE WAIVER OF SPACING REQUIREMENTS**
37 **BETWEEN MARIJUANA PRODUCTION FACILITIES AND COMMUNITY**
38 **CENTERS IN THE RURAL, AGRICULTURE, AND RURAL FORESTRY DISTRICTS,**
39 **AND AMENDING THE DEFINITION OF COMMUNITY CENTER (AB2017-223)**
40
41 4. **ORDINANCE REGARDING ESTABLISHMENT OF SPEED LIMIT ON A PORTION**
42 **OF THE NORTH SHORE ROAD (AB2017-196A)**
43
44 5. **ORDINANCE ORDERING AN ELECTION TO DETERMINE THE FORMATION OF**
45 **THE LUMMI ISLAND PARK AND RECREATION DISTRICT (AB2017-200A)**
46

47
48 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
49

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 Buchanan reported for the two Special Committee of the Whole meetings.

2
3 Mann reported for the Finance and Administrative Services Committee.

4
5 Weimer reported as a member of the Northwest Clean Air Agency on getting an
6 updated report from the agency.

7
8 Tyler Schroeder, Executive's Office, answered questions on potential State legislature
9 action to resolve water resources issues from the Hirst Decision and expiration of the
10 interim ordinance. He will provide the Council an update at its meeting in August.

11
12 Karen Frakes, Prosecutor's Office, answered questions on the compliance date.

13
14 Councilmembers gave updates on recent activities and upcoming events.

15
16
17 **ADJOURN**

18
19 The meeting adjourned at 9:12 p.m.

20
21 The County Council approved these minutes on September 26, 2017.

22
23
24 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

25
26
27
28
29 _____
30 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

31
32
33
34 _____
35 Jill Nixon, Minutes Transcription

Whatcom County Council
Surface Water Work Session

July 18, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 10:30 a.m. in the Civic Center Garden Level Conference Room, 322 Commercial Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Barry Buchanan, Todd Donovan and Carl Weimer

Absent: Ken Mann and Rud Browne

SURFACE WATER WORK SESSION (AB2017-024)

1. WATER PLANNING UPDATE

Gary Stoyka, Public Works Department, updated the Council on the Planning Unit meeting regarding the Hirst Decision, water funding, Geneva Consulting contract deliverables, and the next meeting. The Planning Unit will ask Council to take a more active role in implementation of the watershed management plan.

Stoyka updated the Council on the Watershed Management Board meeting regarding the role of the Board.

The following people answered questions:

- Linda Twitchell, Planning Unit member
- Steve Jilk, Watershed Management Team member
- Jon Hutchings, Public Works Department

Councilmembers discussed the ultimate goal of water planning; establishing funding to focus on accomplishments; collaborating on water issues with Canadian officials, with whom they share a watershed; and getting input from the water stakeholders on funding and level of service.

2. FLOOD CODE UPDATE

Paula Harris, Public Works Department, submitted and read from a presentation. She answered questions on creating a glossary of acronyms and definitions of various technical terms; crawlspace requirements; the process for adopting the changes; and regulations and federal flood insurance.

The following people answered questions:

- Travis Bouma, Public Works Department
- David Radabaugh, Department of Ecology

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 **3. LAKE WHATCOM COMPREHENSIVE STORMWATER PLAN UPDATE**

2
3 Kirk Christensen, Public Works Department, gave a staff report on the plan update.
4 The update will come to the Council for approval in a couple of months.

5
6 John Lenth, Herrera Environmental Consultants Project Manager, submitted and read
7 from a presentation (*on file*).

8
9 Colleen Mitchell, Herrera Environmental Consultants Senior Engineer, continued the
10 presentation.

11
12 Councilmembers, staff, and the consultants discussed who pays for the damage
13 being done to the lake, subsidizing homeowner programs versus telling homeowners to
14 clean up their phosphorous, contribution to lake phosphorous based on a model versus a
15 measurement, evolving materials and technology, and whether they will separate projects
16 by impacts from private property.

17
18
19 **ADJOURN**

20
21 The meeting adjourned at 12:02 p.m.

22
23 The Council approved these minutes on September 26, 2017.

24
25 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

26
27
28
29
30
31 _____
32 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

33
34
35 _____
36 Jill Nixon, Minutes Transcription

1 WHATCOM COUNTY COUNCIL
2 **Special Committee of the Whole**

3
4 July 25, 2017
5

6
7 **CALL TO ORDER**
8

9 Council Chair Barry Buchanan called the meeting to order at 9:30 a.m. in the Council
10 Chambers, 311 Grand Avenue, Bellingham, Washington.
11

12
13 **ROLL CALL**
14

15 **Present:** Barbara Brenner, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud
16 Browne and Barry Buchanan.
17 **Absent:** Ken Mann.
18
19

20 **SPECIAL PRESENTATION**
21

22 **1. PRESENTATION OF A GOVERNOR'S 2017 SMART COMMUNITIES AWARD TO**
23 **WHATCOM COUNTY PLANNING AND DEVELOPMENT SERVICES (AB2017-231)**
24

25 Anne Fritz, Washington State Department of Commerce, presented the Planning
26 and Development Services Department with the 2017 Smart Communities Award for the
27 2016 update of Whatcom County's Comprehensive Plan.
28
29

30 **COMMITTEE DISCUSSION**
31

32 **1. CONTINUATION OF COUNCIL'S REVIEW OF THE 2016 CRITICAL AREAS**
33 **ORDINANCE UPDATE (AB2016-276K) REVIEW OF CERTAIN QUESTIONS,**
34 **COMMENTS, AND SUGGESTIONS BY STAFF AND COUNCILMEMBERS RELATED**
35 **TO: ARTICLE 8 – CONSERVATION PROGRAM ON AGRICULTURE LANDS AND**
36 **ARTICLE 9 – DEFINITIONS**
37

38 The following staff answered questions:

- 39 • Cliff Strong, Planning and Development Services Department
 - 40 • Ryan Ericson, Planning and Development Services Department
 - 41 • George Boggs, Conservation District
 - 42 • Matt Mahaffie, Planning and Development Services Department
- 43

44 Councilmembers discussed setting a formal deadline for councilmembers to submit
45 new proposed amendments.
46

47 ***Weimer moved*** that any new proposed amendments brought forward by
48 councilmembers after this meeting be held until after the public hearing.
49

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 The motion was seconded.
2
3

1 The motion carried by the following vote:

2 **Ayes:** Browne, Buchanan, Weimer and Donovan (4)

3 **Nays:** Brenner and Sidhu (2)

4 **Absent:** Mann (1)

5
6 *(Clerk's Note: The Committee took a 15-minute break at 9:50 a.m.)*

7
8 Councilmembers discussed items one and two in the Council packet, sections
9 16.16.860(C) and 16.16.900.

10
11 **Browne moved** to accept staff's recommended change to amend section 16.16.900
12 Definitions, " 'Agricultural Activities' means those activities directly pertaining to the
13 production of crops or livestock, including, but not limited to: cultivation; harvest; grazing;
14 animal waste storage and disposal; fertilization; the operation and maintenance of farm and
15 stock ponds or drainage ditches, irrigation systems, and canals; and normal maintenance,
16 repair, or operation of existing serviceable structures, facilities, or improved areas. ~~Neither~~
17 ~~the construction of new structures nor Activities that bring an a new, non-ongoing~~
18 ~~agricultural area into agricultural use are not considered agricultural activities~~ The
19 construction of new structures or activities that bring a new, non-ongoing agricultural area
20 into agricultural use, are not considered agricultural activities."

21
22 The motion was seconded.

23
24 Councilmembers discussed whether the amendment is confusing and the intent of
25 the definition.

26
27 **Brenner moved** to amend the motion, "...are not considered ongoing agricultural
28 activities."

29
30 The motion was seconded.

31
32 Councilmembers and staff continued to discuss how they use the phrases "ongoing
33 agriculture" or "history of legal agriculture"; grandfathered versus new agriculture;
34 conversion of agricultural land; applying these regulations only to critical areas, not all
35 agricultural areas; structural conservation practices as a listed agricultural activity; allowing
36 conservation structures that provide a net conservation benefit; keeping the definitions
37 within the framework of the CPAL program; and the Food Security Act and the Clean Water
38 Act, which govern wetlands.

39
40 **Brenner withdrew** her motion and moved to amend the motion to include "history
41 of legal agricultural use." The motion was not seconded.

42
43 **Browne moved** to call the question.

44
45 The motion to call the question was seconded.

46
47 The motion to call the question carried by the following vote:

48 **Ayes:** Sidhu, Browne, Buchanan, and Weimer (4)

49 **Nays:** Donovan and Brenner (2)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 **Absent:** Mann (1)
2
3

1 The motion to amend carried by the following vote:

2 **Ayes:** Sidhu, Browne, Buchanan, and Weimer (4)

3 **Nays:** Donovan and Brenner (2)

4 **Absent:** Mann (1)

5
6 Councilmembers discussed broadening the CPAL program to all agriculture.

7
8 Browne moved address the proposed amendments to change the definitions and
9 return to the discussion of using ongoing agriculture. This motion was not seconded.

10
11 Councilmembers and staff discussed using definitions in the federal regulations.

12
13 **Browne moved** to amend the definition of ongoing agriculture:

14 "Ongoing agriculture' means those activities conducted on lands
15 defined in RCW 84.34.020(2), and those activities involved in the production
16 of crops and livestock, including, but not limited to, operation and
17 maintenance of existing farm and stock ponds or drainage ditches, irrigation
18 systems, changes between agricultural activities, and maintenance or repair
19 of existing serviceable structures and facilities. Activities that bring an area
20 into agricultural use are not part of an ongoing activity. Unless the idle land is
21 registered in a federal or state soils conservation program ~~An~~ an operation
22 ceases to be ongoing when ~~the area on which it was conducted has been~~
23 ~~converted to a nonagricultural use, or has lain idle for more than five~~
24 ~~consecutive years~~ it meets the criteria for Abandonment under the Food
25 Security Act (7 CFR Section 12.33 (c)), and the criteria for receiving an
26 exemption under the Food Security Act § 12.5(b)(1)(iii) has not been met,
27 then such land is considered to be abandoned when the land meets the
28 wetland criteria of the Food Security Act § 12.31. ~~unless that idle land is~~
29 ~~registered in a federal or state soils conservation program."~~

30
31 The motion was seconded.

32
33 Councilmembers and staff discussed components of critical areas not related to the
34 Food Safety Act, the benefits of using the term "ongoing agriculture," allowing staff to
35 review the proposed new language to avoid problems experienced in Clallam Count,; and
36 avoiding a five-year limit when defining abandonment.

37
38 **Browne withdrew** the motion so that staff can do further review.

39
40 **Weimer moved** to revert back to the use of "ongoing agriculture."

41
42 The motion was seconded.

43
44 Councilmembers and staff continued to discuss how to refine the definition of what is
45 ongoing agriculture.

46
47 The motion carried by the following vote:

48 **Ayes:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

49 **Nays:** Brenner (1)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 **Absent:** Mann (1)

2
3 Councilmembers discussed the impact of completely removing the definition of
4 "ongoing agriculture," and providing information to the public on whether or not a farm has
5 a farm plan.

6
7 **Weimer moved** to amend 16.16.870(B), "Provided, that the County will collect all
8 summary information that is determined not to be exempt from public disclosure per RCW
9 42.56.610 and make it publicly available on the county's website. The summary information
10 shall be provided...of a conservation farm plan."

11
12 The motion was seconded.

13
14 **Browne suggested a friendly amendment**, "...website. No farm plans will be
15 made public."

16
17 **Weimer accepted** the friendly amendment, "Provided, that the County will collect
18 all summary information that is determined not to be exempt from public disclosure per
19 RCW 42.56.610 and make it publicly available on the county's website. No farm plans will
20 be made public. The summary information shall be provided...of a conservation farm plan."

21
22 Councilmembers and staff discussed the objective of capturing information and
23 whether presenting it to the public has a legitimate basis for insuring the County has an
24 effective program for protecting critical areas; what kind of information is allowed or
25 prohibited from being made public.

26
27 **Weimer withdrew his motion and moved** to amend 16.16.870(B) by deleting the
28 first sentence and replacing it with, "Provided that on the county's website, information
29 about which farms have approved farm plans, and when the last compliance review was
30 conducted. The summary information shall be...."

31
32 The motion was seconded.

33
34 **Sidhu suggested a friendly amendment** that no farm plans will be made public.

35
36 **Weimer accepted** the friendly amendment.

37
38 Linda Twitchell stated she would like to know what the County hopes to gain by
39 making it public which farms have farm plans and which don't have farm plans.

40
41 Dannon Traxler, agricultural groups representative, stated they strongly oppose this
42 proposed language. Staff needs to talk to legal counsel. The proposal could be exempt
43 from disclosure under the Public Records Act. The County doesn't have the authority to
44 broaden disclosure.

45
46 Councilmembers continued to discuss whether and how the language should include
47 compliance information and whether the CPAL program has made an impact on water
48 quality.

1 **Weimer amended his motion**, "Provided, that the County will collect summary
2 information related to the general location of a farming enterprise, the nature of the farming
3 activity, the specific best management practices to be implemented during the conservation
4 review process. The summary information shall be provided by the farm operator and his or
5 her designee...approval of the plan. **Provide on the county's website information about**
6 **which farms have approved farm plans and the date the plan was accepted.** Plans shall also
7 be subject to disclosure...."

8
9 Fred Likkel stated they should be careful about saying whether or not a farm plan is
10 current.

11
12 The motion was seconded.

13
14 The motion carried by the following vote:

15 **Ayes:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

16 **Nays:** Brenner (1)

17 **Absent:** Mann (1)

18
19
20 **OTHER BUSINESS**

21
22 There was no other business.

23
24
25 **ADJOURN**

26
27 The meeting adjourned at 11:30 a.m.

28
29 The Council approved these minutes on September 26, 2017.

30
31 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

32
33
34
35
36
37 _____
Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

38
39
40
41 _____
Jill Nixon, Minutes Transcription

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

WHATCOM COUNTY COUNCIL
Committee Of The Whole

July 25, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1:01 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Rud Browne, Barry Buchanan, Todd Donovan and Carl Weimer
Absent: Ken Mann

COMMITTEE DISCUSSION

1. **UPDATE ON NEGOTIATIONS AND STRATEGY PLANNING REGARDING COLLECTIVE BARGAINING (AB2017-018N)**
Attorney Present: None
2. **CONTINUED DISCUSSION AND CONSULTATION WITH CHIEF CIVIL DEPUTY DAN GIBSON IN THE MATTER OF NEGOTIATIONS FOR VARIOUS PROJECT-RELATED EASEMENTS (AB2017-018O)**
Attorney Present: Dan Gibson

Buchanan stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.140 (4)(a) and discussion of agenda item two may take place in executive session pursuant to RCW42.30.110 (1)(i). Executive session will conclude no later than 1:45 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Browne moved to go into executive session until no later than 1:45 p.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Chair. The motion was seconded.

The motion carried by the following vote:

Ayes: Sidhu, Brenner, Browne, Buchanan, and Donovan (5)
Nays: None (0)
Absent: Mann and Weimer (out of the room) (2)

At 1:45 p.m., Buchanan announced the executive session is extended to no later than 2:00 p.m.

1 **OTHER BUSINESS**
2
3

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

ADJOURN

The meeting adjourned at 2:00 p.m.

The Council approved these minutes on September 26, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Jill Nixon, Minutes Transcription

1 WHATCOM COUNTY COUNCIL
2 **Regular County Council Meeting**

3
4 July 25, 2017
5

6 **CALL TO ORDER**
7

8 Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council
9 Chambers, 311 Grand Avenue, Bellingham, Washington.
10

11
12 **ROLL CALL**
13

14 **Present:** Barbara Brenner, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud
15 Browne and Barry Buchanan.

16 **Absent:** Ken Mann.
17

18
19 **FLAG SALUTE**
20

21
22 **ANNOUNCEMENTS**
23

24
25 **PUBLIC HEARINGS**
26

27 **1. ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE**
28 **20 ZONING, RELATING TO THE WAIVER OF SPACING REQUIREMENTS**
29 **BETWEEN MARIJUANA PRODUCTION FACILITIES AND COMMUNITY**
30 **CENTERS IN THE RURAL, AGRICULTURE, AND RURAL FORESTRY DISTRICTS,**
31 **AND AMENDING THE DEFINITION OF COMMUNITY CENTER (AB2017-223)**
32

33 Gary Davis, Planning and Development Services Department, submitted a corrected
34 ordinance without the scrivener's error in the finding.
35

36 Buchanan opened the public hearing, and the following person spoke:
37

38 Ezra Eickmeyer, Agape Research, spoke on behalf of an applicant for a buffer waiver.
39

40 Hearing no one else, Buchanan closed the public hearing.
41

42 ***Brenner moved*** to adopt the substitute ordinance.
43

44 The motion was seconded.
45

46 Councilmembers discussed what happens if a community center changes ownership.
47

48 The motion carried by the following vote:
49

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Nays: None (0)

Absent: Mann (1)

2. ORDINANCE ESTABLISHING THE SPEED LIMIT ON A PORTION OF THE NORTH SHORE ROAD (AB2017-196A)

Buchanan opened the public hearing, and the following person spoke:

Duane Duxbury submitted and read from a handout (*on file*) and stated the speed limit should be less than 35 miles per hour.

Hearing no one else, Buchanan closed the public hearing.

Brenner moved to hold in Council to get more information from staff about the possibility of lowering the speed limit even more.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Mann (1)

3. RESOLUTION PROVIDING FOR SUBMISSION TO THE QUALIFIED VOTERS OF WHATCOM COUNTY, AT AN ELECTION TO BE HELD ON NOVEMBER 7, 2017, AN ADVISORY BALLOT SEEKING CITIZEN INPUT REGARDING THE USE OF EMINENT DOMAIN BY PIPELINE COMPANIES TO TAKE PROPERTY RIGHTS FROM PRIVATE LANDOWNERS FOR USE IN OIL AND GAS PIPELINES IN WHATCOM COUNTY (AB2017-233)

Donovan reported on the reason for the proposed resolution.

Buchanan opened the public hearing, and the following people spoke:

Amy Glasser stated she supports the resolution.

Tyson Green, Williams Northwest Pipeline, spoke about the benefits of their energy services and efforts to work with the community.

Everett Barton stated the Tribes should be responsible for working with Cherry Point. People who own property may have problems in light of the Hirst Decision.

Ana Rae Miller stated she supports the resolution.

Lynn Murphy, Puget Sound Energy, spoke about their natural gas customers in other counties who rely on existing pipelines and the company's policy of negotiating with landowners for just compensation.

1 Pam Brady, BP Cherry Point, stated she is concerned about the resolution because it
2 will be contrary to the public's interest in pipeline safety. She is opposed to the resolution
3 due to unintended consequences and the lack of stakeholder input.
4

5 Jack McBride stated the resolution is worthwhile in general. Washington law allows
6 eminent domain by private companies, but eminent domain is based on public use and
7 need. Make a distinction between a public use and private use.
8

9 Mike Sennet stated he is opposed to transshipment of gas or oil from Canada
10 through Whatcom County to foreign exports.
11

12 Hearing no one else, Buchanan closed the public hearing.
13

14 **Donovan moved** to approve the resolution.
15

16 The motion was seconded.
17

18 Councilmembers discussed public versus private use of eminent domain, the existing
19 Washington State law for the use of eminent domain, whether this resolution targets
20 businesses at Cherry Point, protecting people from government overreach, the safety of
21 pipelines compared to trains and trucks, using eminent domain for private profit as opposed
22 to the public good, whether the County has any jurisdiction over eminent domain, and
23 shipping unrefined fuel out of the county.
24

25 **Brenner moved** to amend the resolution to apply it to all eminent domain purposes
26 private and public, not just one particular business sector. The entire resolution would say
27 that the Whatcom County Council opposes eminent domain for any reason.
28

29 The motion to amend was seconded.
30

31 The motion to amend failed by the following vote:
32

33 **Ayes:** Brenner (1)
34

35 **Nays:** Sidhu, Buchanan, Weimer and Donovan (4)
36

37 **Abstains:** Browne (1)
38

39 **Absent:** Mann (1)
40

41 Browne stated he abstained because he owns property that is under consideration by
42 a pipeline impacted by the resolution.
43

44 **Sidhu moved** to amend to change "oil pipelines" to "for profit purposes."
45

46 The motion was seconded.
47

48 The motion to amend failed by the following vote:
49

50 **Ayes:** Sidhu (1)
51

52 **Nays:** Buchanan, Weimer and Donovan (3)
53

54 **Abstains:** Browne and Brenner (2)
55

56 **Absent:** Mann (1)
57

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 **Weimer moved** to amend line 43, the eighth Whereas statement, "~~misuse.~~"

2
3 The motion was seconded.

4
5 The motion to amend carried by the following vote:

6 **Ayes:** Brenner, Sidhu, Buchanan, Weimer and Donovan (5)

7 **Nays:** None (0)

8 **Abstains:** Browne (1)

9 **Absent:** Mann (1)

10
11 **Weimer moved** to amend the first Whereas statement, "~~geopolitical.~~"

12
13 The motion was seconded.

14
15 Councilmembers discussed who authored the resolution.

16
17 The motion to amend carried by the following vote:

18 **Ayes:** Sidhu, Buchanan, Weimer and Donovan (4)

19 **Nays:** None (0)

20 **Abstains:** Browne and Brenner (2)

21 **Absent:** Mann (1)

22
23 Councilmembers discussed the Council's lack of authority on eminent domain or
24 pipeline approval processes and educating the public on those processes, educating the
25 public, and the State's eminent domain laws that are specific to pipelines.

26
27 **Sidhu suggested a friendly amendment** to get rid of the fourth Whereas
28 statement and remove all the company names.

29
30 **Donovan accepted** the friendly amendment.

31
32 The motion to approve the resolution as amended failed by the following vote:

33 **Ayes:** Sidhu, Buchanan, and Donovan (3)

34 **Nays:** None (0)

35 **Abstains:** Weimer, Brenner, and Browne (3)

36 **Absent:** Mann (1)

37
38 Weimer stated he abstained due to conflict of interest from his work on pipeline
39 issues and because he just signed a contract to review pipeline safety in the state of
40 Washington.

41 42 43 **OPEN SESSION**

44
45 The following people spoke:

- 46 • Chris Deile spoke about court-ordered religious substance abuse treatment
- 47 versus secular substance abuse treatment.
- 48 • Joseph Feldman spoke about religion.

1
2 **OTHER ITEMS**
3

4 **1. ORDINANCE AMENDING THE 2017 WHATCOM COUNTY BUDGET, EIGHTH**
5 **REQUEST, IN THE AMOUNT OF \$851,061 (AB2017-222)**
6

7 **Browne** reported for the Finance and Administrative Services Committee and
8 **moved** to adopt the ordinance.
9

10 **Brenner moved** to amend to remove the Homeowner Incentive Program (HIP)
11 funding from the stormwater fund.
12

13 The motion was seconded.
14

15 Councilmembers discussed the purpose of the program, regulations versus incentives
16 for landowners, funding mechanisms for controlling stormwater around Lake Whatcom, the
17 HIP funding request having no net impact on the County budget, whether or not they should
18 pay people to not pollute, and using the money to educate people instead of paying people
19 to do the work.
20

21 The motion to amend failed by the following vote:

22 **Ayes:** Brenner (1)

23 **Nays:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

24 **Absent:** Mann (1)
25

26 The motion to adopt carried by the following vote:

27 **Ayes:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

28 **Nays:** Brenner (1)

29 **Absent:** Mann (1)
30

31 **2. RESOLUTION AMENDING THE 2017 FLOOD CONTROL ZONE DISTRICT AND**
32 **SUBZONES BUDGETS, THIRD REQUEST, IN THE AMOUNT OF \$15,000**
33 **(COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE**
34 **DISTRICT BOARD OF SUPERVISORS) (AB2017-199B)**
35

36 **Browne** reported for the Finance and Administrative Services Committee and
37 **moved** to approve the resolution.
38

39 The motion carried by the following vote:

40 **Ayes:** Brenner, Sidhu, Browne, and Buchanan (4)

41 **Nays:** Donovan and Weimer (2)

42 **Absent:** Mann (1)
43

44 **3. ORDINANCE ORDERING AN ELECTION TO DETERMINE THE FORMATION OF**
45 **THE LUMMI ISLAND PARK AND RECREATION DISTRICT (AB2017-200A)**
46

47 **Donovan moved** to adopt the ordinance.
48

49 The motion was seconded.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Councilmembers discussed how this vote is a formality.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Mann (1)

4. APPOINTMENT OF MEMBERS TO SERVE ON THE PRO AND CON STATEMENT WRITING COMMITTEES FOR THE SALES AND USE TAX FOR PUBLIC SAFETY PURPOSES PROPOSITION (AB2017-194B)

Donovan moved to appoint all three volunteers for the Pro Statement Committee: Jon Mutchler, Scott Korthuis, and Gene Knutson.

The motion was seconded.

1 The motion carried by the following vote:

2 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

3 **Nays:** None (0)

4 **Absent:** Mann (1)

5
6 **Browne nominated** all four volunteers the Con Statement Committee: Josh
7 Cerretti, Joy Gilfilen, Doug Starcher, and Dan McShane.

8
9 The motion carried by the following vote:

10 **Cerretti:** Brenner, Buchanan, Sidhu, Weimer (4)

11 **Gilfilen:** Browne, Donovan, Weimer (3)

12 **Starcher:** Brenner, Browne, Buchanan, Donovan, Sidhu, Weimer (6)

13 **McShane:** Brenner, Browne, Buchanan, Donovan, Sidhu (5)

14 **Absent:** Mann (1)

15
16 The Council appointed Josh Cerretti, Doug Starcher, and Dan McShane to the Con
17 Statement Committee.

18
19 **5. APPOINTMENT OF MEMBERS TO SERVE ON THE PRO AND CON STATEMENT**
20 **WRITING COMMITTEES FOR THE PROPOSAL TO FORM THE LUMMI ISLAND**
21 **PARK AND RECREATION DISTRICT (AB2017-200B)**

22
23 **Donovan moved** to appoint all three Pro Statement Committee volunteers: Randy
24 Smith, Tamia Sorensen, and Ian Kirouac.

25
26 The motion was seconded.

27
28 The motion carried by the following vote:

29 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

30 **Nays:** None (0)

31 **Absent:** Mann (1)

32
33 **Browne nominated** all four volunteers.

34
35 The nomination was seconded.

36
37 **Shornick:** Sidhu (1)

38 **Dunn:** Weimer, Browne, Buchanan, Brenner, Donovan, Sidhu (6)

39 **Morrissey:** Weimer, Browne, Buchanan, Brenner, Donovan, Sidhu (6)

40 **Lee:** Weimer, Browne, Buchanan, Brenner, Donovan (5)

41 **Absent:** Mann (1)

42
43 The Council appointed Patricia Dunn, Michele Morrissey, and Wynne Lee to the Con
44 Statement Committee.

45
46 **6. APPOINTMENT OF MEMBERS TO SERVE ON THE PRO AND CON STATEMENT**
47 **WRITING COMMITTEES FOR THE PROPOSITION REGARDING THE USE OF**
48 **EMINENT DOMAIN BY PIPELINE COMPANIES TO TAKE PROPERTY RIGHTS**

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 FROM PRIVATE LANDOWNERS FOR USE IN OIL AND GAS PIPELINES IN
2 WHATCOM COUNTY (AB2017-233) (AB2017-233A)
3

4 This item was not discussed.
5
6

7 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
8

9 1. COUNTY EXECUTIVE REQUESTS CONFIRMATION OF APPOINTMENTS TO THE
10 NEW BEHAVIORAL HEALTH ADVISORY COMMITTEE (AB2017-228)
11

12 *Donovan moved* to confirm the appointments.
13

14 The motion was seconded.
15

16 The motion carried by the following vote:

17 **Ayes:** Brenner, Browne, Buchanan, Weimer and Donovan (5)

18 **Nays:** None (0)

19 **Absent:** Sidhu (out of the room) and Mann (1)
20
21

22 **INTRODUCTION ITEMS**
23

24 *Brenner moved* to accept Introduction Items one and two.
25

26 The motion was seconded.
27

28 The motion carried by the following vote:

29 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

30 **Nays:** None (0)

31 **Absent:** Mann (1)
32

33 1. RECEIPT OF APPLICATIONS FOR THE WHATCOM COUNTY BOARD OF
34 EQUALIZATION (BOE), REPRESENTING DISTRICT 2, TERM ENDING
35 1/31/2020, APPLICANT: JOHN BRUTON (THE BOE ENSURES ALL
36 PROPERTIES ARE VALUED AT FAIR MARKET VALUE) (APPLICATION
37 DEADLINE FOR ANY OTHER APPLICANTS TO THIS VACANCY IS 10 A.M. ON
38 AUGUST 1, 2017) (AB2017-224)
39

40 2. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, NINTH REQUEST,
41 IN THE AMOUNT OF \$148,625 (AB2017-229)
42

43 3. ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE
44 20 ZONING, EXEMPTING PUBLIC COMMUNITY FACILITIES AND COMMUNITY
45 CENTERS FROM LOT COVERAGE LIMITS IN THE RESIDENTIAL RURAL (RR),
46 RURAL (R), AND POINT ROBERTS TRANSITIONAL ZONE (TZ) DISTRICTS
47 (AB2017-230)
48

49 This item was withdrawn from the agenda.

1
2
3 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
4

5 Buchanan reported for the Special Committee of the Whole and the Committee of the
6 Whole meetings.
7

8 Brenner reported for the Public Works, Health, and Safety Committee.
9

10 **Weimer** reported for the Planning and Development Committee. He ***moved*** to
11 schedule a discussion in committee with Public Works staff about funding sources for Lake
12 Whatcom programs.
13

14 The motion was seconded.
15

16 ***The motion passed by general consent.***
17

18 Brenner stated she would like to request the Executive come forward to the Natural
19 Resources Committee with a solution about recent complaints from a property owner
20 regarding problems from beaver dams.
21

22 The motion was seconded.
23

24 ***The motion passed by general consent.***
25

26 Sidhu stated they need to continue discussion of the proposed Business Advisory
27 Committee.
28

29 Councilmembers discussed why the word "jail" isn't in the ballot title for the sales
30 and use tax ballot measure.
31

32 ***Buchanan moved*** to request that the Prosecutor's Office include the word "jail" in
33 the ballot measure.
34

35 The motion was seconded.
36

37 The motion carried by the following vote:

38 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

39 **Nays:** None (0)

40 **Absent:** Mann (1)
41
42

43 **ADJOURN**
44

45 The meeting adjourned at 8:51 p.m.
46

47 The County Council approved these minutes on September 26, 2017.
48
49

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
Board of Health

August 1, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 10:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barry Buchanan, Barbara Brenner, Rud Browne, Todd Donovan, Satpal Sidhu, and Carl Weimer

Absent: Ken Mann

1. PUBLIC SESSION

No one spoke.

2. DIRECTOR/HEALTH OFFICER REPORT

Greg Stern, Health Officer, reported on local laboratory changes when Peace Health lab was acquired by Quest and problems with data sharing to providers. The entire system of healthcare in the community is having to be restructured due to the lack of data coordination from changes to this one piece of the system.

Regina Delahunt, Health Department Director, reported on the State operating budget and money for foundational public health services from the State operational budget; increasing capacity in communicable disease services with the additional operating funds; the delay in State adoption of the capital budget; building problems at the State Street facility; the public health accreditation annual report regarding the Health Department's performance management system; the Women, Infant, Children (WIC) Program low caseload and other service delivery options in the community; a study of barriers to Health Department services; and an effort by the North Sound Behavioral Health Organization to consider early integration of medical care and Medicaid sooner than the 2020 deadline.

She answered questions on the possibility of having an excise tax for solid waste funding, the source of odor problems at the State Street facility, the reason for the low caseloads for the WIC program statewide, the possibility of providing WIC services at the East County Regional Resource Center, how the WIC program is funded based on population and caseload, and whether a decline could be related to the federal policy stance on undocumented workers.

3. PROPOSAL FOR ACCOUNTABLE COMMUNITIES OF HEALTH (ACH) BOARD MEMBER

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 Delahunt stated the County Council needs to nominate a councilmember or appoint
2 Human Services Manager Anne Deacon to serve on the Board.

3
4 ***Browne moved*** to appoint Anne Deacon as the Council representative.

5
6 The motion was seconded.

7
8 Councilmembers and staff discussed whether there is value to having a
9 councilmember on the ACH Board or attend the meeting; whether each county has the
10 same number of representatives, despite population; and other regional areas in the state.

11
12 The motion carried by the following vote:

13 **Ayes:** Brenner, Donovan, Sidhu, Browne, Buchanan, and Weimer (6)

14 **Nays:** None (0)

15 **Absent:** Mann (1)

16
17 **4. PUBLIC HEALTH ADVISORY BOARD (PHAB) UPDATE**

18
19 Sue Sullivan, Public Health Advisory Board Vice-Chair, updated the Board on the
20 recent July meeting focus on childcare. There were three topics. The first is regarding the
21 cost of childcare. The second is that many childcare providers are living in poverty. The
22 third is that returning veterans who use their GI Bill and have children are under stress
23 because the GI Bill doesn't cover the cost of childcare. The first recommendation is to
24 advocate for reducing veteran barriers. The second recommendation is to bring the issue
25 forward to the Whatcom County economic development partners, such as the Chamber of
26 Commerce or Choose Whatcom project.

27
28 Liz Harmon-Craig, Health Department, answered questions.

29
30 Councilmembers and staff discussed the ability for people to get their college
31 degrees online using the GI Bill; whether the federal government has any initiative to do
32 what it is recommending; whether there are other models for creative and cooperative
33 childcare options, besides federal and state funding; and including Whatcom Community
34 College and Bellingham Technical College in the survey.

35
36 ***Weimer moved*** to send the letter as shown on Board packet page 5.

37
38 The motion was seconded.

39
40 The motion carried by the following vote:

41 **Ayes:** Brenner, Donovan, Sidhu, Browne, Buchanan, and Weimer (6)

42 **Nays:** None (0)

43 **Absent:** Mann (1)

44
45 Astrid Newell, Health Department, reported on the recommendation to reach out to
46 community partners about childcare issues and businesses.

47
48 David Webster, Opportunity Council, answered questions on what they hope to
49 achieve by reaching out to community partners, helping childcare providers build their
50 business, learning what issues and barriers local companies face regarding employee

1 childcare, quality childcare, economic development funds for childcare, and the trends in
2 supply and demand for childcare.

3
4 **5. COMMUNICABLE DISEASE CONTROL IN WHATCOM COUNTY**

5
6 Joni Hensley, Health Department, read from a presentation in the Board packet (*on*
7 *file*) and answered questions.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 The following staff also answered questions:

- 2 • Regina Delahunt, Health Department Director
3 • Dr. Greg Stern, Health Officer
4

5 Councilmembers discussed and asked questions about staffing levels; the source of
6 antibiotic-resistant gonorrhea; how to use the \$100,000 from the State for communicable
7 diseases; the cost of a shingles vaccine in Canada; what happens with an active
8 tuberculosis case in the jail; educating employers on the cost of not providing sick leave;
9 advising sick employees to not go to work; and whether vaccines come in a generic form.
10

11
12 **ADJOURN**
13

14 The meeting adjourned at 12:04 p.m.

15
16 The Council approved these minutes on September 26, 2017.
17

18 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

19
20
21
22 _____
23 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

24
25
26
27 _____
28 Jill Nixon, Minutes Transcription

1 WHATCOM COUNTY COUNCIL
2 **Committee Of The Whole**

3
4 August 8, 2017
5

6 **CALL TO ORDER**
7

8 Council Chair Barry Buchanan called the meeting to order at 1:15 p.m. in the Council
9 Conference Room, 311 Grand Avenue, Bellingham, Washington.
10

11
12 **ROLL CALL**
13

14 **Present:** Barbara Brenner, Satpal Sidhu, Rud Browne, Barry Buchanan, Todd
15 Donovan and Carl Weimer

16 **Absent:** Ken Mann
17
18

19 **COMMITTEE DISCUSSION**
20

21 **1. DISCUSSION WITH SENIOR DEPUTY PROSECUTOR KAREN FRAKES REGARDING**
22 **PENDING LITIGATION, HIRST ET AL V. WHATCOM COUNTY, GMHB CASE NO. 12-2-**
23 **0013 (AB2017-018)**

24 **Attorney Present: Karen Frakes**
25

26 Buchanan stated that discussion of agenda item one may take place in executive
27 session pursuant to RCW42.30.110 (1)(i). Executive session will conclude no later than
28 2:00 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the
29 meeting to make a public announcement.
30

31 ***Browne moved*** to go into executive session until no later than 2:00 p.m. to discuss
32 the agenda items pursuant to RCW citations as announced by the Council Chair. The
33 motion was seconded.
34

35 The motion carried by the following vote:

36 **Ayes:** Brenner, Browne, Buchanan, Donovan and Weimer (5)

37 **Nays:** None (0)

38 **Absent:** Sidhu (out of the room) and Mann (1)
39

40 At 2:00 p.m., Buchanan announced the executive session would last until no later
41 than 2:15 p.m.
42

43 **OTHER BUSINESS**
44

45 **ADJOURN**
46

47 The meeting adjourned at 2:05 p.m.

48
49 The Council approved these minutes on _____ 2017.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
Special Committee of the Whole

August 8, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 3:05 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: Ken Mann.

COMMITTEE DISCUSSION

1. CONTINUATION OF COUNCIL'S REVIEW OF THE 2016 CRITICAL AREAS ORDINANCE UPDATE (AB2016-276K) REVIEW OF CERTAIN QUESTIONS, COMMENTS, AND SUGGESTIONS BY COUNCIL MEMBERS RELATED TO: ARTICLE 2, ADMINISTRATIVE PROVISIONS, ARTICLE 6, WETLANDS, ARTICLE 7, HABITAT CONSERVATION AREAS, ARTICLE 8, CONSERVATION PROGRAM ON AGRICULTURE LANDS, ARTICLE 9, DEFINITIONS

Cliff Strong, Planning and Development Services Department, referenced the staff report in the Council packet and gave a staff report.

Brenner moved to amend language throughout, "~~not recommend nor~~ **may** authorize."

The motion was seconded.

The motion failed by the following vote:

Ayes: Brenner and Donovan (2)

Nays: Sidhu, Browne, Buchanan, and Weimer (4)

Absent: Mann (1)

Browne moved to amend 16.16.830 Conservation Farm Plans – General Standards:

B. A conservation farm plan ~~shall not recommend nor~~ **may** authorize:

1. Filling, draining, grading, or clearing activities within critical areas or buffers:

a. ~~Only~~ **Except** on ongoing agricultural land where such activities are a demonstrated essential part of an ongoing agricultural use or part of routine maintenance; and,

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

- 1 b. When it does not expand the boundaries of an ongoing
2 agricultural use; and,
3 c. The appropriate permits for doing so have been obtained.

4 ...
5 C. Other plans prepared for compliance with state or federal regulations
6 (e.g., nutrient management plans), or to obtain an accredited private
7 third-party certification (e.g., GLOBALG.A.P.), or similar plans may be
8 used as part of or in lieu of a Conservation Farm Plan if the Technical
9 Administrator determines they adequately address the requirements of
10 this Title.

11
12 The motion was seconded.

13
14 The motion carried by the following vote:

15 **Ayes:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

16 **Nays:** Brenner (1)

17 **Absent:** Mann (1)

18
19 **Browne moved** to approve the definition of agricultural activities as recommended
20 by the Langabeer & Traxler letter on behalf of agricultural groups, with one change:

21 "Ongoing Agriculture" means all agricultural uses and practices as
22 defined in RCW 90.58.065" (RCW 36.70A.703). "Ongoing Agricultural
23 activities" means agricultural uses and practices including, but not limited to:
24 Producing, breeding, or increasing agricultural products; rotating and
25 changing agricultural crops; allowing land used for agricultural activities to lie
26 fallow in which it is plowed and tilled but left unseeded; allowing land used for
27 agricultural activities to lie dormant as a result of adverse agricultural market
28 conditions; allowing land used for agricultural activities to lie dormant
29 because the land is enrolled in a local, state, or federal conservation program,
30 or the land is subject to a conservation easement; conducting agricultural
31 operations; maintaining, repairing, and replacing agricultural equipment;
32 maintaining, repairing, and replacing agricultural facilities, provided that the
33 replacement facility is no closer to the shoreline than the original facility; and
34 maintaining agricultural lands under production or cultivation.

35
36 The motion was seconded.

37
38 Councilmembers discussed the proposal from Ms. Traxler and whether or not they
39 should use "ongoing" in the definition of agricultural activities, that the County chose not to
40 participate in the volunteer stewardship program (VSP), whether this definition expands the
41 current definition of ongoing agriculture, making sure they don't weaken the critical areas
42 ordinance while not imposing regulations that will make a farmer lose the right to farm, and
43 allowing staff time to review the proposed amendment.

44
45 **Browne moved** to hold his motion in Committee.

46
47 The motion was seconded.

48
49 The motion carried by the following vote:

50 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

1 **Nays:** None (0)

2 **Absent:** Mann (1)

3
4 Councilmembers and staff discussed the impact of changing the definition of
5 "agricultural activities" and the need to do monitoring and gather baseline data.

6
7 Strong reported on and councilmembers discussed whether high concentrations of
8 nitrates in groundwater is a significant health issue, future options, and what a
9 management district would do.

10
11 George Boggs, Conservation District, answered questions on the trend in nitrate
12 contamination from test wells, natural sources of nitrates from decomposing organic matter,
13 sharing the aquifer and working with Canada, and public outreach.

14
15 Strong reported on suggested changes to the lahar zone section.

16
17 **Browne moved** to approve staff's recommendation with some changes:

- 18 • 16.16.320(B), "...For some geologic hazards, except for lahar hazards zones"
- 19 • 16.16.320(C), "...geological hazards (except for lahar hazards) and/or are
- 20 outside....
- 21 • 16.16.320(B)(2), "Subject to....265 (except subsection (D) when located
- 22 wholly within a lahar hazard zone), the following uses may...."

23
24 The motion was seconded.

25
26 Ericson stated there is a scrivener's error in .350(b)(2)(a), "~~16.16.270~~ 16.16.275"

27
28 Councilmembers and staff discussed making decisions on behalf of everyone, not one
29 particular party, letting people know about the hazard and leaving the decision up to them,
30 no need for a building setback when entirely within a lahar hazard zone, and the detail
31 required in evacuation plan updates.

32
33 The motion to amend, including the scrivener's error, carried by the following vote:

34 **Ayes:** Sidhu, Browne, Buchanan, Weimer and Donovan (5)

35 **Nays:** Brenner (1)

36 **Absent:** Mann (1)

37
38 Councilmembers continued to discuss lahar hazard areas and concerns from a
39 particular property owner.

40
41 **Brenner moved** to amend 16.16.270(2)(k), "For single-family residences,...These
42 appurtenant developments include garages, decks, driveways, and parking, utilities
43 (exclusive of an on-site septic system), and all lawn and landscaping, with the following
44 exceptions: ..."

45
46 The motion was seconded.

47
48 Councilmembers discussed whether they should include utilities in the list of
49 developments; temporary versus permanent impacts; and considering minor utilities, or
50 service utilities that connect the service to the residence, as a temporary impact.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2 Linda Twitchell, Building Industry Association, stated some utility distribution pipes
3 require large trenches.
4

5 Browne moved to amend the motion to amend 16.16.270(2)(k), "For single-family
6 residences,...These appurtenant developments include garages, decks, driveways, and
7 parking (exclusive of an on-site septic system and utilities), and all lawn and landscaping,
8 with the following exceptions:...." The motion was not seconded.
9

10 **Brenner withdrew** her motion to amend and **moved** to hold in committee so staff
11 can develop better language.
12

13 The motion was seconded.
14

15 The motion carried by the following vote:

16 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

17 **Nays:** None (0)

18 **Absent:** Mann (1)
19

20 **Brenner moved** to amend 16.16.610 Wetlands Designation, Rating, and Mapping,
21 "D. All wetlands shall be regulated regardless of size; provided, that hydrologically isolated
22 Category IV wetlands less than 4,000 4,356 square feet in size may be adversely impacted
23 when all of the following criteria are met: ..."
24

25 The motion was discussed.
26

27 Councilmembers discussed whether category IV is subjective.
28

29 The motion failed by the following vote:

30 **Ayes:** Brenner (1)

31 **Nays:** Sidhu, Browne, Buchanan, and Donovan (4)

32 **Absent:** Weimer (out of the room) and Mann (2)
33

34 Councilmembers discussed temporary impacts associated with utilities from section
35 16.16.620 and the mitigation sequence, which begins with avoidance. Staff will work on
36 language to clarify the mitigation sequence for temporary impacts if avoidance is much
37 more expensive.
38

39 **Brenner moved** to amend 16.16.620(G), "~~may be permitted within the outer 50%~~
40 ~~of a Category II, III, or IV wetland buffer~~ may be permitted as close to the wetland as
41 possible in order to have the smallest footprint with the least amount of impact."
42

43 The motion was seconded.
44

45 Councilmembers and staff discussed whether stormwater management facilities have
46 the least impact if they're closer to or farther away from buffers.
47

48 **Browne moved** to call the question.
49

50 The motion to call the question was seconded.

The motion to call the question carried by the following vote:

Ayes: Sidhu, Browne, Buchanan, and Donovan (4)

Nays: Brenner (1)

Absent: Weimer (out of the room) and Mann (2)

The motion to amend failed by the following vote:

Ayes: Brenner (1)

Nays: Sidhu, Browne, Buchanan, and Donovan (4)

Absent: Weimer (out of the room) and Mann (2)

Councilmembers and Twitchell discussed returning water to the wetland.

Donovan moved to amend:

- 16.16.680(E)(3), Wetland mitigation, "When use of the guidance for *Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington* (Department of Ecology Publication #10-06-011, as amended) results in a lower mitigation ratio than the standard ratios."
- 16.16.680, Wetland mitigation, "G. All mitigation areas...and ensure permanent protection of critical area functions and values ~~into perpetuity~~. Permanent protection shall...."
- 16.16.690(A)(2)(h), "A demonstration that the site will have adequate buffers sufficient to permanently protect the wetland functions ~~in perpetuity~~."

The motion was seconded.

Councilmembers and staff discussed the permanency of a residence.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Mann (1)

Councilmembers and staff discussed substantial developed surfaces and roads that are existing and legally-established; whether wetland delineations would include the entire wetland area, which may include adjacent properties; how soon a County staff person could reasonably respond to a delineation.

Brenner moved to amend 16.16.670(B) to add a week timeframe in which County verification can happen, so time and elements can't cause problems with flagging.

The motion was seconded.

Councilmembers continued to discuss the two instances in which a delineation is required and adding staff for quicker response times.

Brenner withdrew the motion to amend.

Councilmembers and staff discussed whether existing improvements have to be related to the presence of wetlands.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2
3 **OTHER BUSINESS**
4

5 There was no other business.
6
7

8 **ADJOURN**
9

10 The meeting adjourned at 4:50 p.m.

11 The Council approved these minutes on _____, 2017.
12
13

14 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

15
16
17
18
19 _____
20 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

21
22
23
24 _____
25 Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
Regular County Council Meeting

August 8, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: Ken Mann.

FLAG SALUTE

ANNOUNCEMENTS

PUBLIC HEARINGS

1. RESOLUTION VACATING A PORTION OF CHETS ROAD (AB2017-215)

Andrew Hester, Public Works Department, gave a staff report and answered questions about ownership of adjoining properties.

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved to approve the resolution.

The motion was seconded.

The motion failed by the following vote:

Ayes: None (0)

Nays: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Absent: Mann (1)

2. ORDINANCE GRANTING MOBILITIE, LLC, A NON-EXCLUSIVE FRANCHISE FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES (AB2017-216)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved to adopt the ordinance.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1 The motion was seconded.

2
3 The motion carried by the following vote:

4 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

5 **Nays:** None (0)

6 **Absent:** Mann (1)

7
8
9 **OPEN SESSION**

10
11 The following people spoke:

- 12 • Leslie Honcoop, Whatcom County Farm Bureau President, spoke about the
- 13 comments they submitted regarding The Critical Areas Ordinance and
- 14 Comprehensive Plan and about not overtaxing farmers.
- 15 • Yoshi Ravelle spoke about changing personal habits to make a positive impact
- 16 on global climate change.

17
18
19 **CONSENT AGENDA**

20
21 **Browne** reported for the Finance and Administrative Services Committee and
22 **moved** to approve Consent Agenda items one through nine.

23
24 The motion carried by the following vote:

25 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

26 **Nays:** None (0)

27 **Absent:** Mann (1)

- 28
29 1. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE**
- 30 **PURCHASE OF AN ELECTRONIC SITUATIONAL STATUS DISPLAY SYSTEM FOR**
- 31 **THE SHERIFF'S OFFICE DIVISION OF EMERGENCY MANAGEMENT FROM SOLE**
- 32 **SOURCE VENDOR, THE RESPONSE GROUP, IN AN AMOUNT NOT TO EXCEED**
- 33 **\$52,671 (AB2017-236)**
- 34
35 2. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
- 36 **CONTRACT BETWEEN WHATCOM COUNTY AND KPFF CONSULTING**
- 37 **ENGINEERS TO PERFORM AN ALTERNATIVES ANALYSIS TO ESTABLISH A**
- 38 **NEW LEVEL OF SERVICE FOR THE LUMMI ISLAND FERRY SYSTEM, IN THE**
- 39 **AMOUNT OF \$322,119 (AB2017-249)**
- 40
41 3. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
- 42 **CONTRACT BETWEEN WHATCOM COUNTY AND RESPEC CONSULTING**
- 43 **SERVICES FOR THE LAKE WHATCOM HYDROLOGICAL MODEL REVIEW, IN**
- 44 **THE AMOUNT OF \$49,990 (AB2017-237)**
- 45
46 4. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN**
- 47 **INTERGOVERNMENTAL AGREEMENT BETWEEN WHATCOM COUNTY AND**
- 48 **WASHINGTON MILITARY DEPARTMENT FOR MUTUAL AID ASSISTANCE**
- 49 **THROUGH BOTH THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT**

(EMAC) AND THE PACIFIC NORTHWEST EMERGENCY MANAGEMENT
ARRANGEMENT (PNEMA) (AB2017-238)

5. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND NORTHWEST EDUCATIONAL SERVICES DISTRICT 189 TO PROVIDE SUBSTANCE USE DISORDER PREVENTION SERVICES WITHIN THE SCHOOL DISTRICTS IN WHATCOM COUNTY IN ORDER TO IMPROVE BEHAVIORAL HEALTH OUTCOMES, IN THE AMOUNT OF \$121,000 (AB2017-239)
6. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND BLAINE SCHOOL DISTRICT TO PROVIDE BEHAVIORAL HEALTH SERVICES, IN THE AMOUNT OF \$113,400, FOR A TOTAL CONTRACT AMOUNT OF \$293,400 (AB2017-240)
7. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON STATE DEPARTMENT OF EARLY LEARNING TO PROVIDE HIGH QUALITY HOME VISITING SERVICES TO HIGH-RISK FAMILIES USING THE NURSE FAMILY PARTNERSHIP PROGRAM MODEL FOR PURPOSES OF IMPROVING OUTCOMES FOR PARTICIPANTS AND STRENGTHENING COORDINATION OF SERVICES, IN THE AMOUNT OF \$335,525.81 (AB2017-241)
8. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND KIBBLE & PRENTICE, A USI COMPANY, FOR BENEFIT CONSULTING SERVICES FOR A THREE-YEAR PERIOD (2018-2020), IN THE AMOUNT OF \$174,175 (AB2017-242)
9. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND GERALDINE COLEMAN, SCOTT MAWSON, MARGARET MAWSON, AND PENNY HENDERSON TO PROVIDE LEGAL REPRESENTATION TO CHILDREN IN DEPENDENCY PROCEEDINGS, IN THE AMOUNT OF \$103,996.80 ANNUALLY (AB2017-243)

OTHER ITEMS

1. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND CASCADIA LAW GROUP PLLC TO REPRESENT WHATCOM COUNTY AND TO CONDUCT THE STUDY AND MAKE RECOMMENDATIONS REQUIRED BY WHATCOM COUNTY COMPREHENSIVE PLAN POLICY 2CC-16 REGARDING THE CHERRY POINT UGA (AB2017-234)

Browne reported for the Finance and Administrative Services Committee and **moved** to approve the request.

Councilmembers spoke about engaging this law firm, supporting the industry at Cherry Point, having the tools necessary to protect public health and safety, and working with the industries to resolve concerns.

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

The motion carried by the following vote:

Ayes: Sidhu, Browne, Buchanan, Weimer and Donovan (5)

Nays: Brenner (1)

Absent: Mann (1)

2. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, NINTH REQUEST, IN THE AMOUNT OF \$148,625 (AB2017-229)

Browne reported for the Finance and Administrative Services Committee and **moved** to adopt the ordinance.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Mann (1)

3. ORDINANCE ESTABLISHING THE SPEED LIMIT ON A PORTION OF THE NORTH SHORE ROAD (AB2017-196A)

Brenner reported for the Public Works, Health, and Safety Committee stated this item is held in Committee.

4. COUNCIL TO APPOINT ONE OF ITS MEMBERS TO SERVE ON THE BEHAVIORAL HEALTH ADVISORY COMMITTEE (AB2017-124A)

Brenner moved to appoint Brenner.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Mann (1)

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. APPOINTMENT TO THE WHATCOM COUNTY BOARD OF EQUALIZATION (DISTRICT 2 REPRESENTATIVE), APPLICANT: JOHN BRUTON (AB2017-224)

Browne moved to nominate and appoint.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Mann (1)

1 **INTRODUCTION ITEMS**

2
3 ***Browne moved*** to accept Introduction Items one through five.

4
5 The motion was seconded.

6
7 The motion carried by the following vote:

8 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

9 **Nays:** None (0)

10 **Absent:** Mann (1)

- 11
12 1. **ORDINANCE AMENDING WHATCOM COUNTY CODE 8.13, SOLID WASTE**
13 **DISPOSAL DISTRICT, REGARDING THE SOLID WASTE EXCISE PRIVILEGE**
14 **TAX (AB2017-244)**
15
16 2. **ORDINANCE REPEALING WHATCOM COUNTY CODE 8.14, GARBAGE PASS-**
17 **THROUGH FEE, IN ITS ENTIRETY (AB2017-245)**
18
19 3. **ORDINANCE ESTABLISHING THE TRIAGE CENTER EXPANSION FUND AND**
20 **ESTABLISHING A PROJECT BASED BUDGET FOR THE TRIAGE CENTER**
21 **EXPANSION PROJECT (AB2017-246)**
22
23 4. **ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, TENTH REQUEST,**
24 **IN THE AMOUNT OF \$197,253 (AB2017-247)**
25
26 5. **ORDINANCE AMENDING WHATCOM COUNTY CODE TITLE 20 ZONING AND**
27 **THE WHATCOM COUNTY COMPREHENSIVE PLAN RELATING TO CUMULATIVE**
28 **IMPERVIOUS SURFACE COVERAGE STANDARDS (AB2017-195)**
29
30

31 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

32
33 Donovan reported for the Natural Resources Committee.

34
35 **DISCUSSION WITH WHATCOM COUNTY PUBLIC WORKS REGARDING POTENTIAL**
36 **FUNDING SOURCES FOR LAKE WHATCOM PROGRAMS (AB2017-251)**
37

38 ***Donovan*** reported for the Natural Resources Committee and ***moved*** to recommend
39 to the full Council to request the Public Works Department to create and present to the
40 Council a proposed framework for a flood subzone or stormwater utility in the Lake
41 Whatcom watershed, and the Council will determine details once they know how many
42 parcels would be in the district.
43

44 Councilmembers discussed whether there should be an exemption for people within
45 the district who can demonstrate they don't contribute to the problem.
46

47 The motion carried by the following vote:

48 **Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

49 **Nays:** None (0)

50 **Absent:** Mann (1)

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

1
2 Buchanan reported for the Committee of the Whole and Special Committee of the
3 Whole meetings.

4
5 Brenner reported for the Public Works, Health, and Safety Committee.

6
7 Weimer reported for the Planning and Development Committee.

8
9 Councilmembers gave updates on recent and upcoming activities and events.

10
11
12 **ADJOURN**

13
14 The meeting adjourned at 7:33 p.m.

15
16 The County Council approved these minutes on _____, 2017.

17
18
19 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

20
21
22
23
24 _____
25 Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

26
27
28
29 _____
30 Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-267

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	MXC	8/31/17	<div style="text-align: center;"> RECEIVED SEP 05 2017 WHATCOM COUNTY COUNCIL </div>	09/12/17	Introduction
Division Head:				09/26/17	Finance Committee: Council
Dept. Head:					
Prosecutor:	LG	08/31/17			
Purchasing/Budget:	MXC	8/31/17			
Executive:	TKS	9/5/17			

TITLE OF DOCUMENT:

Ordinance amending the 2017 Whatcom County Unified Fee Schedule – Appendix C.

ATTACHMENTS:

Proposed Amended Unified Fee Schedule Ordinance; Appendix C-1 Whatcom County Public Works Unified Fee Schedule Addenda

SEPA review required?	() Yes	(X) NO	Should Clerk schedule a hearing ?	(X) Yes	() NO
SEPA review completed?	() Yes	() NO	Requested Date:		

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This proposed ordinance amends the 2017 Unified Fee Schedule to replace Appendix C with Appendix C-1

COMMITTEE ACTION:

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: County Executive

DATE: September 12, 2017

ORDINANCE NO. _____
AMENDMENT NO. 1 TO ORDINANCE NO. 2016-049 ADOPTING THE 2017
WHATCOM COUNTY UNIFIED FEE SCHEDULE

WHEREAS, the County Council approved the 2017 Unified Fee Schedule on November 22, 2016, and

WHEREAS, the narratives in Appendix C Whatcom County Public Works Unified Fee Schedule Addenda need to be modified to better reflect services to be included in several of the fees charged,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Whatcom County Unified Fee Schedule is hereby amended by removing existing Appendix C and replacing it with the attached Appendix C-1, all other provisions of Ordinance No. 2016-049 to remain in effect.

ADOPTED this _____ day of _____, 2017

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chair

APPROVED as to form:

() Approved () Denied

Daniel L. Gibson
Civil Deputy Prosecutor

Jack Louws, Executive

Date: _____

Unified Fee Schedule Addenda

Effective Date: September 26, 2017

UFS No	Includes	Excludes	Note(s)
2755 Preliminary Subdivision Application Processing	<ul style="list-style-type: none"> One <i>Preliminary Traffic and Concurrency Information</i> form review; One <i>Preliminary Stormwater Proposal</i> form review; One ingress/egress (including drawings) review and sight distance evaluation; One stormwater management (including drawings) review; One traffic (including <i>Traffic Impact Analysis</i> report) review; One development impact mitigation determination; One Technical Review Committee (TRC) meeting attendance; One initial <i>Staff Report</i> input preparation; One Public Hearing attendance; and All correspondence, conversations, meetings, and site visits that directly relate to the above. 	All services related to minor changes to preliminary approval.	
2756 Short Subdivision Application Processing	<ul style="list-style-type: none"> One <i>Preliminary Traffic and Concurrency Information</i> form review; One <i>Preliminary Stormwater Proposal</i> form review; One Technical Review Committee (TRC) meeting attendance; One <i>preliminary approval conditions</i> or <i>Notice of Additional Requirements</i> preparation effort; One initial and revision review of ingress/egress; One stormwater management review; One development impact mitigation determination; Five construction inspections (first inspection to include on-site pre-construction meeting); Two short plat checkpoint reviews; and One final mylar review. 	All licensed professional-prepared drawings review.	
2758 Preliminary Binding Site Plan Application Processing	<ul style="list-style-type: none"> One <i>Preliminary Traffic and Concurrency Information</i> form review; One <i>Preliminary Stormwater Proposal</i> form review; One ingress/egress (including drawings) review and sight distance evaluation; One stormwater management (including drawings) review; One traffic (including <i>Traffic Impact Analysis</i> report) review; One development impact mitigation determination; One Technical Review Committee (TRC) meeting attendance; One initial <i>Staff Report</i> input preparation; One Public Hearing attendance; and All correspondence, conversations, meetings, and site visits that directly relate to the above. 	All services related to minor changes to preliminary approval.	

UFS No	Includes	Excludes	Note(s)
7166 Technical Services and Review	<ul style="list-style-type: none"> Licensed professional-prepared drawing review; SEPA review; Construction <i>Change Order</i> processing; Work performed under an <i>Extraordinary Inspection Request</i>; Ingress/egress review; Stormwater management review; <i>Staff Report</i> input preparation; Technical Review Committee (TRC) meeting attendance; Public Hearing attendance; Preliminary approval conditions preparation; <i>Notice of Additional Requirements</i> preparation; Development impact mitigation determination; Exempt Land Division Application processing (\$330 base up to three hours then \$110/hr for each additional hour); Boundary Line Adjustment Application processing (\$330 base up to three hours then \$110/hr for each additional hour); Additional plat or short plat checkpoint review; Record drawing checkpoint review; Survey & legal description review; <i>Haul Road Agreement</i> preparation; Agricultural Short Subdivision Application processing (\$330 base up to three hours then \$110/hr for each additional hour); Administrative Permit (ADM) Application processing (\$330 base up to three hours then \$110/hr for each additional hour); Conditional Use Permit (CUP) Application processing ((\$550 base up to five hours then \$110/hr for each additional hour); WSDOE <i>Stormwater Management Manual for Western Washington</i>-required <i>Declaration of Covenant and Grant of Easement</i> document preparation for recording at Developer's expense. Site review/inspection. 		This hourly rate fee also applies when minimum service allowances stated in UFS Nos 2755, 2756, 2758, 7174, and 7175 are exceeded.
7169 Pre-Application Meeting	<ul style="list-style-type: none"> Meeting preparation (i.e., <i>Pre-Application Meeting Request</i> form review, file research, and site visit (including preliminary sight distance evaluation)); Meeting attendance; and Findings/summary preparation. 	Development impact mitigation determination.	Per current WCC 2.33.030.C: "If the county makes a determination of completeness within one year of the preapplication meeting, the preapplication fee shall be applied to the application cost."

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-261

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JPR	8/29/17	<div>RECEIVED</div> <div>SEP 05 2017</div> <div>WHATCOM COUNTY COUNCIL</div>	9/12/17	PW Committee/ Introduction
Division Head:	JPR	8/29/17		9/26/17	Public Hearing/ Adoption
Dept. Head:	JH	8/30/17			
Prosecutor:	DE	08/31/17			
Purchasing/Budget:	BB	8/31/17			
Executive:	TS	9/5/17			

TITLE OF DOCUMENT:

Resolution in the matter of the Whatcom County Six-Year Transportation Improvement Program for the years 2018 through 2023

ATTACHMENTS:

1. Memo to County Executive and Council

Attachment "A" – Removed and Added Projects

Attachment "B" – 2018-2023 Capital Project Priority Order and Financial Distribution by Year

Attachment "R1-R30, B1-B15, F1-F5, Y1-Y8" – Project Summary Sheets

Attachment "C1-C3" – Road Fund Balance, Revenue, Expenditure

Attachment "D" – Roadway Priority Rating Program

Attachment "E" – Annual Bridge Report

2. 2018-2023 Six Year Transportation Improvement Program Resolution

Exhibit "A" – 2018-2023 Six-Year Transportation Improvement Program

Exhibit "B" – 2018-2031 Fourteen-Year Ferry Capital Program

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? (X) Yes () NO
Requested Date: 9/26/17

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Each year the County is required to update its Six-Year Transportation Improvement Program (STIP), per RCW 35.77.010 and RCW 36.81.121. The STIP includes the capital elements of the first six years of the Fourteen-Year Ferry Program. The STIP is intended as a planning tool for local, state and federally funded projects and is designed to identify projects for preliminary engineering, right-of-way purchase and/or construction.

COMMITTEE ACTION:

9/12/2017: Discussed

COUNCIL ACTION:

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

Jon Hutchings
Director



Joseph P. Rutan, P. E.
County Engineer/Assistant Director
322 N. Commercial Street, Ste 301
Bellingham, WA 98225-4042
Phone: (360) 778-6210
Fax: (360) 778-6211

Memo

To: The Honorable Jack Louws, Whatcom County Executive, and
Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director *JH*

From: Joseph P. Rutan, P.E., County Engineer/Assistant Director *JPR* *Br J. Rutan*

Date: August 29, 2017

Re: Six-Year Transportation Improvement Program, 2018-2023
PW Committee Work Session, Introduction, Public Hearing and Adoption

Requested Action:

The Department of Public Works requests that a Council Public Works Committee work session be scheduled for September 12th, for discussion of the information attached to this memorandum regarding the 2018-2023 Six-Year Transportation Improvement Program (STIP). If approved by the Committee we request that the STIP Resolution and its associated exhibits, 2018-2023 Six-Year Transportation Improvement Program and 2018-2031 Fourteen-Year Ferry Capital Program, be introduced at that evenings County Council meeting. We then request that a public hearing be advertised for and held at the September 26th County Council meeting, with the resolution potentially adopted at said meeting.

Background and Purpose:

Each year the County is required to update its Six-Year Transportation Improvement Program, per RCW 35.77.010 and RCW 36.81.121. The County is also required to prepare a Fourteen-Year Ferry Capital Program each year per RCW 36.54.015 and an Annual Bridge Report per RCW 36.81.121. The STIP includes the capital elements of the first six years of the Fourteen-Year Ferry Capital Program which is Exhibit "B" of the resolution.

Information:

1- Memorandum to County Executive and Council

Attachment "A" – Removed and Added Projects
Attachment "B" - 2018-2023 Capital Projects List
Attachment "R1-R30, B1-B15, F1-F5, Y1-Y8" – Project Summary Sheets
Attachment "C1" - Road Fund Balance Projections
Attachment "C2" - Road Fund Revenue Projections
Attachment "C3" - Road Fund Expenditure Projections
Attachment "D" - Roadway Priority Rating Program
Attachment "E" – Annual Bridge Report

Attachment "A" is a simplified form of Exhibit "A" to the STIP. This is being provided in order to facilitate the Public Works Committee work session.

2- 2018-2023 Six Year Transportation Improvement Program Resolution

Exhibit "A"- 2018-2023 Six-Year Transportation Improvement Program
Exhibit "B"- 2018-2031 Fourteen-Year Ferry Capital Program

Attachment "A"
2018-2023 Six Year Transportation Improvement Program (STIP)
Project Removals & Additions
-Not complete list of all changes-

Project Removed from 2017-2022 STIP:

Project Number	Project Title	Reason/Status
R2	Birch Bay Drive Embankment Repair	Unwilling Property Owners
R20	North Enterprise Road, Harksell Rd to Birch Bay Lynden Rd.	Capital grant not received/Chip Sealed by PW
R21	West Badger Road, Sunrise Rd to Marksworth Rd.	Capital grant not received/enhanced signing by PW
R22	Portal Way, Birch Bay Lynden Rd to Faris Rd	Capital grant not received/will be 2018 maintenance project
R30	Yacht Club Rd, RR Quiet Zone	Completed 2017
B1	Potter Rd/South Fork Nooksack River Bridge No. 148	Completed 2017
B4	South Pass Road/Saar Creek Bridge No. 212	Completed 2017
B5	Portal Way/Dakota Creek Bridge No. 500	Completed 2017
Y8	Neighborhood Traffic Calming	Combined with Y3 Unanticipated Site Improvements

Projects Added to 2018-2023 STIP:

Project Number	Project Title	Reason/Status
R30	Northwest Drive, City of Bellingham to Axton Road	Pavement Deterioration
B14	Lenhart Rd/Saar Creek Bridge No. 329	2017 Structural Deficiency Rating
B15	Salakanum Way/Anderson Creek Bridge No. 509	2017 Structural Deficiency Rating
F3	Ferry Terminal Painting and Structural Repair Project	Broken Out from Ferry Electrical F2
Y7	Swift Creek Transportation Impacts	Sumas Mtn Slide/Impacts

2018-2023 Six Year Transportation Improvement Program

Financial Distribution by Year

8/29/2017

Project Costs in Thousands of Dollars

Attachment "B"

Project No.	Project Name	Total 2018-2023	Total Grant 2018-2023	Total Local 2018-2023	2018	2019	2020	2021	2022	2023
Road Capital Construction										
R1	Birch Bay Drive & Pedestrian Facility	8,350	1,610	6,740	4,700	3,450	200	0	0	0
R2	Lake Whatcom Blvd, Water Quality Improvements	100	0	100	25	20	55	0	0	0
R3	Horton Road, Northwest Drive to Aldrich Road	157	0	157	90	67	0	0	0	0
R4	Slater Road & Northwest Drive	50	0	50	0	50	0	0	0	0
R5	Slater Road, I5 Interchange to 0.10m E. of Pacific Hwy	50	0	50	0	50	0	0	0	0
R6	Slater Road, Northwest Drive to Aldrich Road	50	0	50	0	50	0	0	0	0
R7	Smith Road & Northwest Drive	5	0	5	0	0	0	0	5	0
R8	Roadway Frost Depth Detectors	320	0	320	10	310	0	0	0	0
R9	Bennett Drive, Marine Dr. to West Bakerview Rd.	1,400	0	1,400	1,400	0	0	0	0	0
R10	Marine Drive, Locust Avenue to Alderwood Avenue	3,025	1,509	1,516	250	175	25	2,575	0	0
R11	Lummi View Drive Bank Stabilization	30	0	30	30	0	0	0	0	0
R12	North Shore Road, Bellingham City Limits to Y Road	10	0	10	0	0	0	10	0	0
R13	Lummi Nation Transportation Projects	2,000	0	2,000	2,000	0	0	0	0	0
R14	Point Roberts Transportation Improvements	150	0	150	150	0	0	0	0	0
R15	Slater Rd/Haxton Way	70	0	70	70	0	0	0	0	0
R16	East Smith Road, Everson Goshen Road to SR 542	1,450	1,000	450	0	0	0	1,450	0	0
R17	East Smith Road & Hannegan Road	3,700	1,000	2,700	150	150	100	3,300	0	0
R18	Guardrail Safety Program	910	900	10	100	810	0	0	0	0
R19	Birch Bay Drive, Jackson Road to Shintaffer Road	1,200	0	1,200	0	0	75	1,125	0	0
R20	Turkington Road/Jones Creek	500	0	500	0	300	200	0	0	0
R21	Lincoln Road - II, Harborview Road to SR 548 (Blaine Road)	5	0	5	0	0	0	0	5	0
R22	Marine Drive II, Alderwood Avenue to Bridge No. 172	5	0	5	0	0	0	0	0	5
R23	Hemmi Road Flood Mitigation	250	0	250	150	100	0	0	0	0
R24	Innis Creek Road	10	0	10	0	10	0	0	0	0
R25	Larabee Road Flood Mitigation	5	0	5	0	0	0	0	0	5
R26	Lakeway Drive Corridor Improvements	5	0	5	0	0	5	0	0	0
R27	Airport Drive Subsurface Repair	200	0	200	200	0	0	0	0	0
R28	Ferndale Road/Levee Improvements	75	0	75	0	15	15	15	15	15
R29	Abbott Road/Levee Improvements	25	0	25	0	0	0	0	0	25
R30	Northwest Drive, City of Bellingham to Axton Road	1,500	0	1,500	0	75	1,425	0	0	0

Project No.	Project Name	Total 2018-2023	Total Grant 2018-2023	Total Local 2018-2023	2018	2019	2020	2021	2022	2023
-------------	--------------	--------------------	--------------------------	--------------------------	------	------	------	------	------	------

Bridge Capital Construction

B1	Slater Road/Jordan Creek Bridge	250	0	250	250	0	0	0	0	0
B2	Marine Drive/Little Squalicum Bridge No.1	20	0	20	20	0	0	0	0	0
B3	Jackson Road/Terrell Creek/Bridge No. 81	220	0	220	100	120	0	0	0	0
B4	Mosquito Lake Road/Porter Creek/Bridge No. 141	5	0	5	0	0	5	0	0	0
B5	North Lake Samish Road/Bridge No. 107	500	0	500	400	100	0	0	0	0
B6	Hannegan Road/Ten Mile Creek Bridge No. 236	1,600	850	750	1,600	0	0	0	0	0
B7	Roberts Road/Anderson Creek/Bridge No. 249	1,850	1,246	604	1,850	0	0	0	0	0
B8	Massey Road/Sumas River/Bridge No. 291	210	0	210	210	0	0	0	0	0
B9	W. Badger Road/Bertrand Creek/Bridge No. 50	170	120	50	170	0	0	0	0	0
B10	Goshen Road/Anderson Creek/Bridge No. 248	20	0	20	0	0	20	0	0	0
B11	Slater Road/Nooksack River Bridge No. 512	20	0	20	0	0	0	20	0	0
B12	Martin Road/Anderson Creek/Bridge No. 250	5	0	5	0	0	0	0	5	0
B13	Loomis Trail Rd/Bertrand Cr. Trib Bridge No. 497	5	0	5	0	0	0	0	5	0
B14	Lenhart Rd/Saar Creek Bridge No. 329	5	0	5	0	0	0	0	0	0
B15	Salakanum Way/Anderson Creek Bridge No. 509	5	0	5	0	0	0	0	0	5

Ferry Capital Construction

F1	Refurbish/Upgrade of the Whatcom Chief	5	0	5	5	0	0	0	0	0
F2	Ferry Terminal Electrical Project	30	0	30	30	0	0	0	0	0
F3	Ferry Terminal Painting and Structural Repair	1,200	0	1,200	1,200	0	0	0	0	0
F4	Lummi Dolphin and Breakwater Replacement	150	120	30	150	0	0	0	0	0
F5	Replacement of Whatcom Chief & Docks	10	0	10	0	0	10	0	0	0

Yearly Capital Construction

Y1	Various Bridges Rehabilitation/Replacement	1,800	0	1,800	300	300	300	300	300	300
Y2	Right of Way Acquisition	180	0	180	50	50	20	20	20	20
Y3	Unanticipated Site Improvements	1,800	0	1,800	300	300	300	300	300	300
Y4	Stormwater Quality Improvements	345	0	345	100	50	50	50	50	45
Y5	Non-motorized Transportation Improvements	600	0	600	100	100	100	100	100	100
Y6	Fish Passage Project	250	0	250	0	50	50	50	50	50
Y7	Swift Creek Transportation Impacts	600	0	600	100	100	100	100	100	100
Y8	Railroad Crossing Improvements	120	0	120	20	20	20	20	20	20
Total		37,582	8,355	29,227	16,280	6,822	3,075	9,440	975	990

Birch Bay Drive and Pedestrian Facility CRP #907001

Construction Funding Year(s): 2017 / 2018 / 2019

Project Narrative:

This project is located parallel to Birch Bay Drive from Cedar Avenue to the mouth of Terrell Creek, in Sections 30 and 31, T40N, R1E, and Sections 24 and 25, T40N, R1W. This is a 1.58 mile separated berm with pathway to encourage pedestrian use along Birch Bay Drive to support safety and to protect the roadway from storm damage. In addition, the project will provide mitigation for both beach erosion and roadway protection. This project is listed **#R1** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Phase I of the Feasibility Study was completed in 2006. Phase 2A (Preliminary Construction Cost Estimate) was completed in 2007, and updated in spring of 2013. Preliminary Engineering began in late 2013, RW acquisition began in 2016 (95% complete), permitting is 85% complete, and construction is planned for 2017 / 2018 / 2019. Additional funding sources will be pursued as they become available.

Total Estimated Project Cost: \$11,450,000

Expenditures to Date: \$2,800,000

Funding Sources:

Federal	\$3,170,000 (STP and TAP)
State	\$0
Local	\$8,280,000

Environmental Permitting

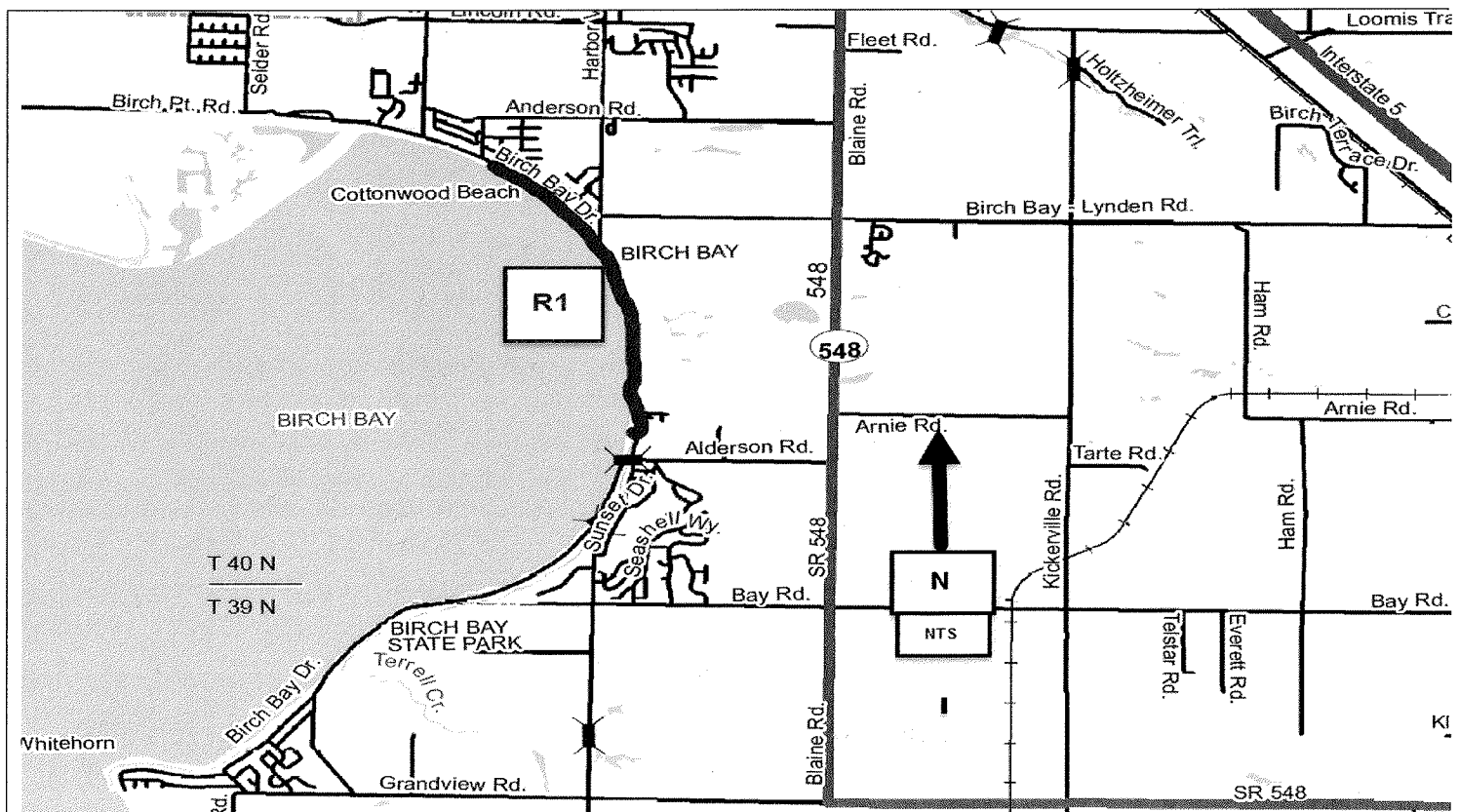
Whatcom County-Shorelines; WDFW-HPA, Army Corps of Engineers, DOE; Sec 404 Clean Water Act

Right-of-Way Acquisition (Estimate)

\$1,500,000

County Forces (Estimate)

N/A



Lake Whatcom Boulevard, Phase II Water Quality Improvements CRP # 915009

Construction Funding Year(s): 2023

Project Narrative:

This project is located approximately 1 mile east of Bellingham, in Sections 35 and 36, T38N, R3E. The work will involve drainage improvements and pedestrian improvements to a 1.3 mile section of Lk Whatcom Blvd between Cable Street and Strawberry Point, addressing stormwater quality issues. This project is listed **#R2** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Survey work with associated base map and R/W research began in 2015. Preliminary design will be initiated to evaluate R/W needs, permit requirements and overall project costs. Construction time frame will be contingent on addressing funding needs along with resolution of permitting and R/W issues.

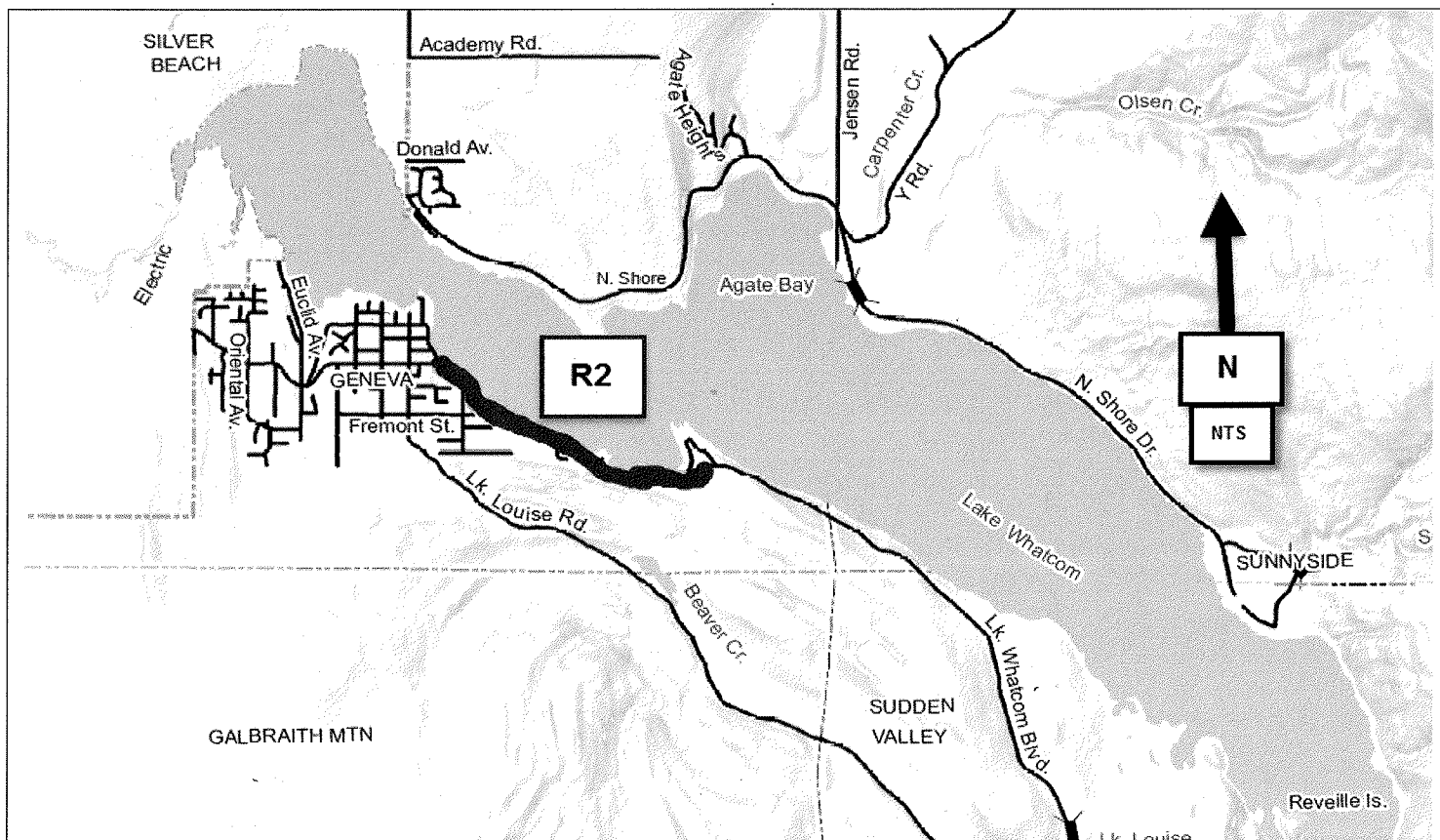
Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$ 55,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$100,000 (Grant funding will be sought)

Environmental Permitting	SEPA, CLR/CAO, Shorelines
Right-of-Way Acquisition (Estimate)	\$50,000
County Forces (Estimate)	\$10,000



Horton Road Northwest Drive to Aldrich Road CRP # 916002

Construction Funding Year(s): TBD

Project Narrative:

This new roadway project is located between Northwest Drive and Aldrich Road in Section 2 of T38N, R2E. The work involves a ½ mile of new roadway alignment and intersection with N.W. Drive, along with all the associated permitting, storm water and R/W issues. This project is listed **#R3** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Design, right-of-way, and permitting to begin in 2017 with Surface Transportation Program (STP) Grant awarded to Whatcom County and transferred to the City of Bellingham. An interlocal agreement is in place for the City of Bellingham to perform design of the project in coordination with their section of Horton Road construction. Construction schedule dependent upon funding agreements with City of Bellingham and other sources.

Total Estimated Project Cost: TBD

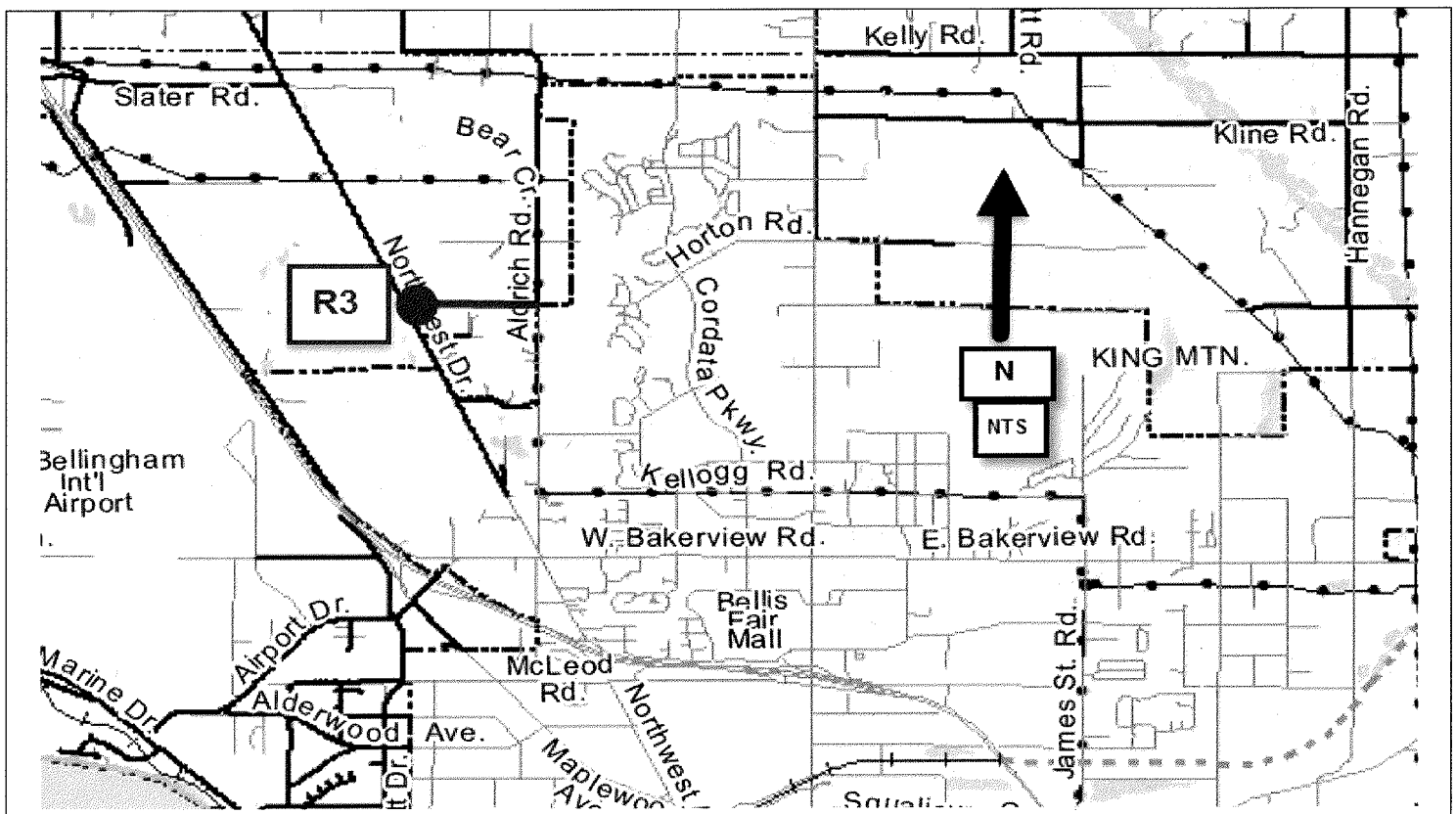
Expenditures to Date: \$5,000

***\$1,000,000 STBG Grant transferred to COB for design of county portion.**

Funding Sources:

Federal	\$0
State	(\$1,000,000)*
Local	\$157,000

Environmental Permitting	ECS, BA, SEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Slater Road and Northwest Drive CRP # 914001

Construction Funding Year(s): TBD

Project Narrative:

The intersection of Slater and Northwest Roads is in Section 2 of T38N, R2E. The intersection will be reconstructed to a 4-leg round-a-bout. Fish passage improvements will also be constructed on Bear Creek which passes underneath Slater Road at this location. This project is listed **#R4** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

\$21,000,000 in state funding available for this project and project #R5, Slater Road/I5 Interchange, in 7/2019. Design and permitting expected to take 3-4 years with construction in 2022 or 2023.

Total Estimated Project Cost: \$21,000,000*

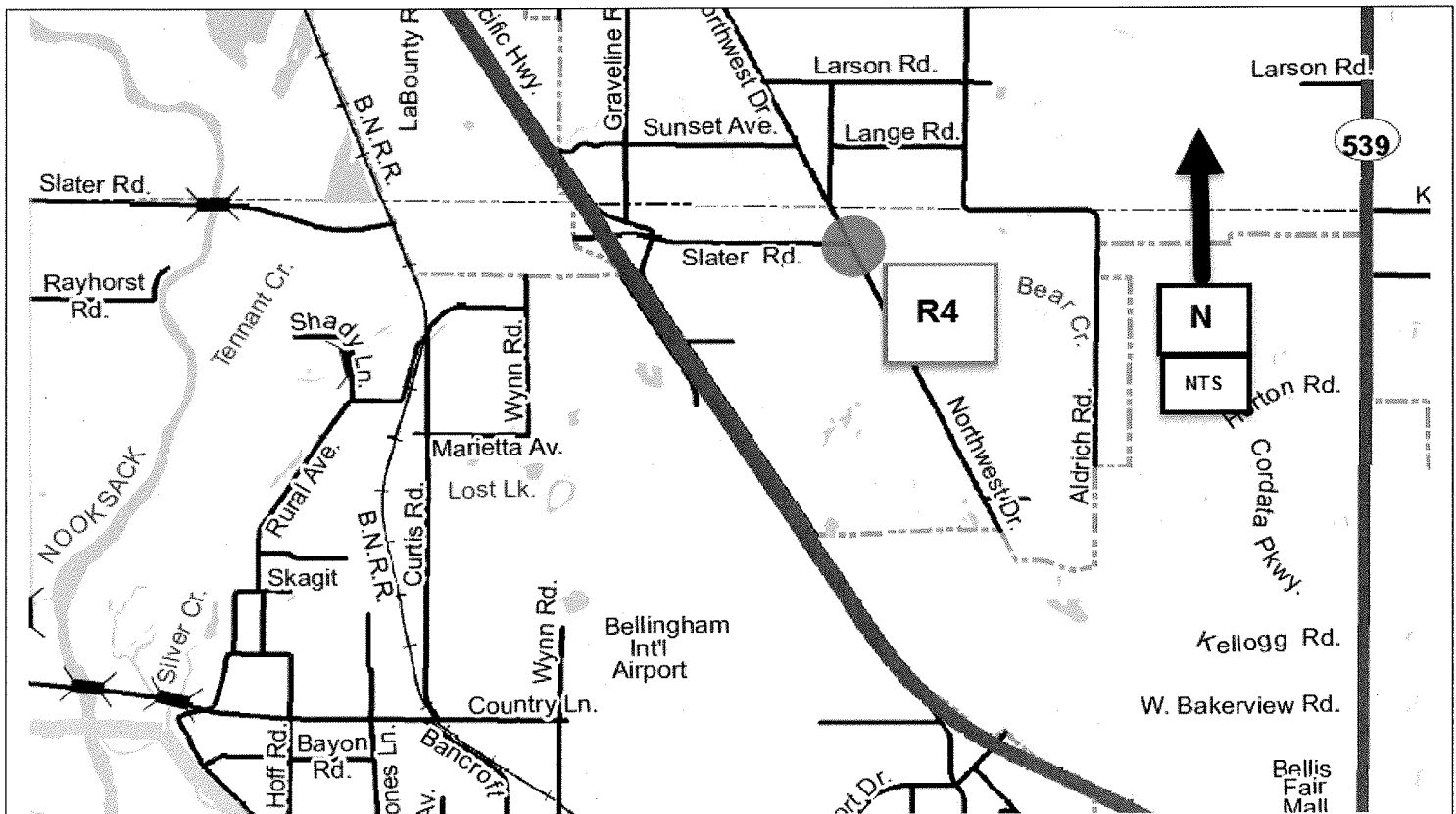
*Includes Project #5

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$21,000,000*
Local	\$50,000

Environmental Permitting	ECS, BA, SEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Slater Road I-5 Interchange CRP # 916003

Construction Funding Year(s): TBD

Project Narrative:

This project is located north of Bellingham in Section 3, T38N, R2E. This project will improve the interchange/intersection of Interstate 5 and Slater Road. This includes the intersection of Slater Road with Rural Road and Pacific Highway. This project is listed **#R5** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: \$21,000,000 available for this project and project #R4, Slater Road /Northwest, in 7/2019. Design and permitting expected to take 3-4 years with construction in 2022 or 2023.

Total Estimated Project Cost: \$21,000,000*
*Includes Project #4
Expenditures to Date: \$ 0

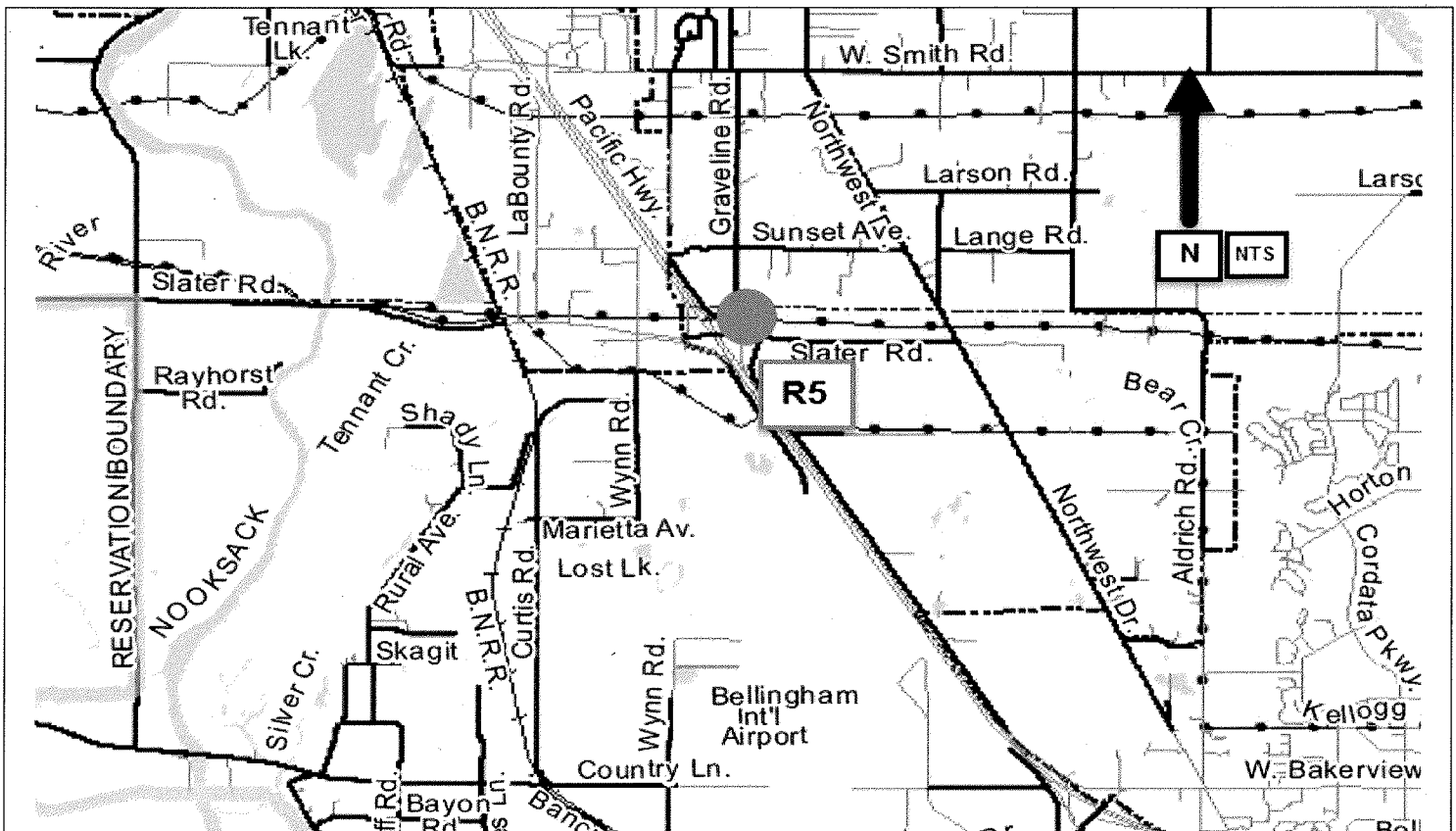
Funding Sources:

Federal	\$0
State	\$21,000,000*
Local	\$50,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Slater Road Northwest Drive to Aldrich CRP # 914012

Construction Funding Year(s): TBD

Project Narrative:

This new roadway project is located in Sections 1 and 2 of T38N, R2E. The work involves the construction of a new roadway between Northwest Drive and Aldrich Drive as well as construction of a round-a-bout at the new intersection of Northwest Drive and Aldrich Road. This project is listed **#R6** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Design, permitting, right-of-way and construction dependent upon funding agreements with the City of Bellingham and other sources.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

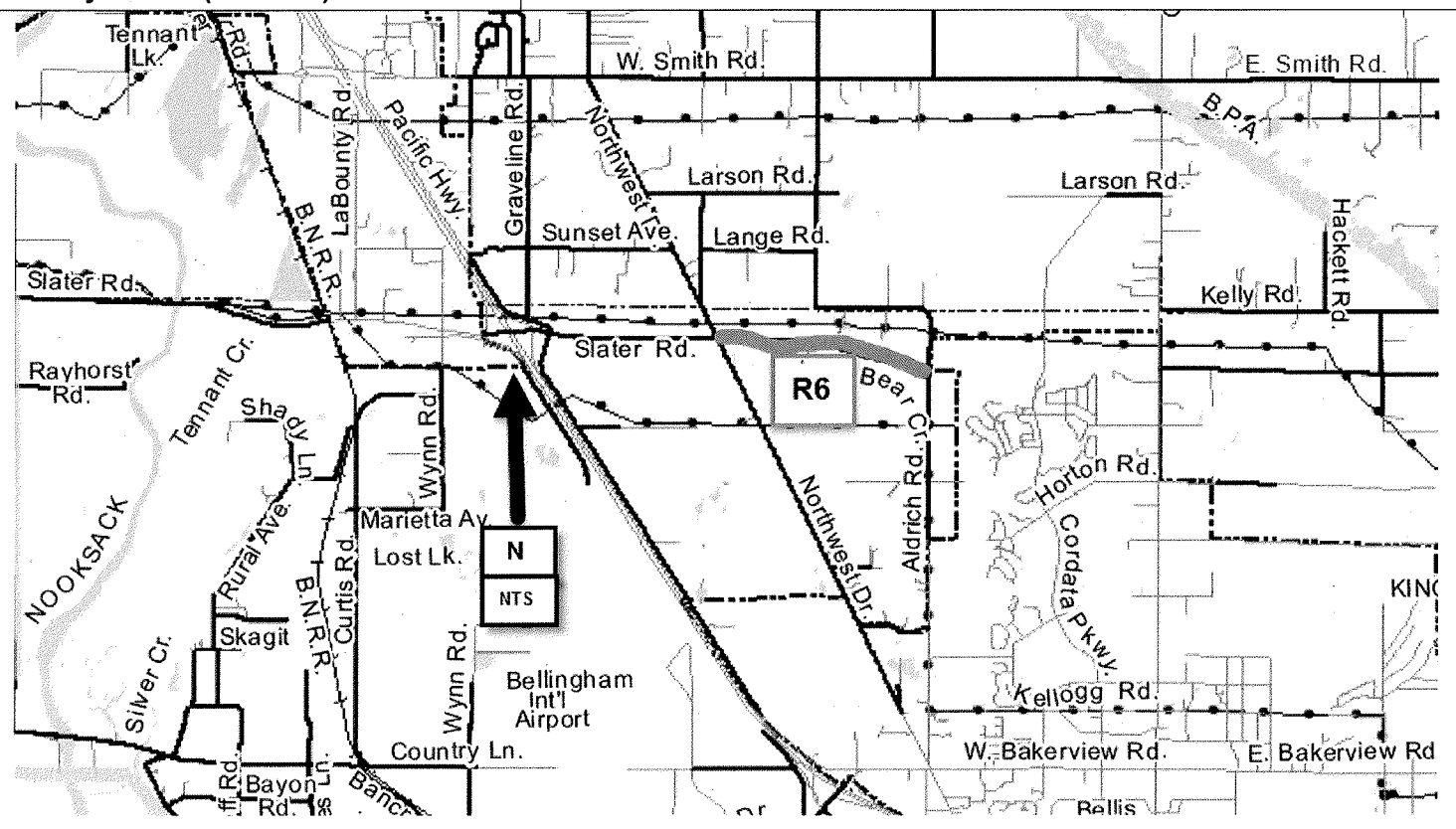
Funding Sources:

Federal	\$0
State	\$0
Local	\$50,000

Environmental Permitting ECS, BA, SEPA, CLR/CAO, Corps of Engrs

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A



Smith Road & Northwest Drive

CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project is located in Section 27 & 34 of T39N, R2E. The work involves intersection improvements that will likely be a roundabout or traffic signal at the current 4-way stop. This project will also require drainage upgrades and R/W acquisition, and is dependent on the NW Annex building being demolished at a future date. This project is listed **#R7** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: The project is currently being scoped.

Total Estimated Project Cost: TBD

Expenditures to Date: \$ 0

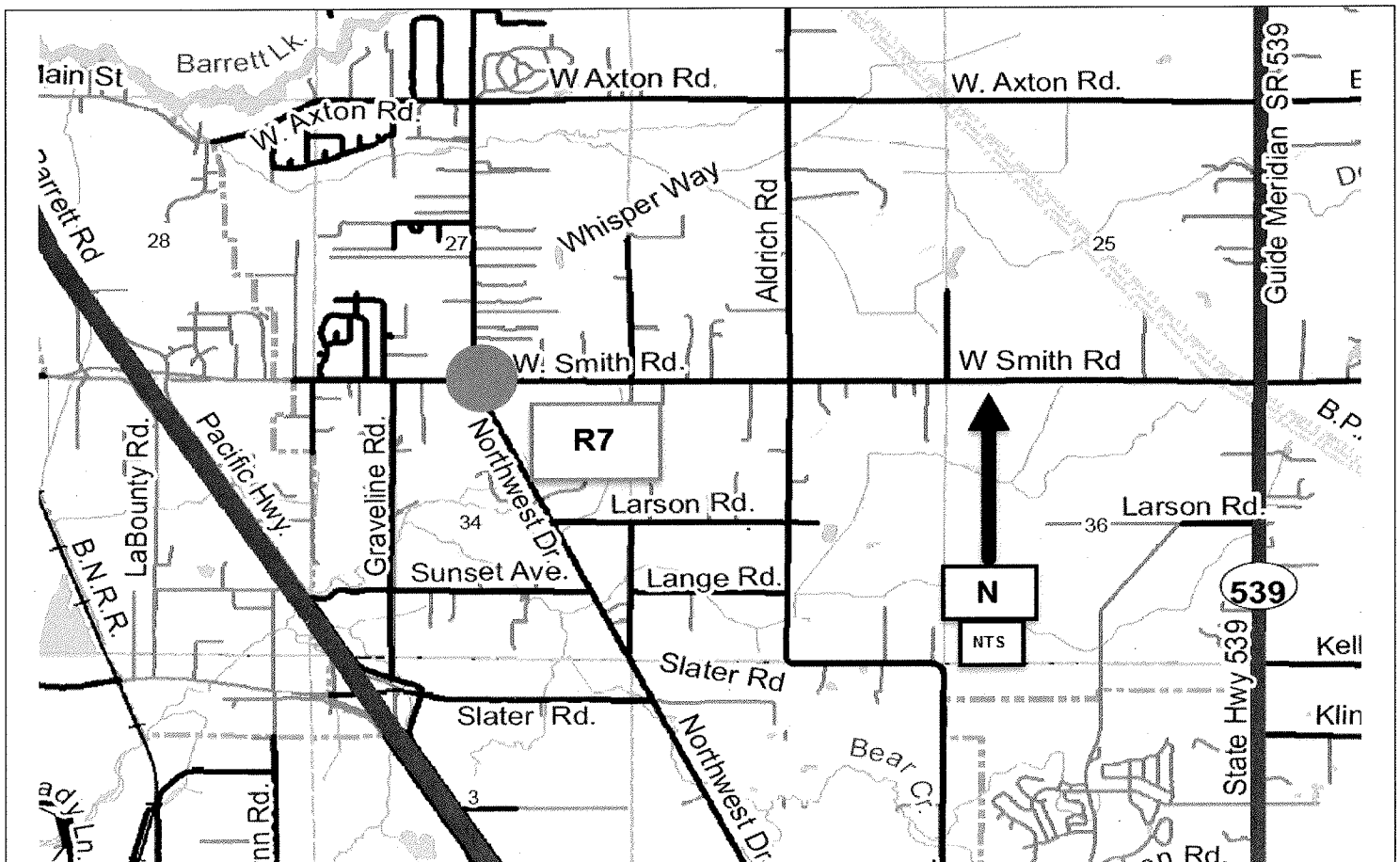
Funding Sources:

Federal	\$ 0
State	\$ 0
Local	\$5,000 (Grant funds to be sought)

Environmental Permitting: TBD

Right-of-Way Acquisition (Estimate): TBD

County Forces (Estimate): TBD



Roadway Frost Depth Detectors CRP # 913014

Construction Funding Year(s): 2019

Project Narrative:

This item provides funding to address replacement of the County's aging network of roadway frost depth detectors. These detectors are critical for implementing appropriate roadway restrictions to prevent structural damage following periods of deep frost. It is listed **#R8** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design began in 2017. Construction scheduled for 2018.

Total Estimated Project Cost: \$350,000

Expenditures to Date: \$30,000

Funding Sources:

Federal	\$
State	\$
Local	\$320,000

Environmental Permitting	TBD
---------------------------------	-----

Right-of-Way Acquisition (Estimate)	TBD
--	-----

County Forces (Estimate)	TBD
---------------------------------	-----

Due to the nature of this item, no map exists. Location of the new roadway frost depth detectors will be determined in 2018.

**Bennett Drive, Marine Dr. to West Bakerview Rd.
CRP # 916005**

Construction Funding Year(s): 2018

Project Narrative: This road project is located in Sections 14 & 23, T38N, R2E. This project will consist of resurfacing Bennett Drive from Marine Drive to West Bakerview Road. Additionally, all curb ramps will be upgraded to current ADA (Americans with Disabilities Act) standards, signalized crosswalks will be evaluated at safe routes to school, and the roadway will be re-channelized to create bike lanes in both directions. This project is listed as **#R9** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Design began in 2016 and will continue along with R/W through 2017. Outreach and coordination with City of Bellingham and Bicycle Pedestrian Advisory Committee in 2016 and Community Meeting in 2017. Construction is anticipated for 2018.

Total Estimated Project Cost: \$1,460,000

Expenditures to Date: \$60,000

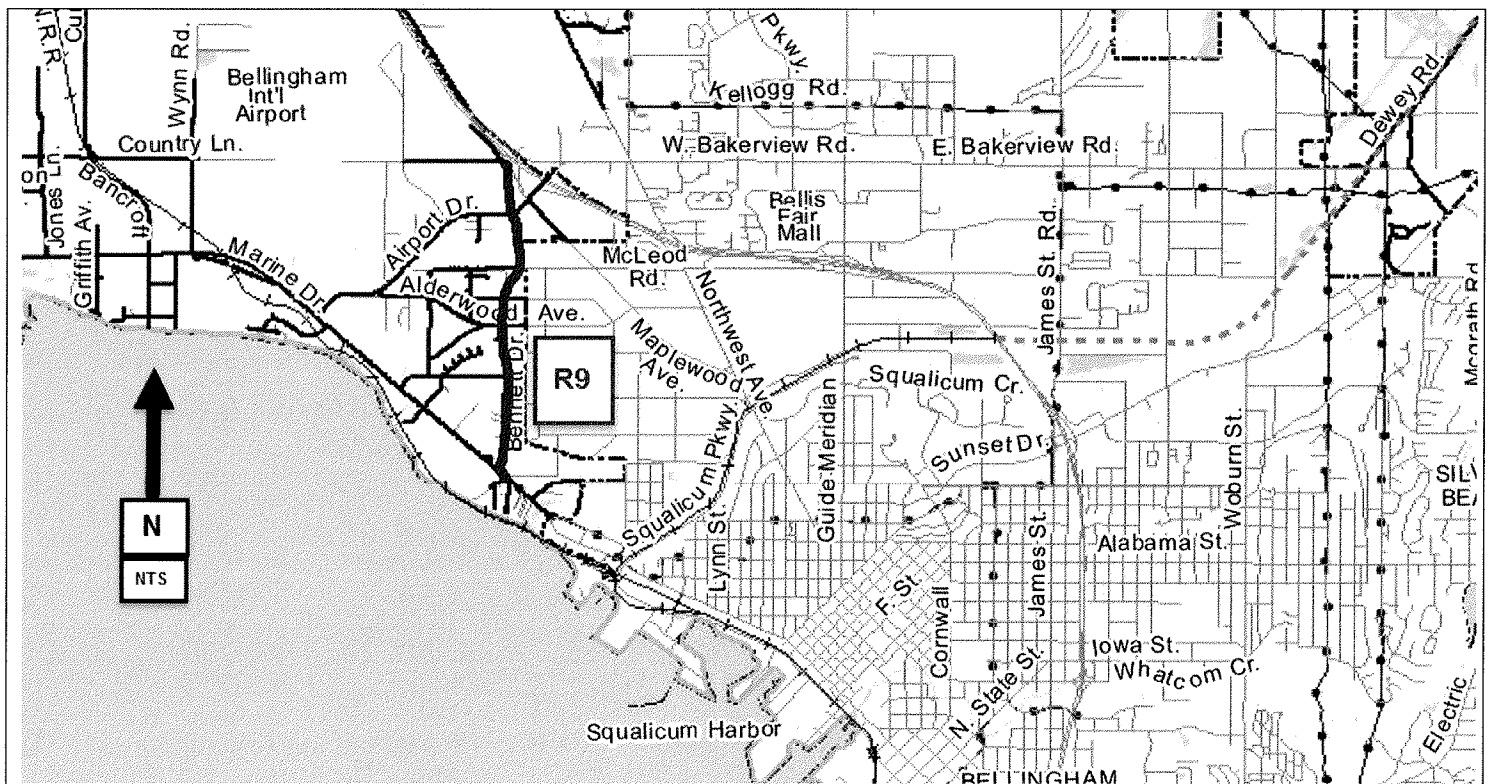
Funding Sources:

Federal	
State	
Local	\$1,400,000

Environmental Permitting N/A

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A



Marine Drive Locust Avenue to Alderwood Avenue Reconstruction and Bike/Ped Facilities CRP # 917001

Construction Funding Year(s): 2021

Project Narrative:

This Marine Drive project is located between McAlpine Road and Alderwood Avenue in Section 15 of T38N, R2E. The work involves reconstruction of approximately ½ mile of roadway with emphasis on bike/pedestrian and stormwater quality enhancements. This project is listed **#R10** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Survey completed and design initiated in 2017.

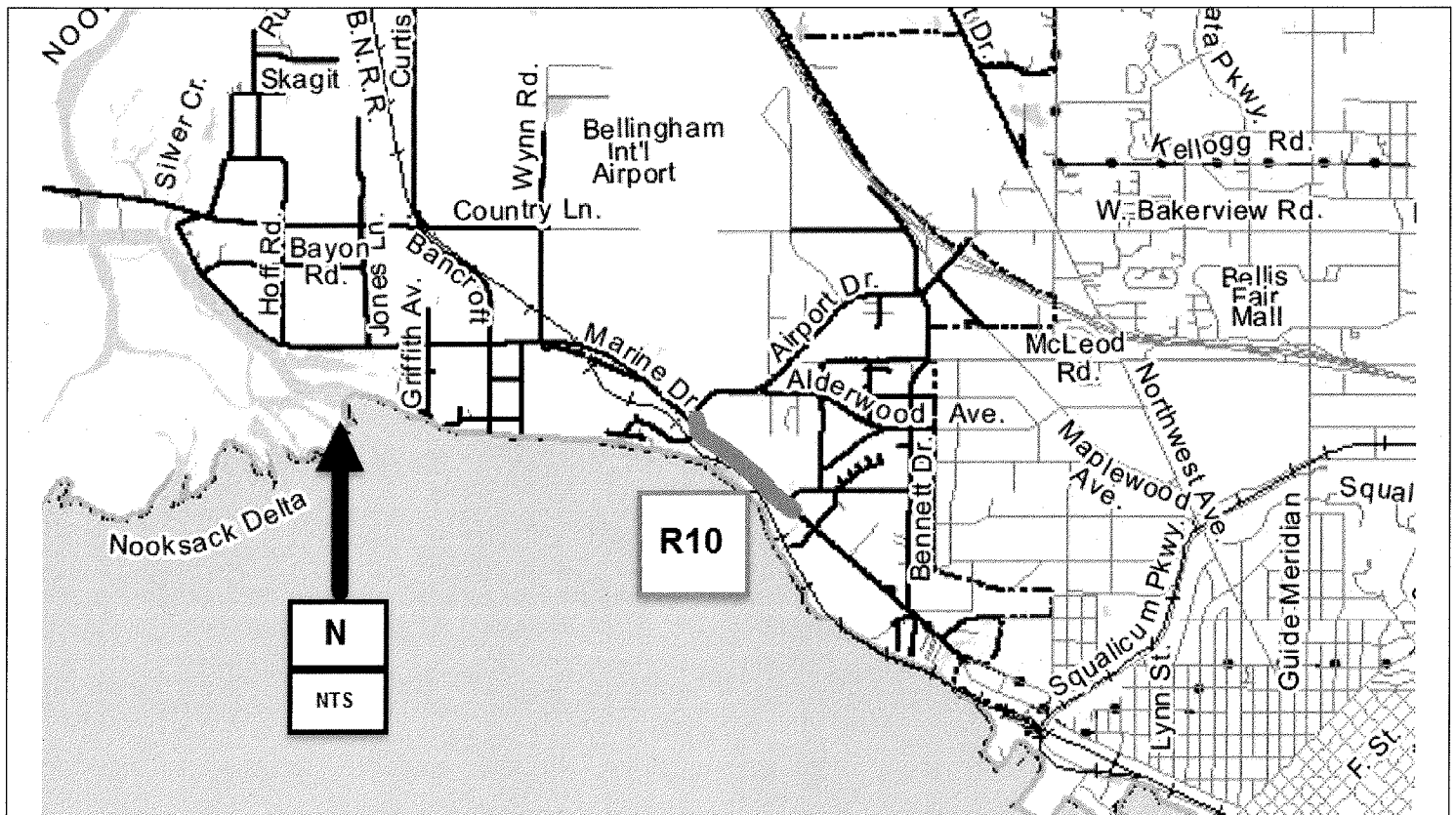
Total Estimated Project Cost: \$3,025,000

Expenditures to Date: \$35,000

Funding Sources:

Federal	\$1,509,000 (STBG) Available in 2021
State	\$0
Local	\$1,516,000

Environmental Permitting	ECS, BA, SEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Lummi View Drive Bank Stabilization CRP # 908001

Construction Funding Year(s): TBD

Project Narrative:

This project is located in Section 2, T37N, R1E. This project will consist of repair and stabilization of a ocean bluff failure that threatens a section of Lummi View Drive. This project is listed **#R11** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Survey and preliminary cost scoping to be performed in 2018.

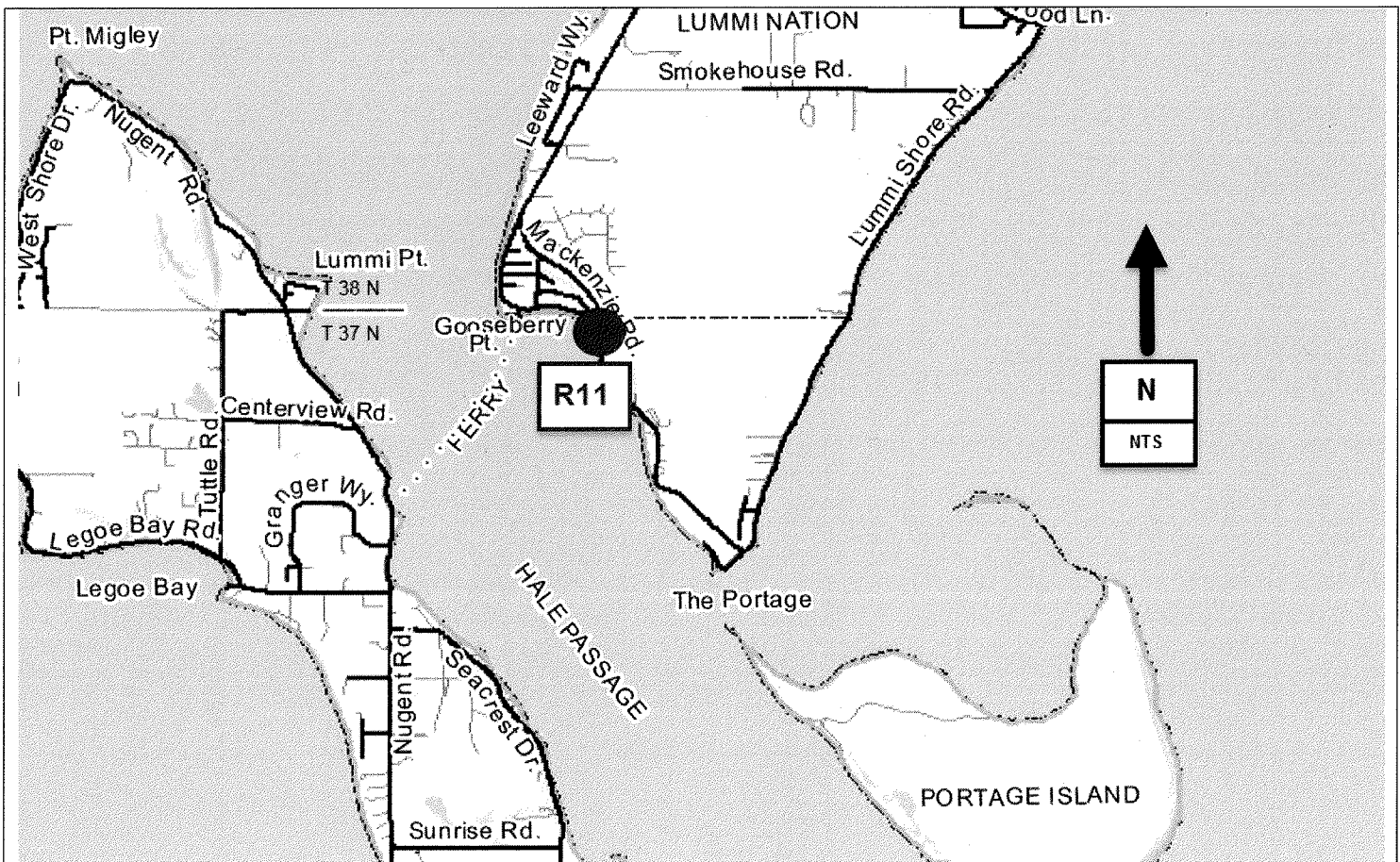
Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$2,500

Funding Sources:

Federal	\$0
State	\$
Local	\$30,000

Environmental Permitting	SEPA, CLR/CAO
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



North Shore Road Bellingham City Limits to Y Road CRP # 902007

Construction Funding Year(s): TBD

Project Narrative:

This project is located in Sections 25 and 26, T38N, R3E. The work will involve improvements to a 2.87 mile section of the North Shore Road from the Bellingham City Limits to 'Y' Road, including: various improvements to address horizontal and vertical alignment deficiencies; spot safety upgrades, and stormwater quality treatment. This project is listed **#R12** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Preliminary design and construction time frames will be contingent on resolution of funding needs, along with permitting and R/W issues associated with the final selected sites.

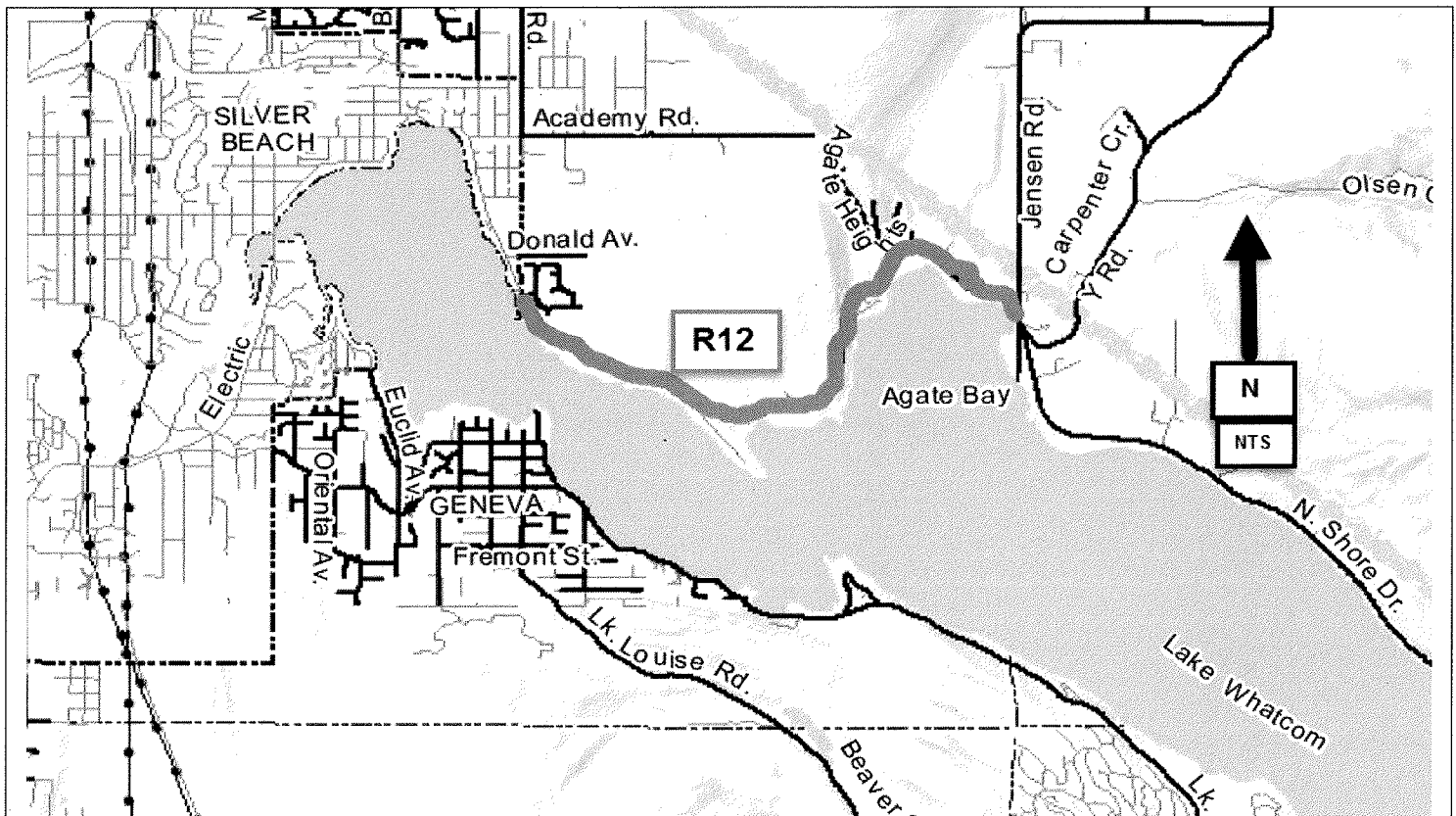
Total Estimated Project Cost: TBD

Expenditures to Date: \$ 0

Funding Sources:

Federal	\$0
State	\$0
Local	\$10,000 (Grant funding will be sought)

Environmental Permitting	SEPA, CLR/CAO, Shorelines
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Lummi Nation Transportation Projects CRP #912017

Construction Funding Year(s): 2018

Project Narrative:

The Lummi Nation Transportation Projects is located in Section 2, T37N, R1E and Section 34, T38N, R1E. This work, in fulfillment of the ferry lease obligation, involves the construction of transportation improvement projects in accordance with Exhibit C of the October 27, 2011 Uplands Lease Agreement for Lummi Island Ferry Use at Gooseberry Point. This project is listed **#R13** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Projects funds will be available for expenditure when funds of equal or greater value are matched by the Lummi Nation.

Total Estimated Project Cost: \$4,000,000

Expenditures to Date: \$2,000,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$2,000,000

Environmental Permitting N/A

Right-of-Way Acquisition (Estimate) N/A

County Forces (Estimate) N/A

Due to the nature of this item, no map exists. Location of the new transportation projects will be determined in 2017.

Point Roberts Transportation Improvements CRP # 910002

Construction Funding Year(s): 2018

Project Narrative:

Point Roberts is located in T40N and T41N, R3W. The proposed improvements would be specific to area needs and the development of projects to be funded by the Pt. Roberts Transportation Benefit District. This project is listed **#R14** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Public Works has assigned staff working with the Point Roberts Transportation Benefit District Advisory Committee to coordinate project evaluation, selection, and development.

Total Estimated Project Cost: \$150,000

Expenditures to Date: \$0

Funding Sources:

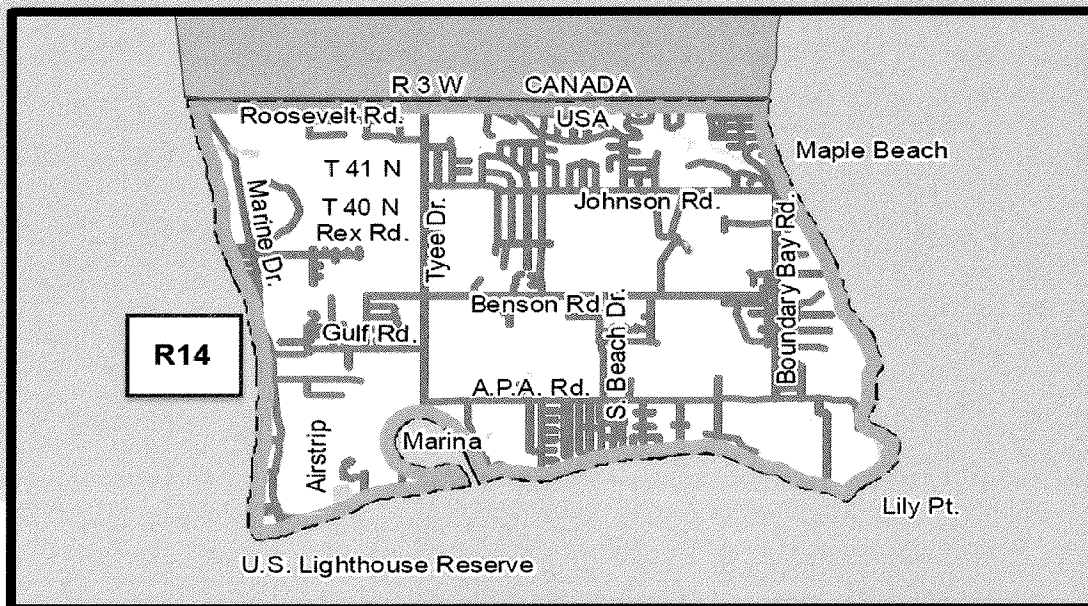
Federal	\$0
State	\$0
Local	\$150,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD

Point Roberts



**Slater Road/Haxton Way
CRP # 917002**

Construction Funding Year(s): TBD

Project Narrative: This project is located on Slater Road in Section 36, T39N, R1E. The project is to improve the intersection, thru location of a dedicated left hand turn signal, pavement, drainage, signing, and striping improvements. This project is listed **#R15** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: The County has selecting a traffic design consultant for the design of a protected left hand turn for both legs of Slater Road. Additional preliminary engineering for pavement design is anticipated for 2018.

Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$ 5,000

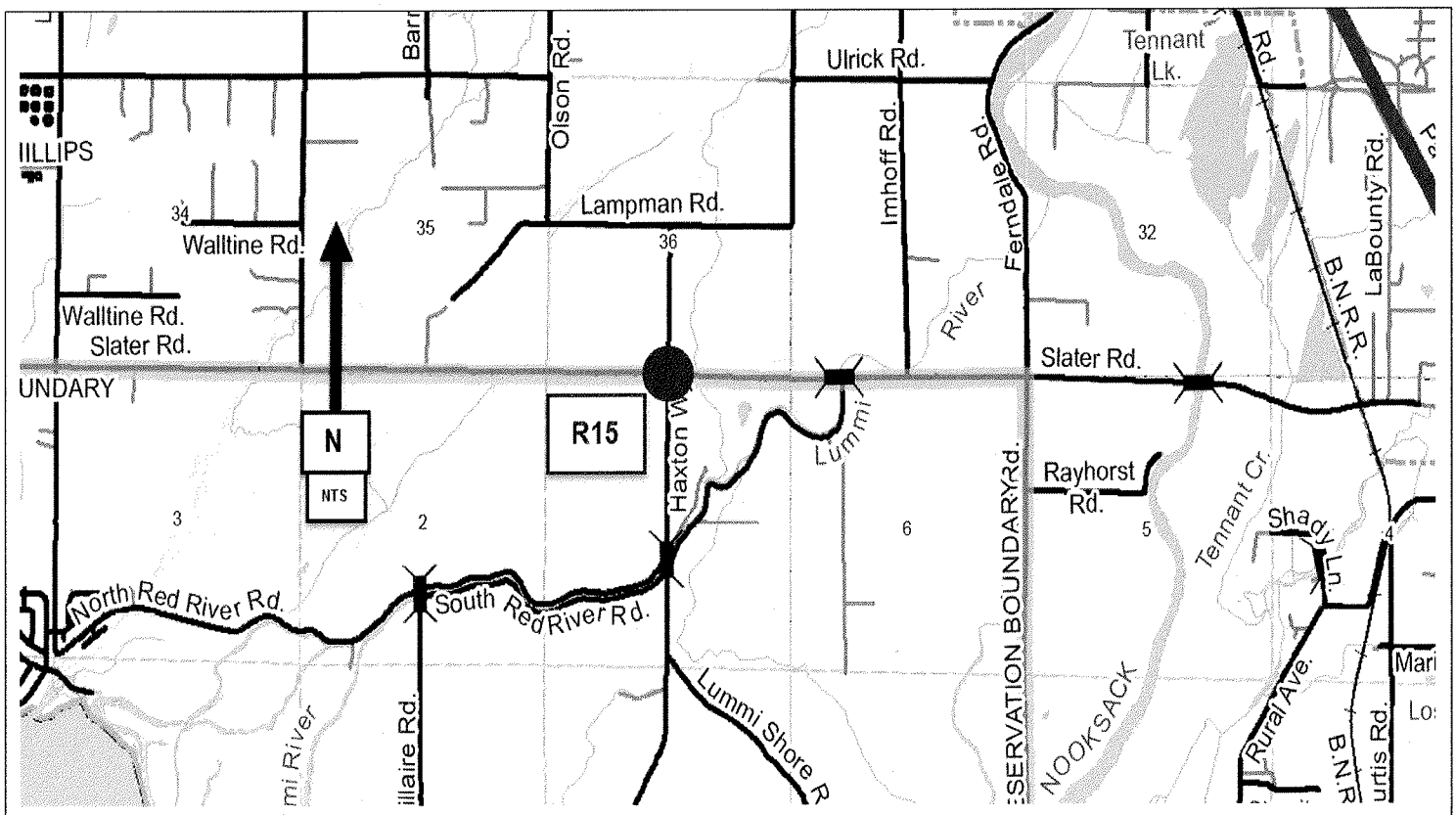
Funding Sources:

Federal	
State	
Local	\$70,000

Environmental Permitting HPA, SEPA, Sec 404, NEPA

Right-of-Way Acquisition (Estimate) \$ TBD

County Forces (Estimate) TBD



East Smith Road Everson-Goshen Road to SR 542 CRP # 916006

Construction Funding Year(s): 2021

Project Narrative:

This East Smith Road project is located between Everson-Goshen Road and State Route 542 in Section 25 of T39N, R3E and Sections 28, 29, 30 T39N, R4E. The work will involve the pavement rehabilitation of approximately 3.25 miles of roadway. This project is listed **#R16** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Design, permitting and construction to be completed in 2021. Design and Construction is anticipated for 2021

Total Estimated Project Cost: \$1,450,000

Expenditures to Date: \$1,600

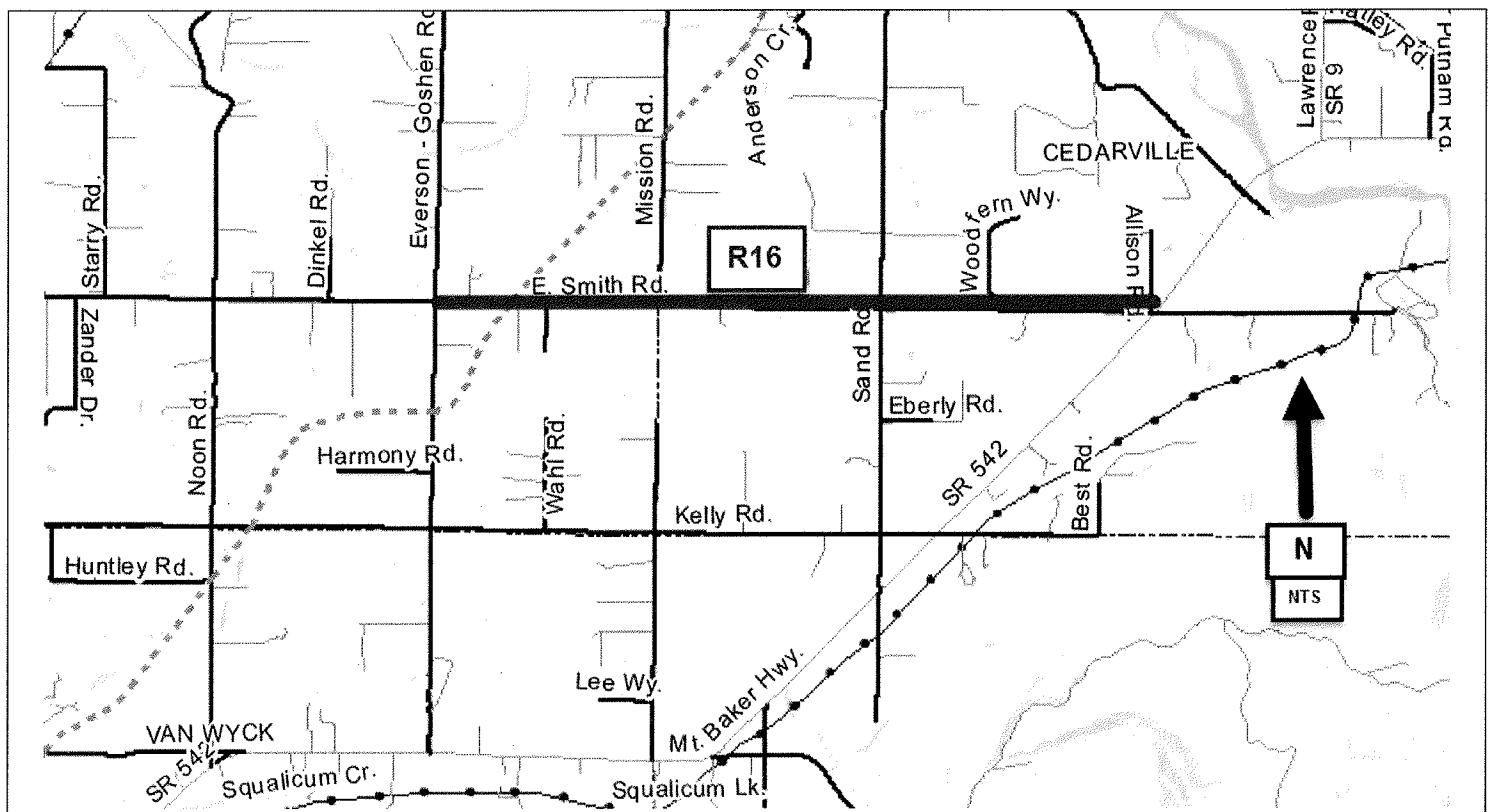
Funding Sources:

Federal	
State	\$1,000,000 (RATA)
Local	\$450,000

Environmental Permitting SEPA, ESA

Right-of-Way Acquisition (Estimate) N/A

County Forces (Estimate) N/A



East Smith Road & Hannegan Road CRP # 914002

Construction Funding Year(s): TBD

Project Narrative:

The intersection of East Smith and Hannegan Roads is located in Sections 28, 29, 32 and 33, T39N, R3E. This project is listed **#R17** on the 2018-2023 Six-Year Transportation Improvement Program. This intersection currently experiences delays due to the lack of left-turn channelization on Smith Road. The first phase of this project is to analyze a range of solutions as well as their associated benefits, limitations, and costs.

Project Status:

Traffic counts and warrants completed with an associated 'Alternatives Analysis' in 2014. Traffic study to begin fall of 2017 to determine intersection design feasibility.

Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$14,000

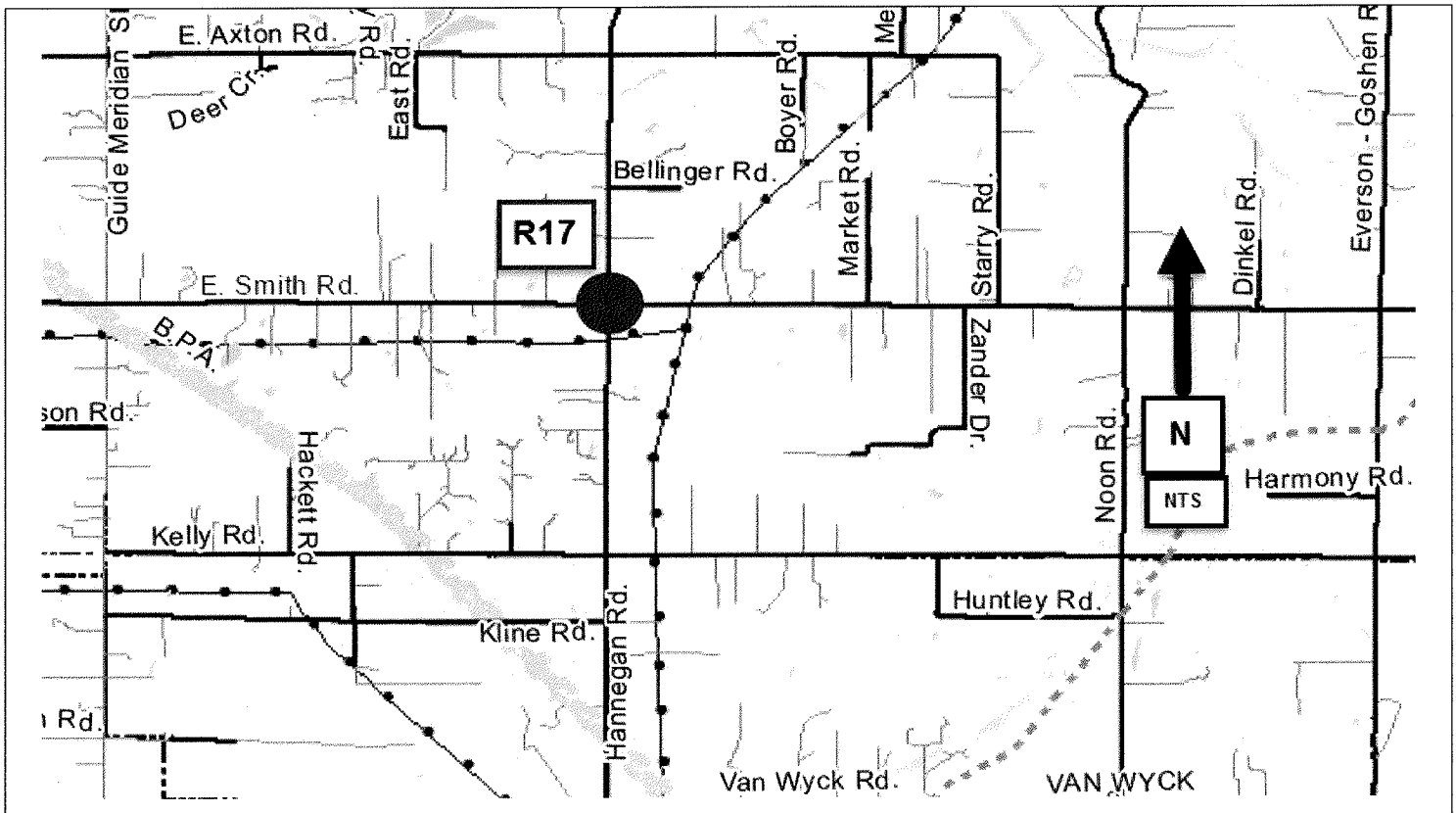
Funding Sources:

Federal	\$1,000,000 STBG available in 2021
State	\$
Local	\$150,000 (in 2018)

Environmental Permitting	SEPA, ESA
---------------------------------	-----------

Right-of-Way Acquisition (Estimate)	N/A
--	-----

County Forces (Estimate)	N/A
---------------------------------	-----



Guardrail Safety Program CRP # Not Assigned

Construction Funding Year(s): 2018

Project Narrative:

This item provides funding to install guardrail as safety measures throughout the County at locations fitting criteria detailed in the grant application. These improvements will decrease run off the road and struck fixed object type of accidents. It is listed **#R18** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Grant applied for in spring 2017. Funding availability will be known fall 2017. If funds available construction scheduled for 2018.

Total Estimated Project Cost: \$910,000

Expenditures to Date: \$0

Funding Sources:

Federal	\$910,000
State	\$
Local	\$ TBD

Environmental Permitting	Shorelines
---------------------------------	------------

Right-of-Way Acquisition (Estimate)	TBD
--	-----

County Forces (Estimate)	TBD
---------------------------------	-----

Due to the nature of this item, no map exists. Location of the new guardrails will be determined in 2018.

Birch Bay Drive – Jackson Rd. to Shintaffer Rd. CRP #Not Assigned

Construction Funding Year(s): 2020

Project Narrative:

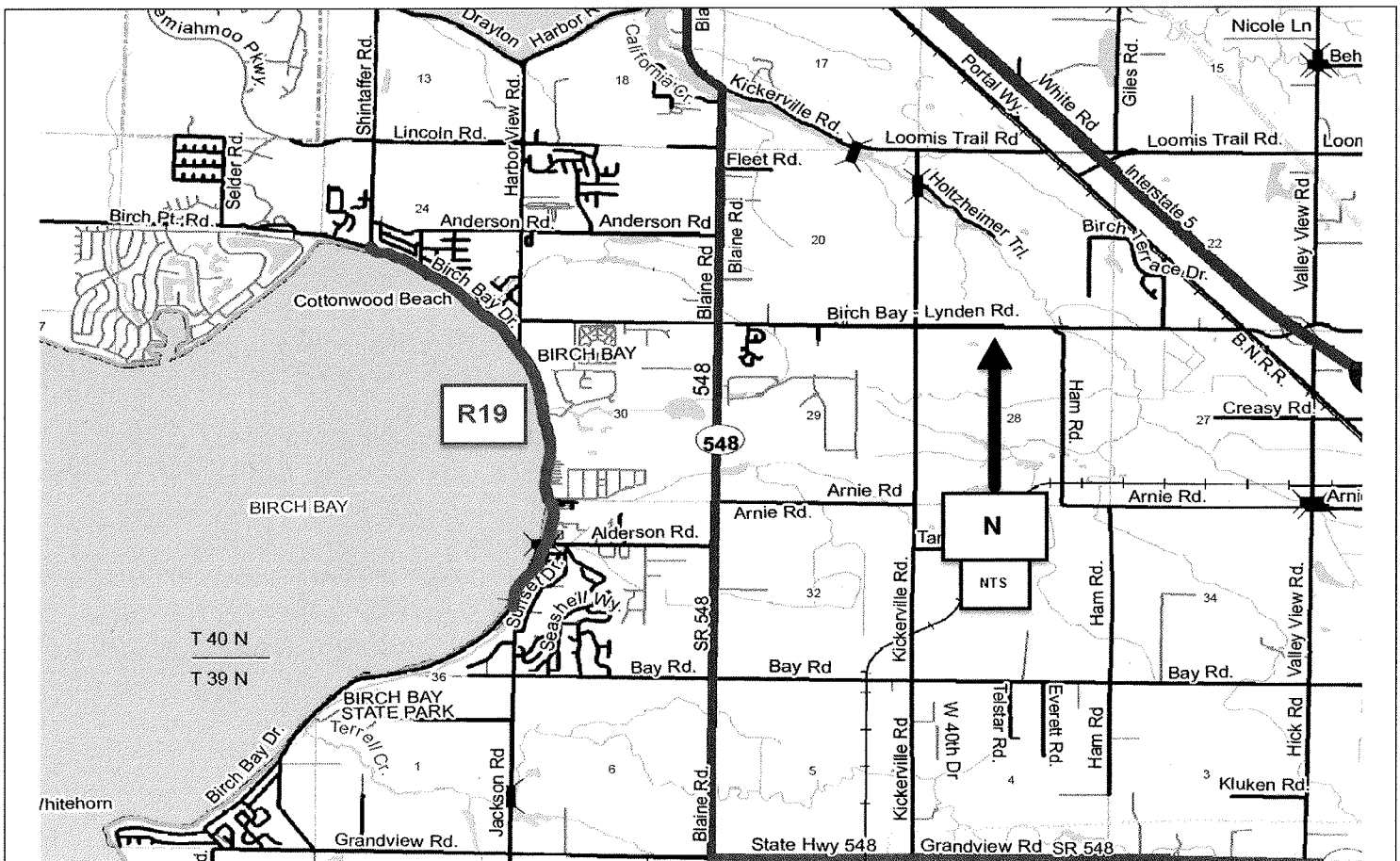
This project is located in Sections 24, 30, and 31 of T40N, R1E. The work involves pavement rehabilitation of approximately 2.5 miles of roadway through a grind/repave operation. This project is listed **#R19** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Project design and construction will closely follow the Birch Bay Drive & Pedestrian Facility project to rehabilitate Birch Bay Drive after the soft shore berm construction activities. Additional funding sources will be pursued as they become available.

Total Estimated Project Cost: \$1,170,000		Funding Sources:	
Expenditures to Date: \$ 0		Federal	\$ 0
		State	\$ 0
		Local	\$1,170,000

Environmental Permitting	SEPA, CLR/CAO, Shorelines
Right-of-Way Acquisition (Estimate)	\$0
County Forces (Estimate)	TBD



Turkington Road/Jones Creek CRP # 915013

Construction Funding Year(s): TBD

Project Narrative:

This project is located in Sections 7, T37N, R5E. This work involves completing design of road and bridge modifications in this area in coordination with a debris flow berm project being developed by the River and Flood Division. The project is listed **#R20** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Alternate analysis work is underway by the River & Flood Division.

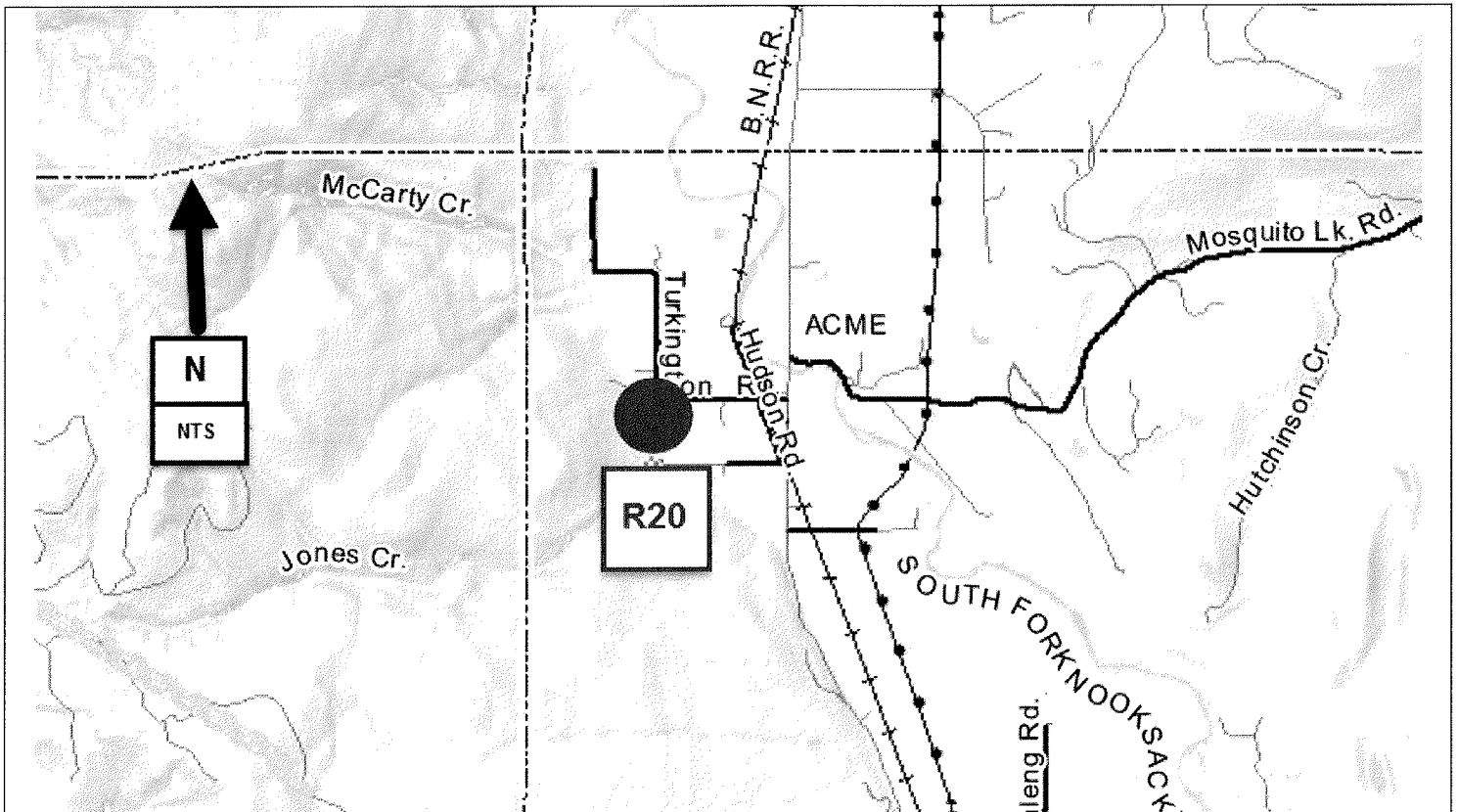
Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$0
Local	\$500,000

Environmental Permitting	BA, HPA, SEPA, Corps of Engrs, CLR/CAO, Shorelines, DNR
Right-of-Way Acquisition (Estimate)	\$50,000
County Forces (Estimate)	N/A



**Lincoln Road II
Harborview Road to SR 548(Blaine Road)
Reconstruction and New Alignment
CRP # 908011**

Construction Funding Year(s): TBD

Project Narrative:

This Lincoln Road project, from Harborview Road to SR 548 (Blaine Rd), is located in Sections 18 and 19 of T40N, R1E. The work involves improvements to a 1 mile section that includes road reconstruction, new roadway alignment, safety upgrades, and storm water quality and quantity treatment. This project is listed **#R21** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Design, permitting, R/W and construction time frames would be contingent on availability of addition grant monies to fund the project, as well as resolution of some key acquisition, WSDOT access and wetland mitigation issues.

Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$0

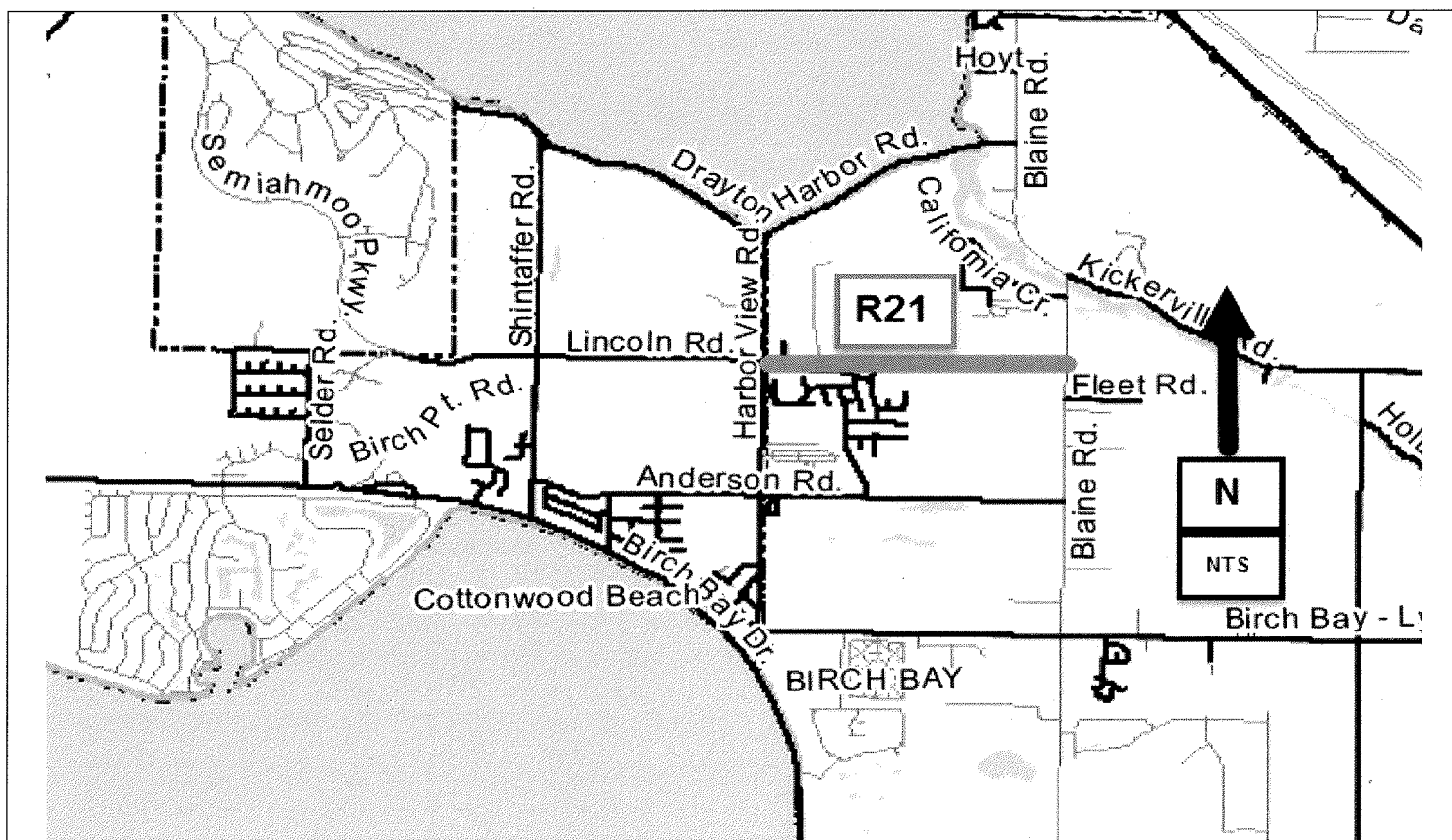
Funding Sources:

Federal	\$0
State	\$0
Local	\$5,000

Environmental Permitting ECS, BA, SEPA, CLR/CAO, Corps of Engrs

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A



Marine Drive II Alderwood Avenue to Bridge No. 172 Reconstruction and Bike/Ped Facilities CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This Marine Drive project is located between Alderwood Avenue and Bridge No. 172 in Sections 15 of T38N, R2E. The work involves reconstruction of approximately ½ mile of roadway with emphasis on bike/pedestrian enhancements. This project is listed **#R22** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Design, permitting, R/W and construction time frames would be contingent on availability of addition grant monies to fund the project.

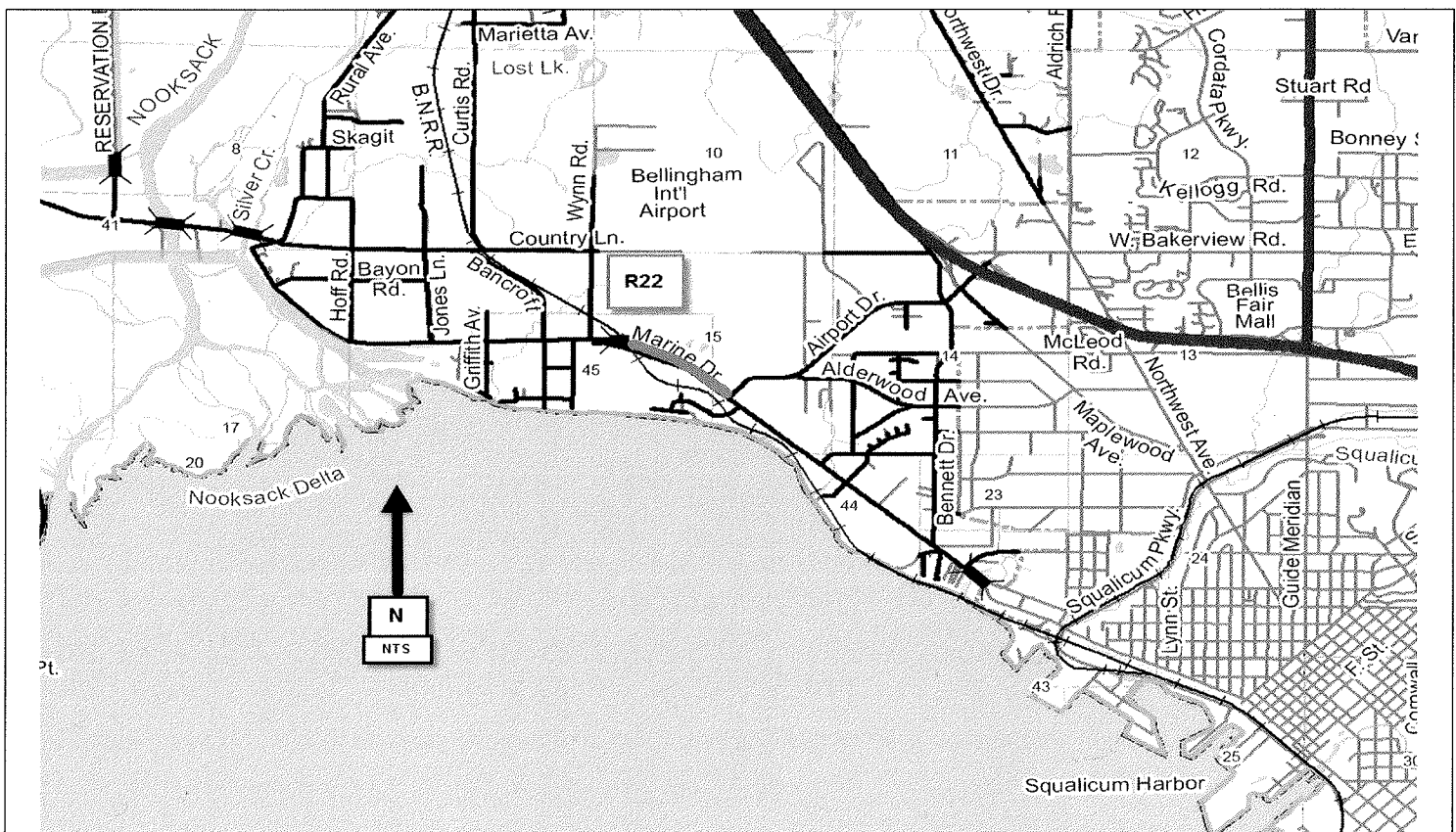
Total Estimated Project Cost: TBD

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$0
Local	\$5,000

Environmental Permitting	ECS, BA, SEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Hemmi Road Flood Mitigation CRP # 916007

Construction Funding Year(s): TBD

Project Narrative:

This Hemmi Road Flood Mitigation project is located on Hemmi Road approximately a half mile east of Hannegan Road, located in Section 16 and 21 of T39N, R3E. Hemmi Road is submerged several months of the year at this location. This project is listed **#R23** on the 2018-2023 Six-Year Transportation Improvement Program.

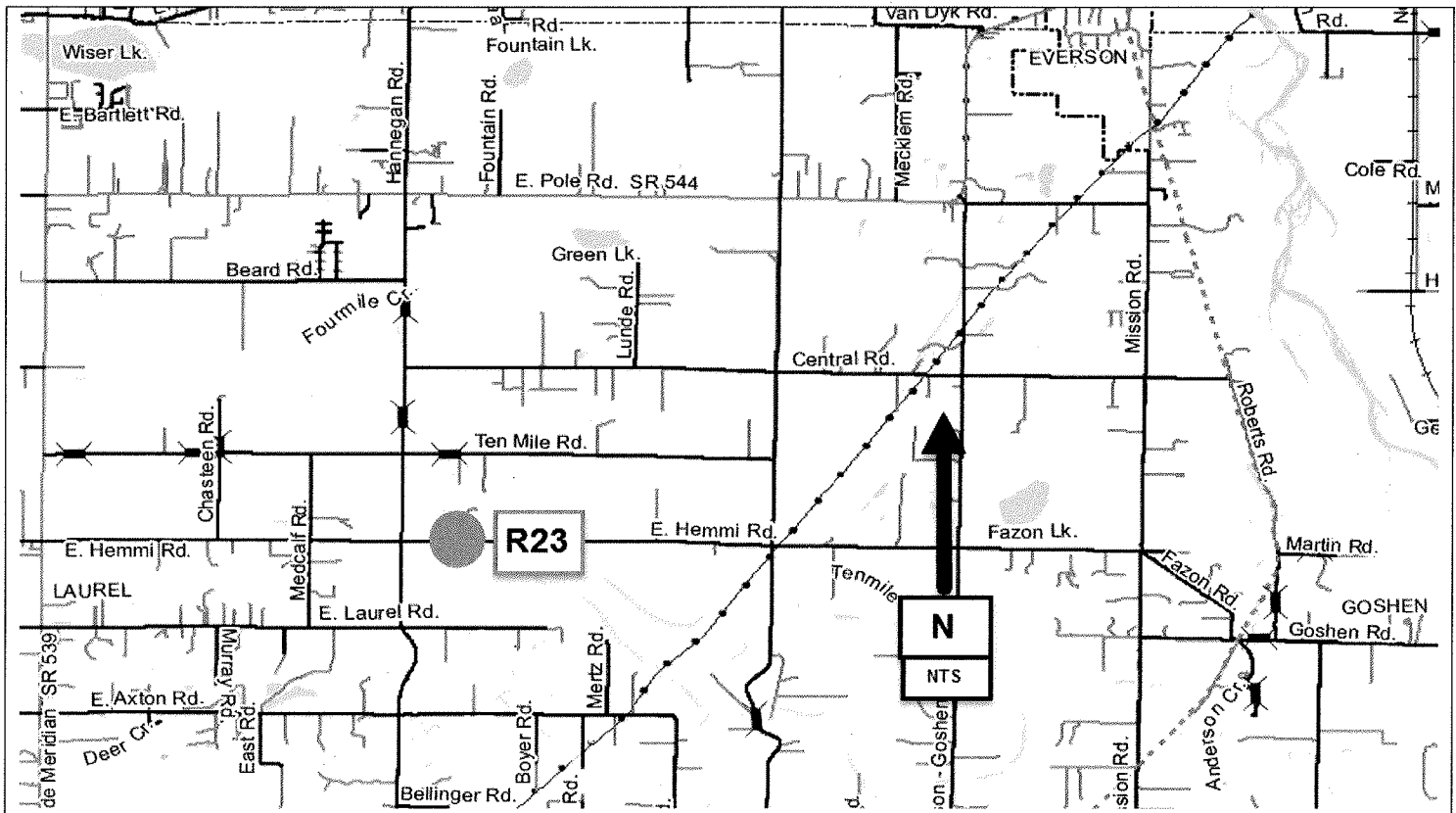
Project Status: Preliminary engineering and alternatives analysis work began in 2016 and is expected to be completed in early 2017.

Total Estimated Project Cost: TBD
Expenditures to Date: \$70,000

Funding Sources:

Federal	
State	
Local	\$250,000

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Innis Creek Road CRP # 915014

Construction Funding Year(s): TBD

Project Narrative:

This project is located northeast of Wickersham in Section 29, T37N, R5E. The work involves raising a quarter mile section of Innis Creek Road to mitigate flooding issues. This project is listed **#R24** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

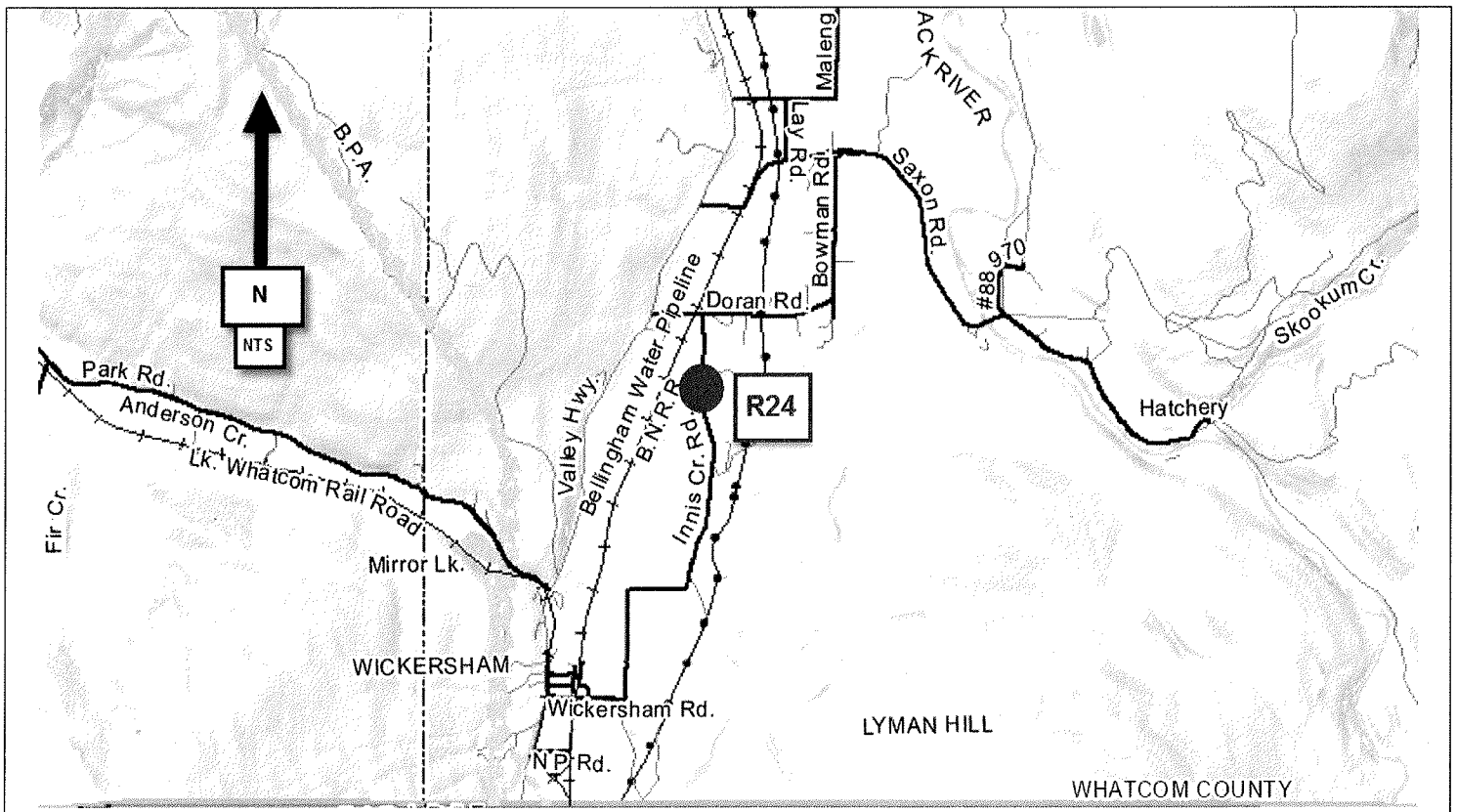
Preliminary design and permitting work is underway with alternatives and associated costs to be developed in 2018.

Total Estimated Project Cost: TBD
Expenditures to Date: \$ 40,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$10,000

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Larrabee Road Flood Prevention CRP # 914003

Construction Funding Year(s): TBD

Project Narrative:

This project is located near the Bellingham city limits in Section 11, T38N, R2E. This is a project to provide fish passage, restore habitat, and reduce chronic flooding along a tributary to Bear Creek. This project is listed **#R25** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Project site is monitored routinely. Project scoping and design scheduled to begin in 2017 pending results of the ongoing monitoring program.

Total Estimated Project Cost: TBD

Expenditures to Date: \$ 0

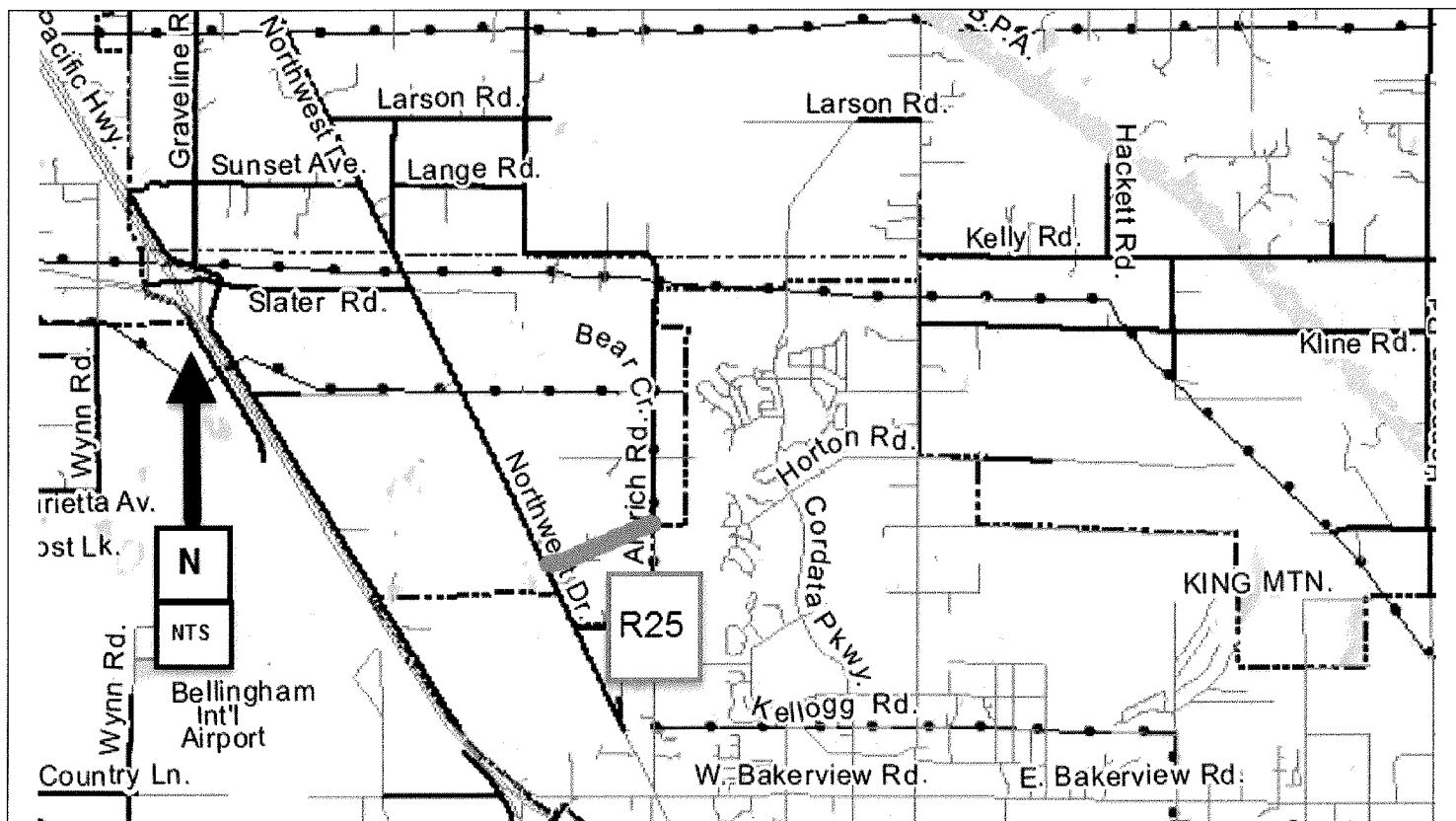
Funding Sources:

Federal	\$
State	\$
Local	\$5,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



**Lakeway Drive Corridor
Preliminary Engineering Study
CRP # Not Assigned**

Construction Funding Year(s): 2019

Project Narrative:

This project is located in Section 34, T38N, R3E. This project proposes to rechannelize 1.4 miles of Lakeway Drive to coordinate with the proposed rechannelization of Lakeway Drive with the city limits. This project is listed **#R26** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Corridor Study performed in 2015. Preliminary Engineering and Construction to occur in 2019.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

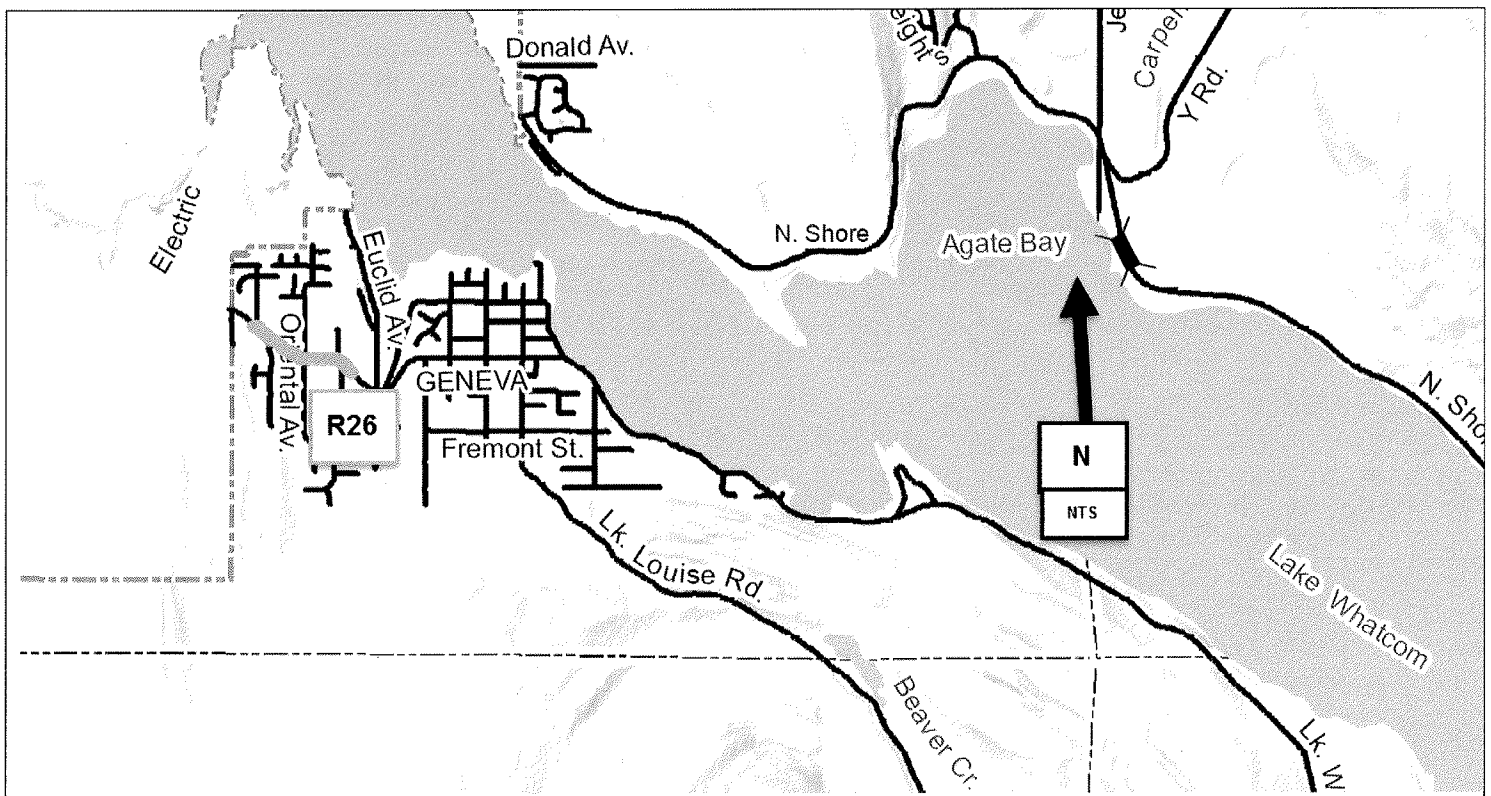
Funding Sources:

Federal	\$0
State	\$0
Local	\$5,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A



Airport Drive Subsurface Repair CRP # 917003

Construction Funding Year(s): 2017/2018

Project Narrative:

This project is located in Section 14, T38N, R2E. This project proposes to repair a subsurface issue on Airport Drive just west of Canterbury Lane. This project is listed **#R27** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Subsurface stabilization to occur late summer or early fall of 2017. The asphalt overlay and sidewalk reconstruction will be completed in spring of 2018.

Total Estimated Project Cost: \$311,000

Expenditures to Date: \$11,000

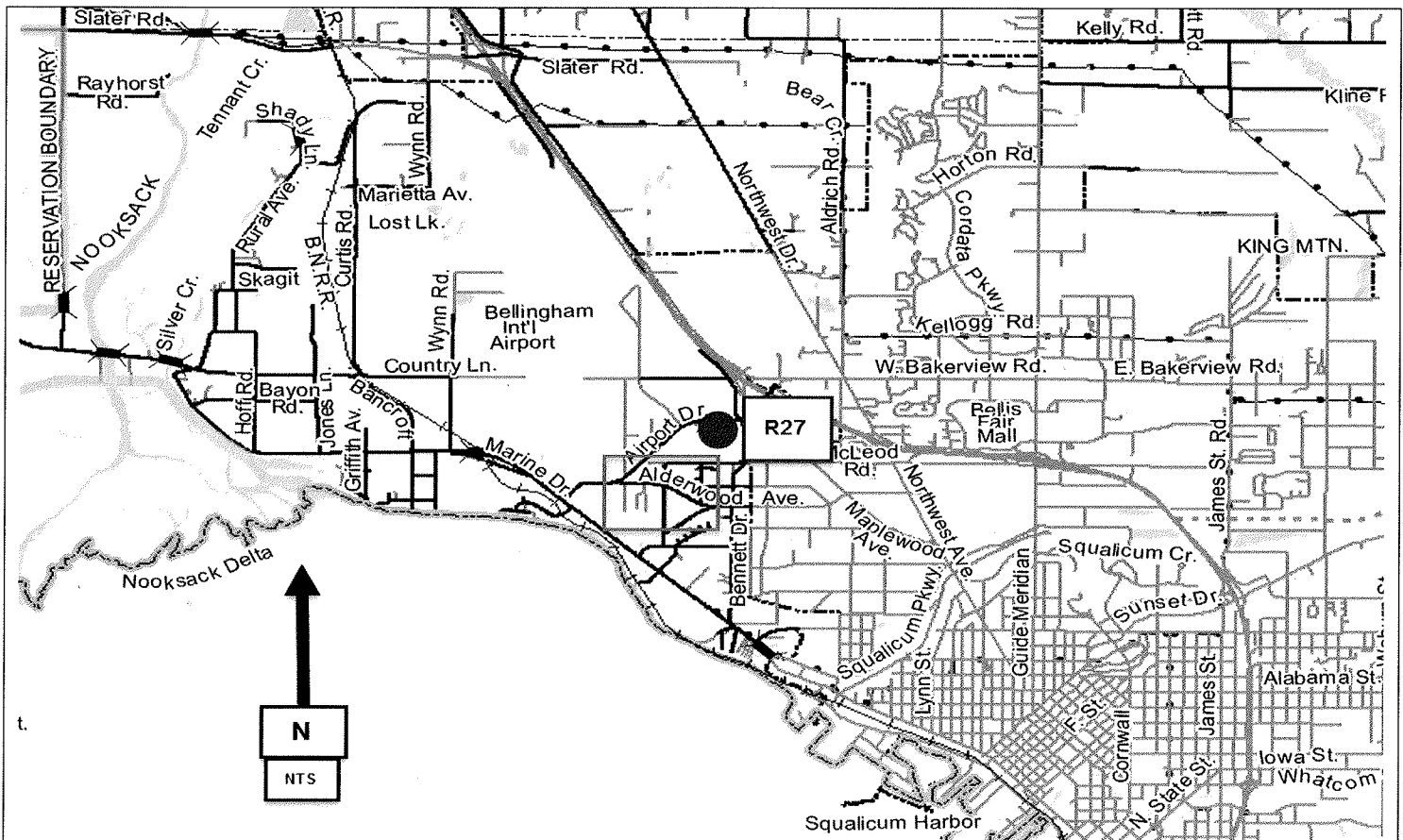
Funding Sources:

Federal	
State	
Local	\$300,000

Environmental Permitting N/A

Right-of-Way Acquisition (Estimate) N/A

County Forces (Estimate) N/A



Ferndale Road/Levee Improvements CRP # Not Assigned

Construction Funding Year(s): 2023 - 2024

Project Narrative:

This project is located in Sections 30 and 31, T39N, R2E. This project includes reconstruction of 1.2 miles of levee with the Ferndale Levee and Ferndale Treatment Plant Levee segments. The new levee will be set back slightly to Ferndale Road with the roadway serving as the crest of the levee. This project is listed **#R28** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Due to the high cost, outside funding will be sought. The WCFCZD will pursue funding through the Floodplains by Design grant program administered by the DOE.

Total Estimated Project Cost: \$7,000,000

Expenditures to Date: \$0

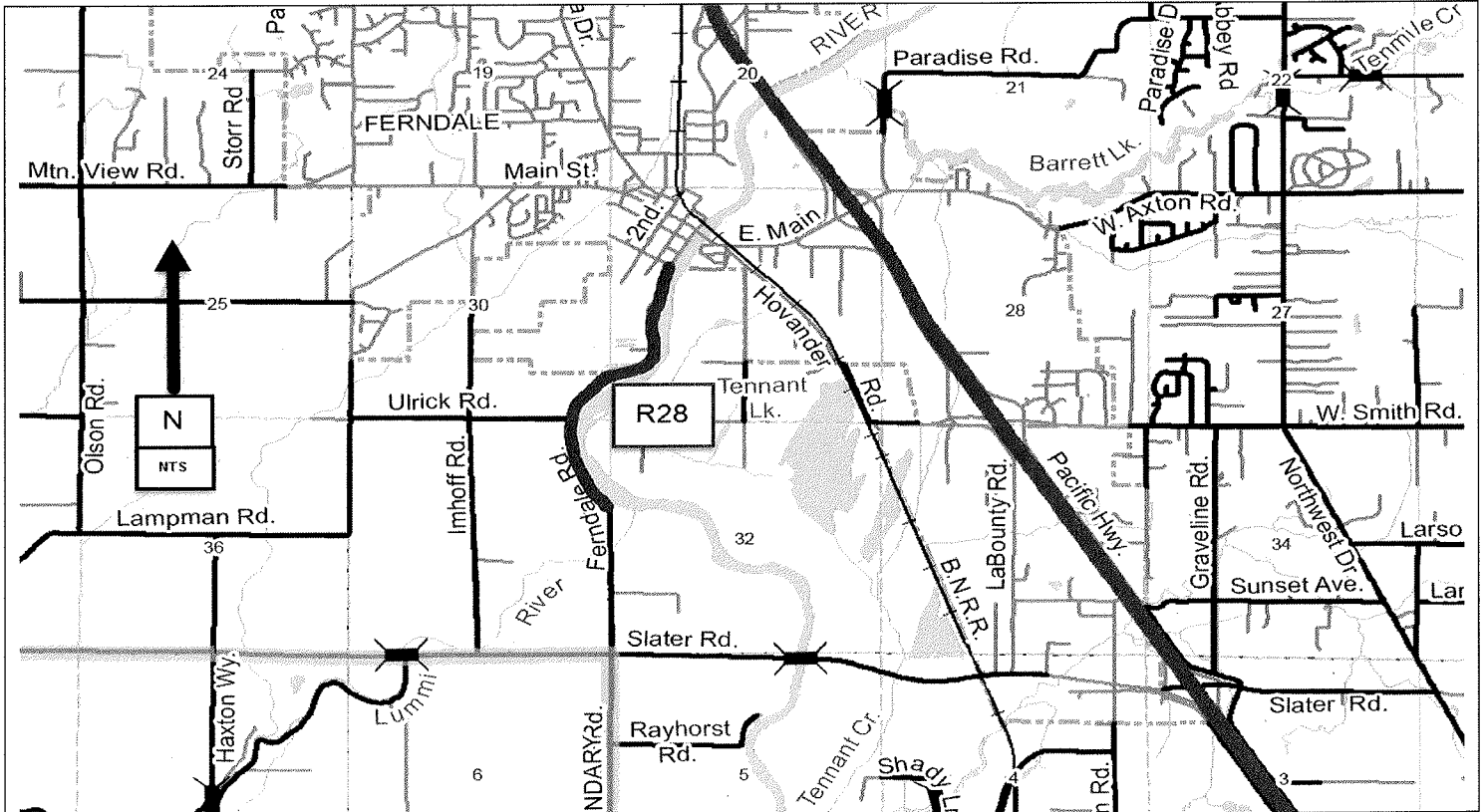
Funding Sources:

Federal	\$
State	\$
Local	\$75,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) \$



Abbott Road/Levee Improvements CRP # Not Assigned

Construction Funding Year(s): 2024

Project Narrative:

This project is located in Section 27, T40N, R3E. This project proposes to extend the upstream end of the Abbott Levee and realigned it to run under Abbott Road. This project is listed #R29 on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: The funding sources will likely include the County Road fund, the WCFCZD and the LE Subzone.

Total Estimated Project Cost: \$800,000

Expenditures to Date: \$0

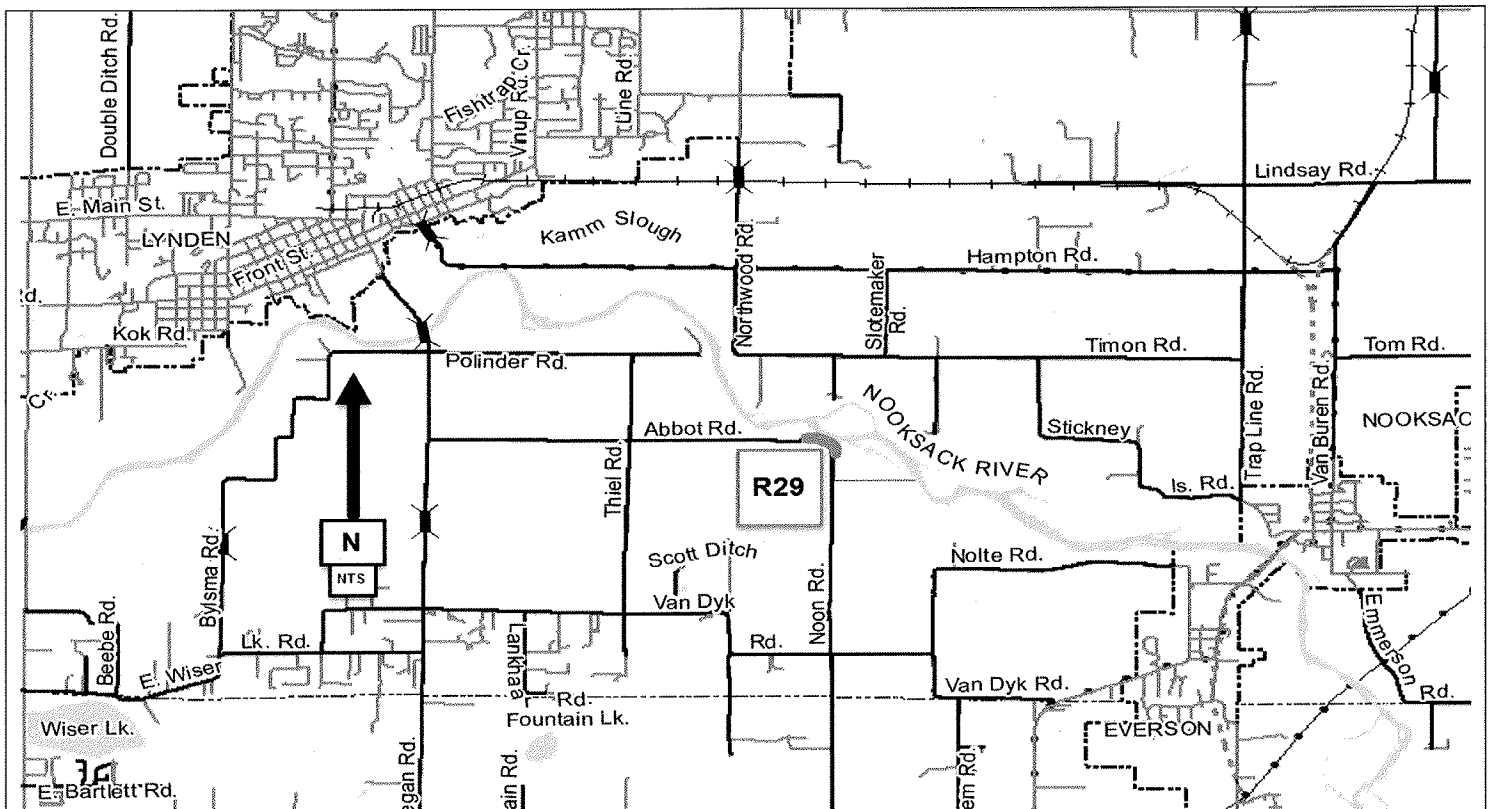
Funding Sources:

Federal	\$
State	\$
Local	\$25,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) \$



Northwest Drive, City of Bellingham to Axton Road Structural Overlay CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

Northwest Drive, City of Bellingham to Axton Road is in Sections 2, 11, 26, & 35 of T38N & T39N, R2E. This project is listed **#R30** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Reviewed project scope with M&O Division, and decided to perform structural overlay (as opposed to "Chip Seal") due to following factors: road is urban arterial; project limits within UGA; current bike route; high ADT; and anticipated growth along corridor.

Total Estimated Project Cost: \$1,500,000

Expenditures to Date: \$0

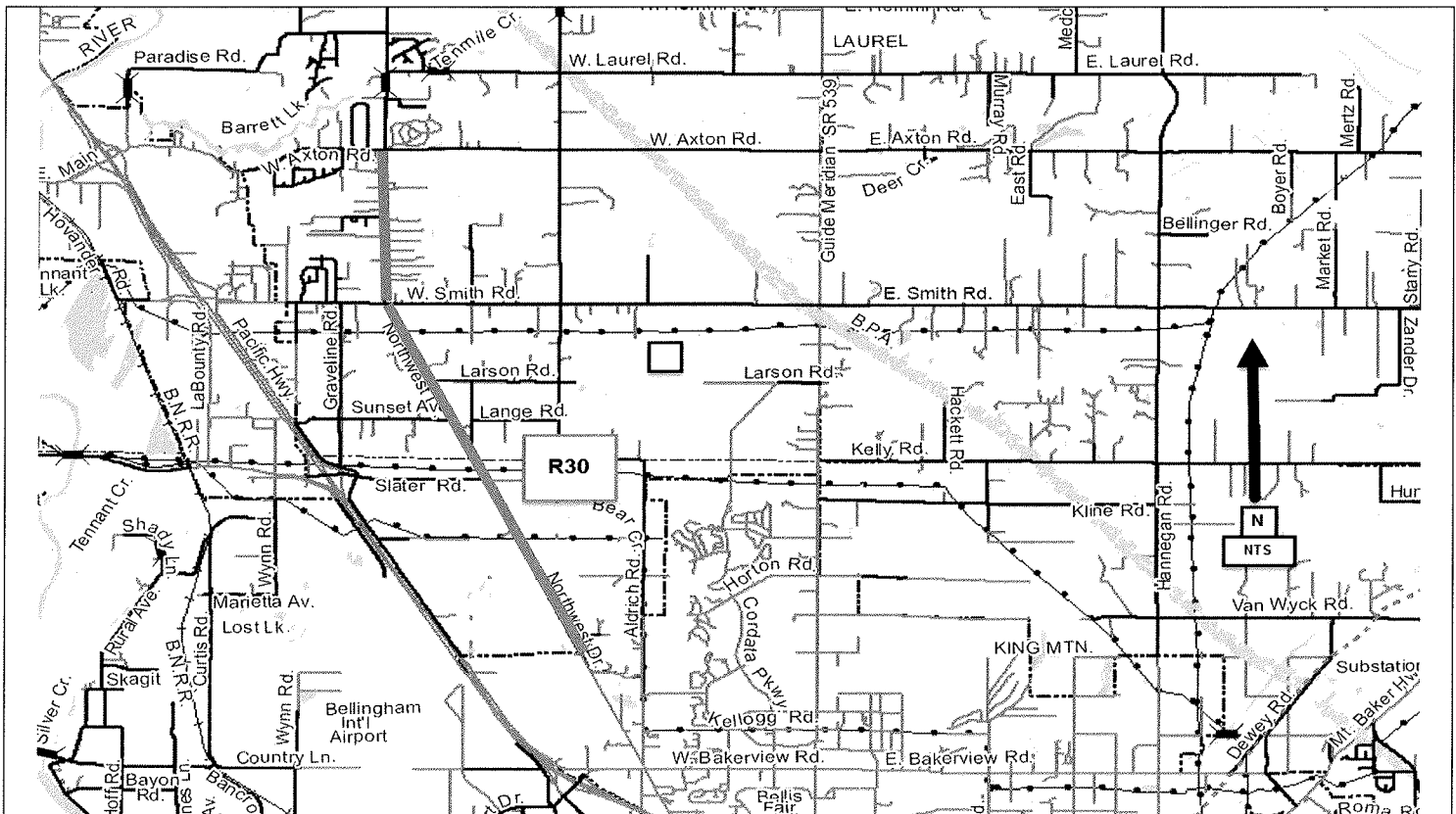
Funding Sources:

Federal	\$0
State	\$
Local	\$1,500,000

Environmental Permitting ECS, BA, SEPA, CLR/CAO, Corps of Engrs

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A



Slater Road/Jordan Creek Bridge CRP # 915007

Construction Funding Year(s): 2017

Project Narrative: This project is located on Slater Road in Section 34, T39N, R1E. This project will replace an existing deteriorated, fish impassable arch culvert conveying Jordan Creek beneath Slater Road with a new bridge. The project is listed #B1 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: Design work and permitting complete. Construction started May 2017 and is expected to be complete in late 2017. Project closeout will continue into 2018.

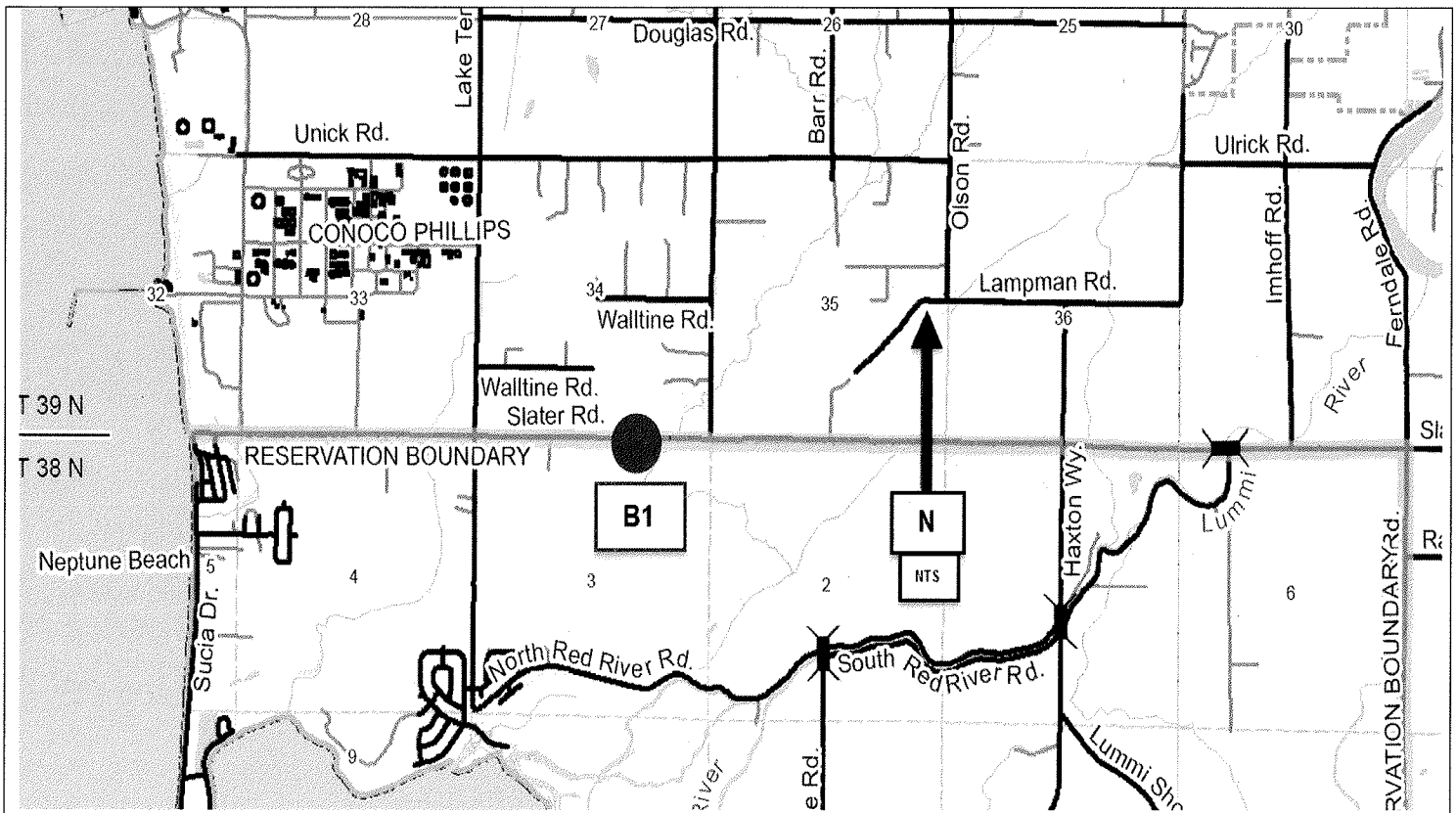
Total Estimated Project Cost: \$3,830,000

Expenditures to Date: \$3,580,000

Funding Sources:

Federal	
State	
Local	\$3,830,000

Environmental Permitting	HPA, SEPA, Sec 404, NEPA
Right-of-Way Acquisition (Estimate)	
County Forces (Estimate)	



Marine Drive / Little Squalicum Creek - Bridge No. 1 Rehabilitation CRP #910017

Construction Funding Year(s): TBD

Project Narrative:

This project is located near the Bellingham city limits in Section 8, T38N, R2E. This is a rehabilitation project to replace the bridge deck, strengthen the girders and cross beams, and remove the structurally deficient designation and existing load restrictions on the bridge. The project is listed **#B2** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

The project was submitted for BRAC funding in May 2012. Construction pending acquisition of BRAC funds.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

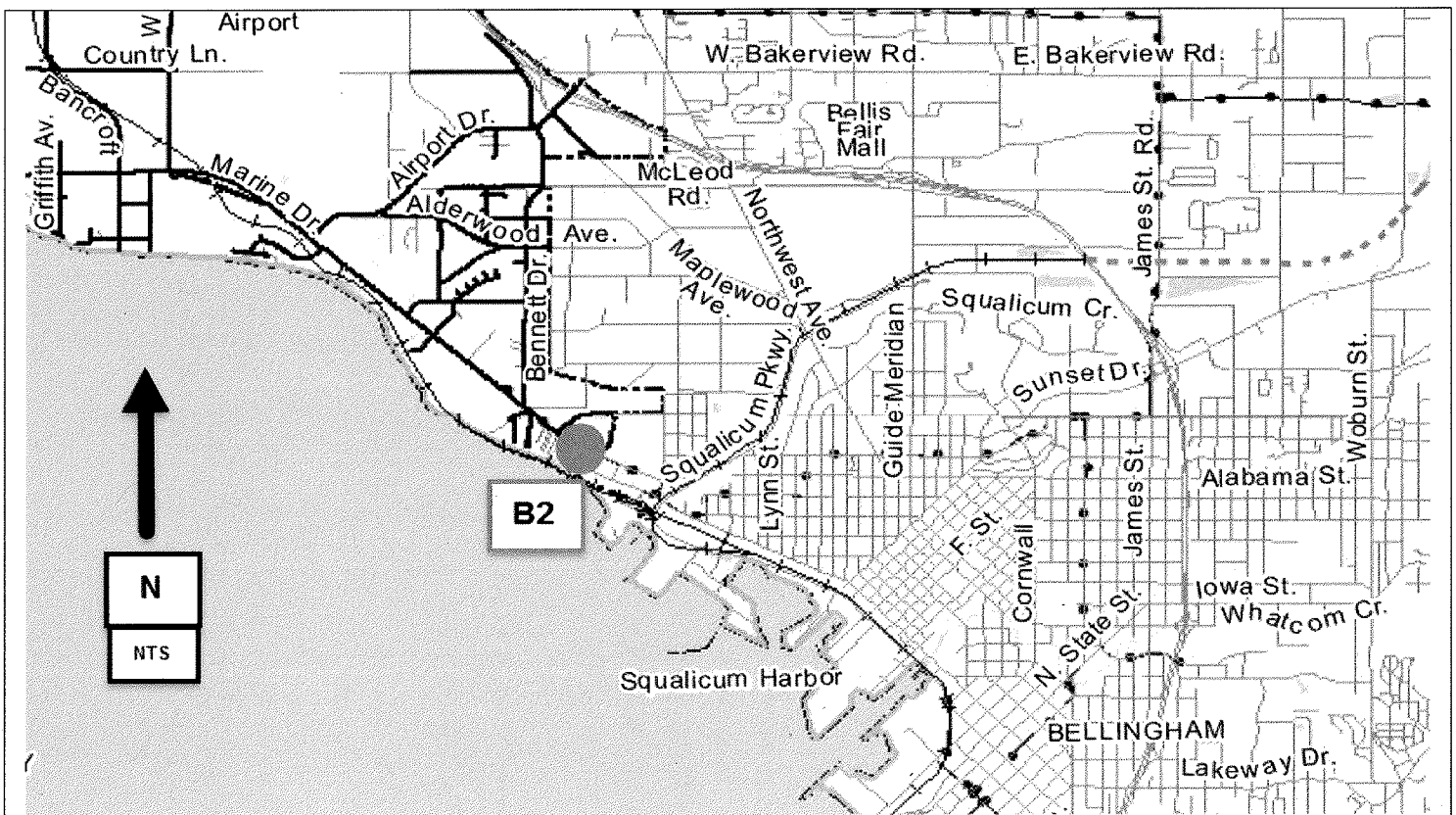
Funding Sources:

Federal	\$0
State	\$0
Local	\$20,000

Environmental Permitting HPA, NEPA

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Jackson Road / Terrell Creek - Bridge No. 81 Replacement CRP # 917004

Construction Funding Year(s): TBD

Project Narrative:

This project is located near Birch Bay in Section 31, T40N, R1W. This is a project to replace the existing 62-foot structurally deficient bridge. This project is listed **#B3** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Preliminary design and permitting to begin in 2018 with construction time frames to be contingent upon availability of grant funds. BRAC funds for this project applied for in April 2017. Expect to know results of BRAC funding in fall of 2017.

Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$ 0

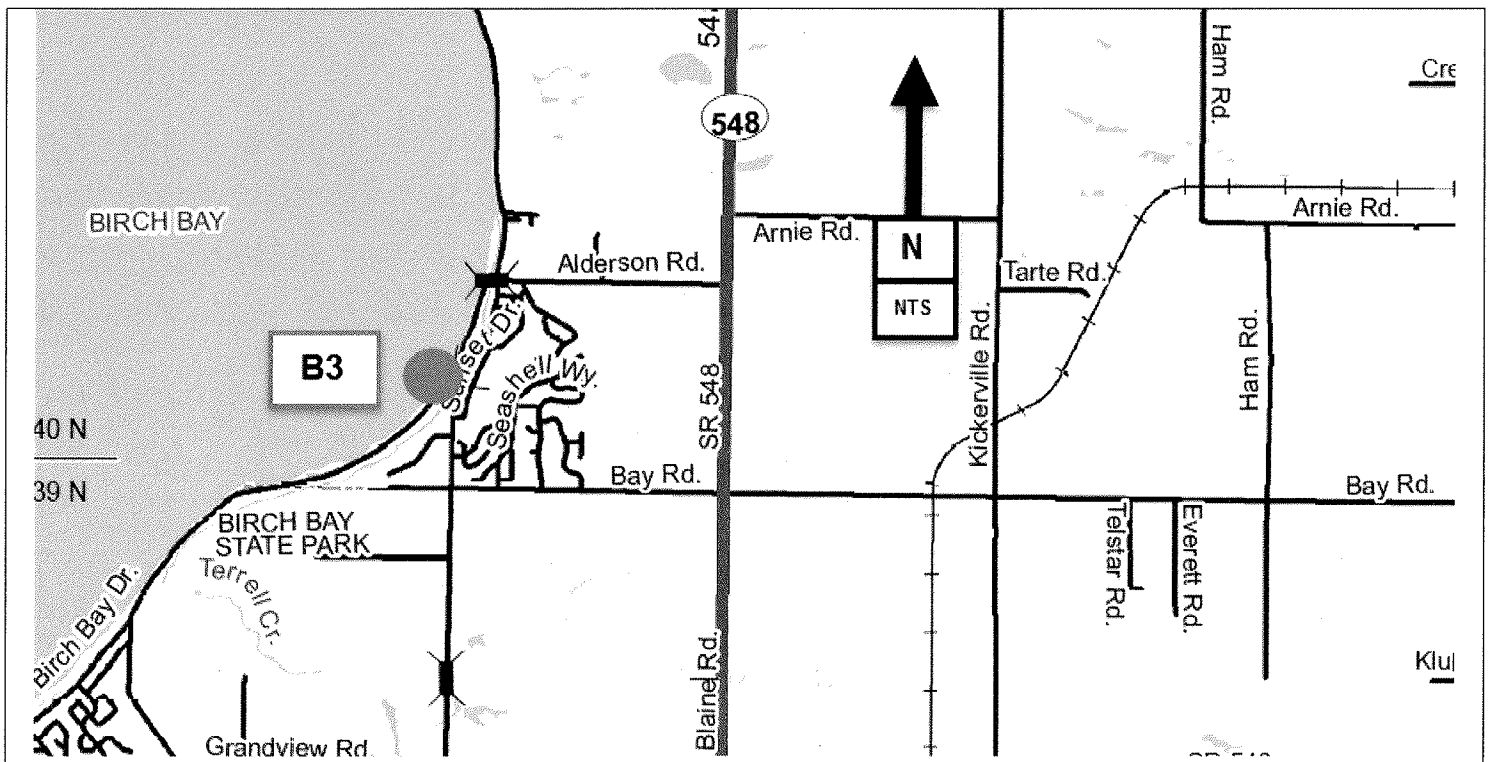
Funding Sources:

Federal	\$TBD
State	\$TBD
Local	\$220,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Mosquito Lake Road / Porter Creek - Bridge No. 141 Replacement CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project is located south of Welcome in Section 11, T38N, R5E. This is a project to replace the existing 31-foot bridge in order to mitigate ongoing scour and debris issues. This project also affords an opportunity to address geometric issues that arose from the emergency realignment of Mosquito Lake Road in 2004. This project is listed #B4 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Preliminary design and permitting to begin in 2020.

Total Estimated Project Cost: TBD

Expenditures to Date: \$ 0

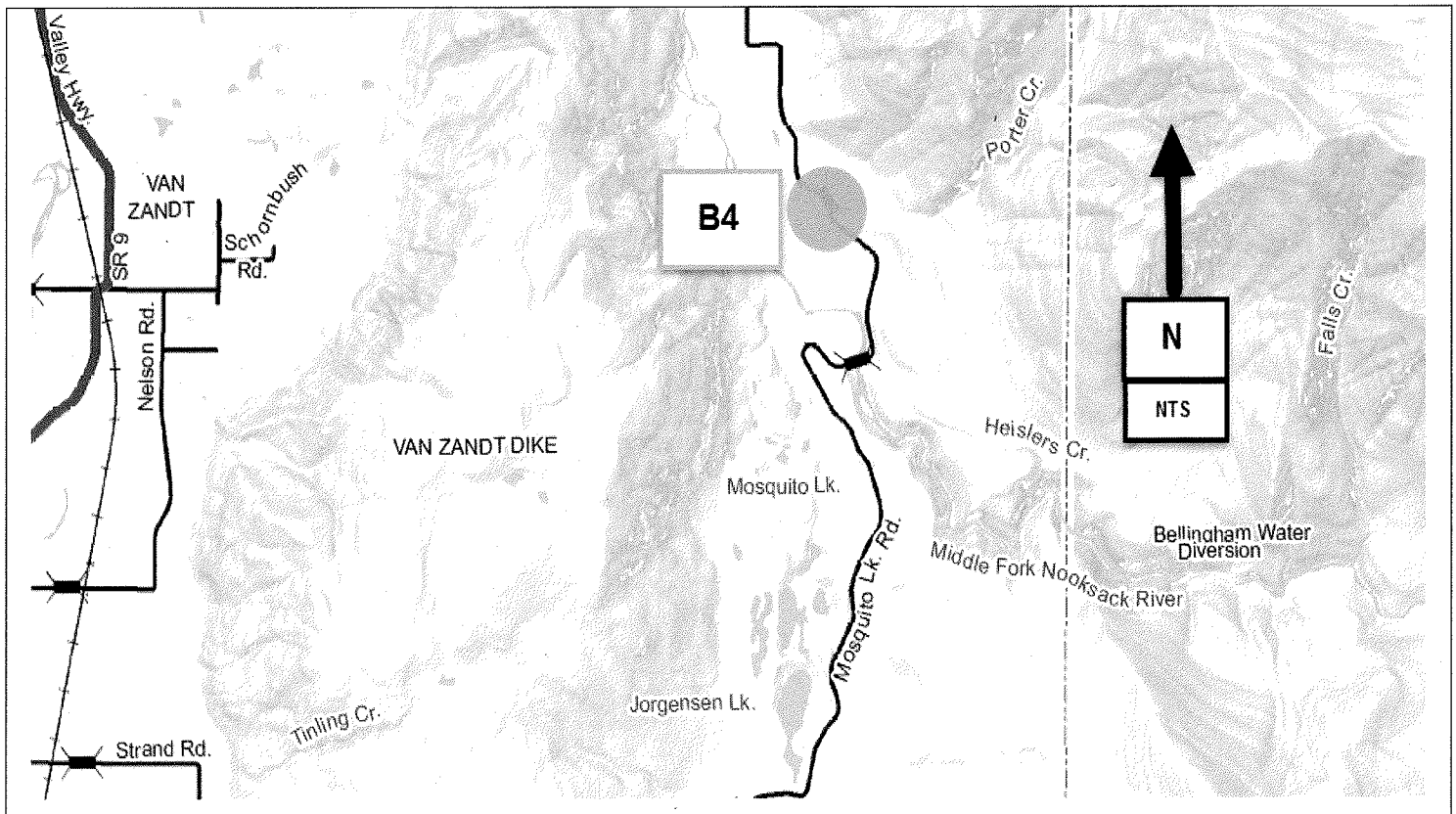
Funding Sources:

Federal	\$0
State	\$0
Local	\$5,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



N. Lake Samish Road Bridge No. 107 Replacement Study CRP # 913006

Construction Funding Year(s): TBD

Project Narrative:

This project is located on Lake Samish in Section 27, T37N, R3E. This project will replace the existing 250-foot timber bridge which is structurally deficient. This project is listed **#B5** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Type, Size and Location (TS&L) completed in 2017. BRAC funds for this replacement project applied for in April 2017 will learn results of this funding application in the fall of 2017. Detailed design work on preferred alternative to begin in early 2018.

Total Estimated Project Cost: TBD
Expenditures to Date: \$250,000

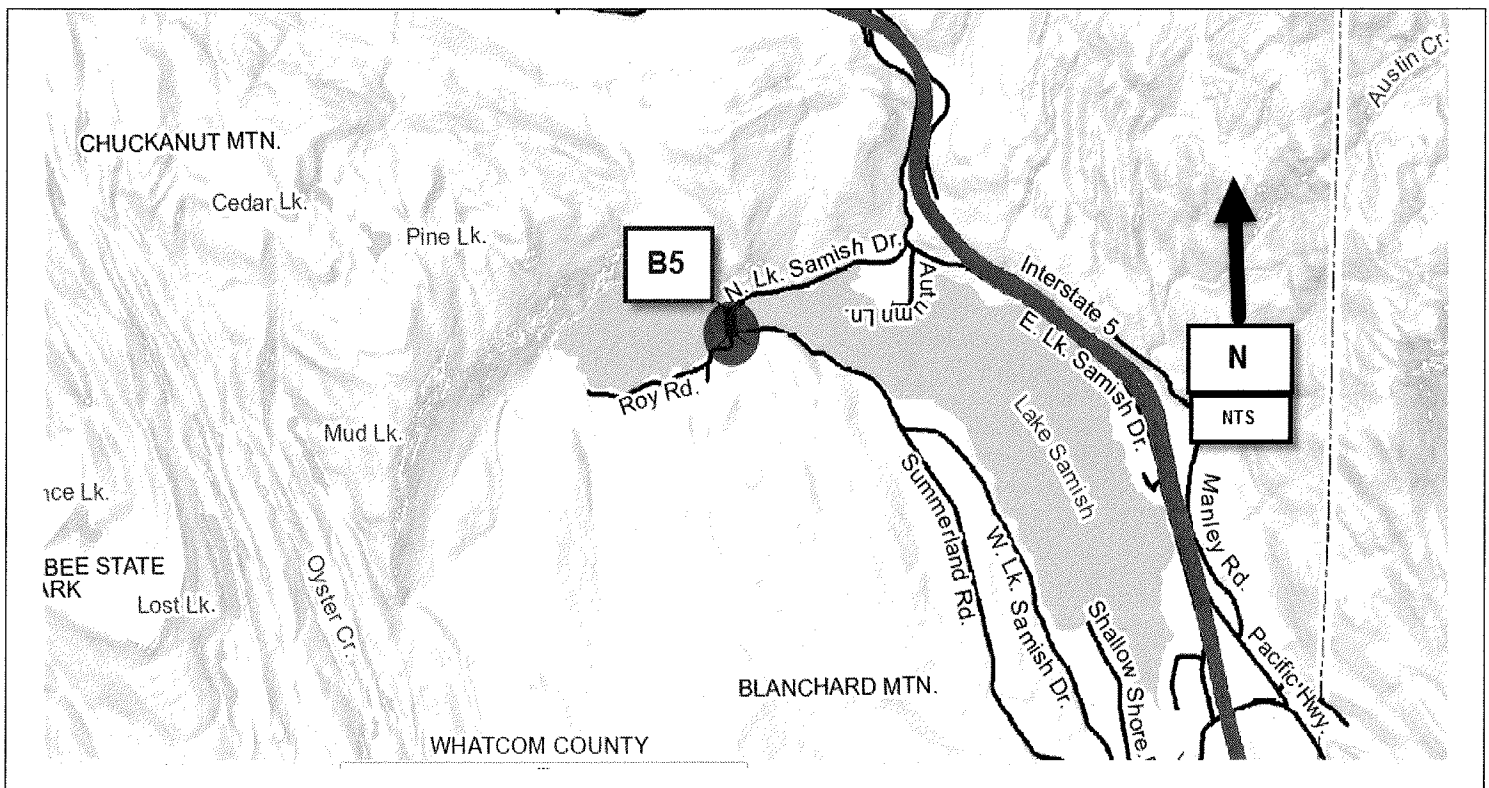
Funding Sources:

Federal	\$7,813,160 (BRAC) Applied for in 2017
State	\$0
Local	\$750,000

Environmental Permitting TBD

Right-of-Way Acquisition TBD

County Forces TBD



Hannegan Road Bridge No. 236 Replacement CRP # 913007

Construction Funding Year(s): 2018

Project Narrative:

This project is located on Hannegan Road between Central and Ten Mile Roads in Section 16, T39N, R3E. This is a project to replace the last 31-foot channel beam bridge on the Hannegan Road. This old design is not suited for the volume of truck traffic present on the Hannegan Road. This project is listed **#B6** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: Project design and permitting completed in 2017. Construction of this project scheduled for 2018. Rural STP funds have been obtained for construction of this project

Total Estimated Project Cost: \$1,770,000

Expenditures to Date: \$ 170,000

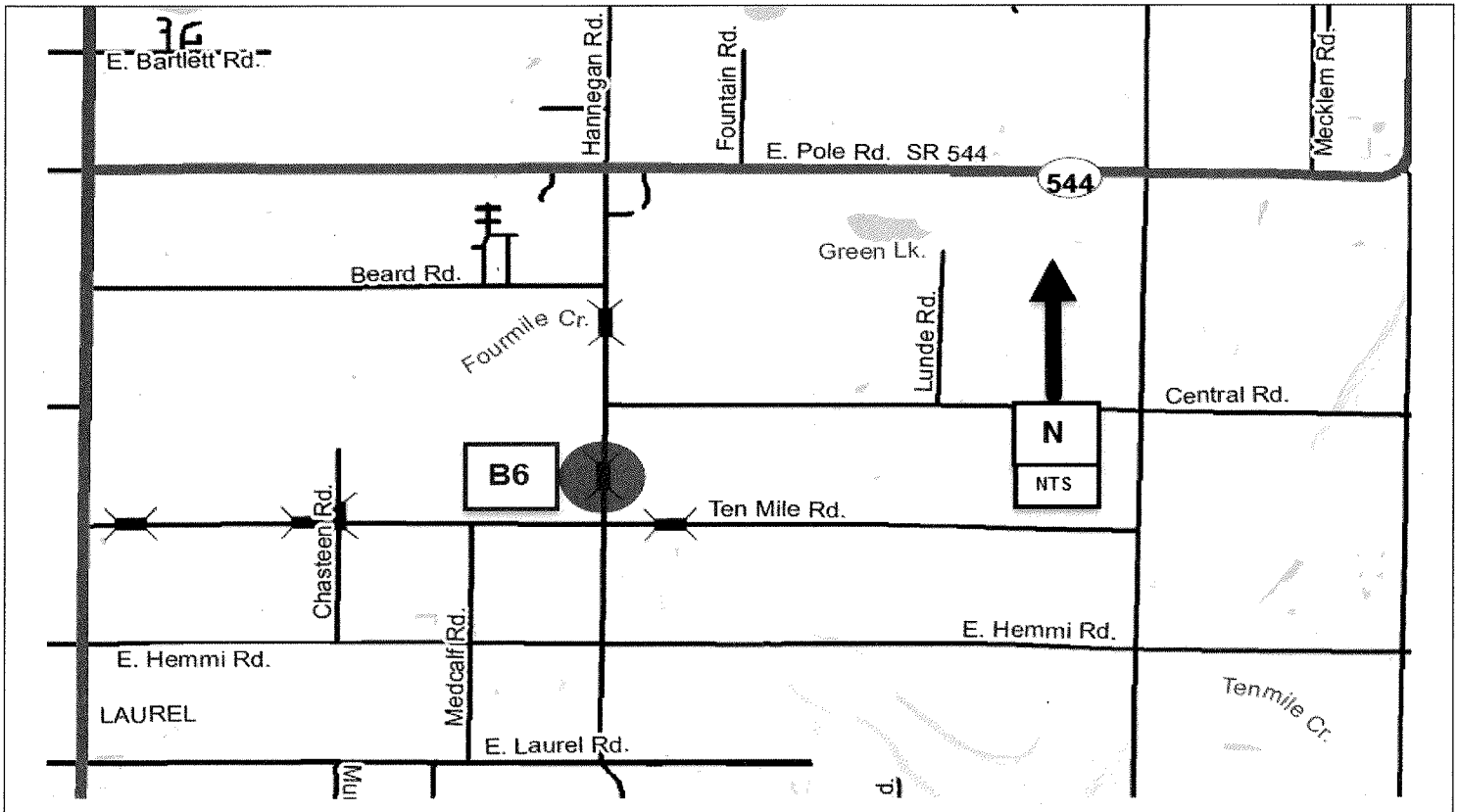
Funding Sources:

Federal	\$950,000 (STP)
State	\$0
Local	\$820,000

Environmental Permitting HPA, NEPA, ACOE, Shorelines

Right-of-Way Acquisition (Estimate) N/A

County Forces N/A



Roberts Road/Anderson Creek, Bridge No. 249 CRP # 915020

Construction Funding Year(s): 2018

Project Narrative:

This project is located west of Deming in Section 19, T39N, R4E. This project will replace the existing 69-foot bridge, which is structurally deficient with a new reinforced concrete bridge. This project is listed **#B7** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: Project design and permitting complete, ROW work will be completed in 2017. Construction scheduled for 2018. BRAC funds have been secured for this project.

Total Estimated Project Cost: \$2,145,000

Expenditures to Date: \$295,000

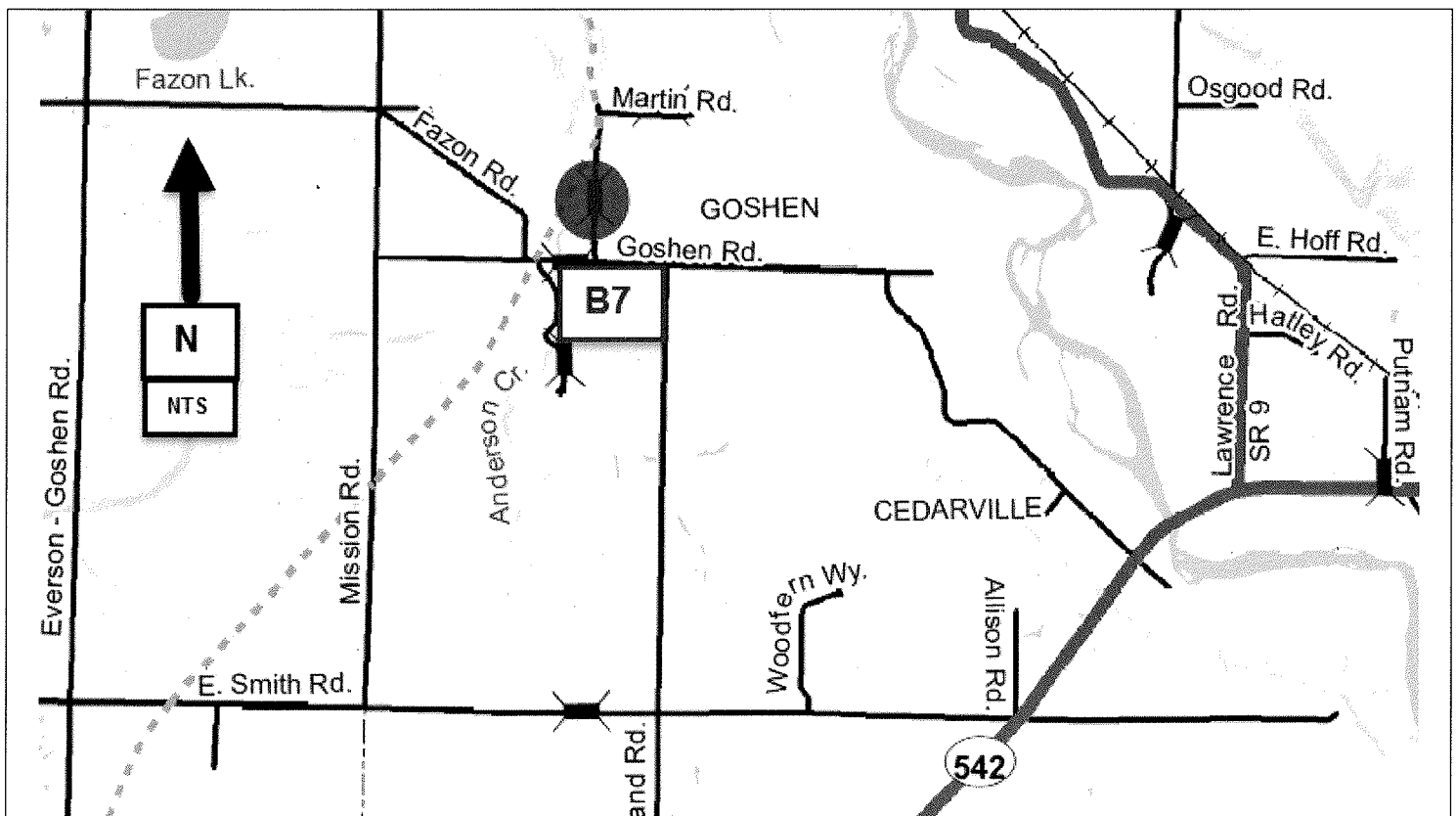
Funding Sources:

Federal	\$1,387,170 (BR)
State	\$0
Local	\$757,830

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Massey Road/Sumas River, Bridge No. 291

CRP # 915016

Construction Funding Year(s): 2018

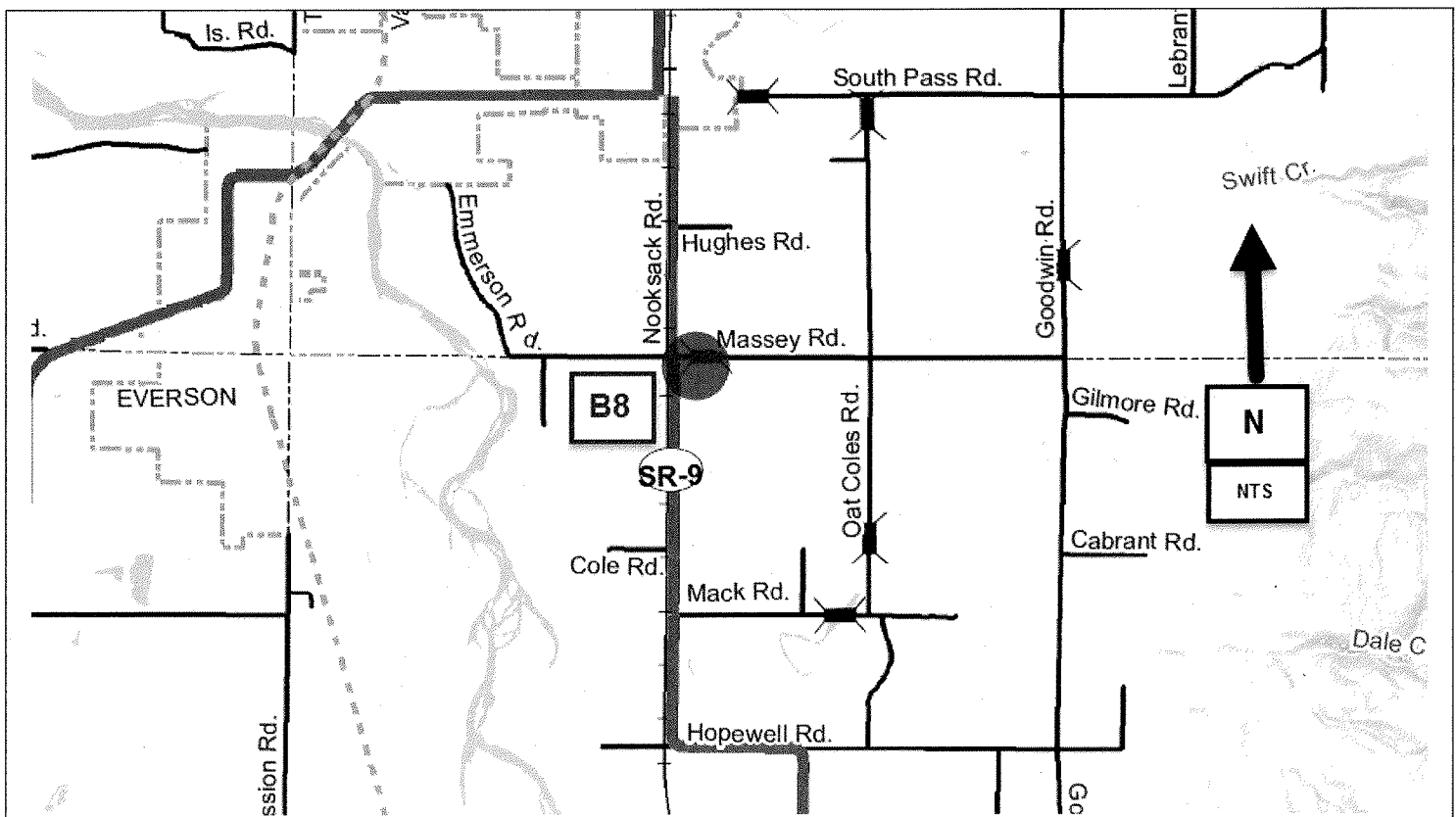
Project Narrative:

This project is located east of Everson in Section 5, T39N, R4E. This project will replace the deck on this structurally deficient bridge. These improvement will remove the structurally deficient designation and load restrictions. This project is listed #B8 on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status: Preliminary design and permitting is underway with construction scheduled in 2018.

Total Estimated Project Cost: \$235,000 Expenditures to Date: \$25,000	Funding Sources:	
	Federal	\$0
	State	\$0
	Local	\$235,000

Environmental Permitting	HPA, SEPA, Shorelines
Right-of-Way Acquisition	N/A
County Forces (Estimate)	\$200,000



W. Badger Road/Bertrand Creek Bridge No. 50 CRP # 915024

Construction Funding Year(s): TBD

Project Narrative:

This project is located west of Lynden in Section 12 & 14, T40N, R2E. This is to replace this structurally deficient bridge. This project is listed #B9 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: Project design, permitting and ROW work is ongoing. Construction anticipated in 2018. BRAC funding has been secured for this project.

Total Estimated Project Cost: TBD
Expenditures to Date: \$255,000

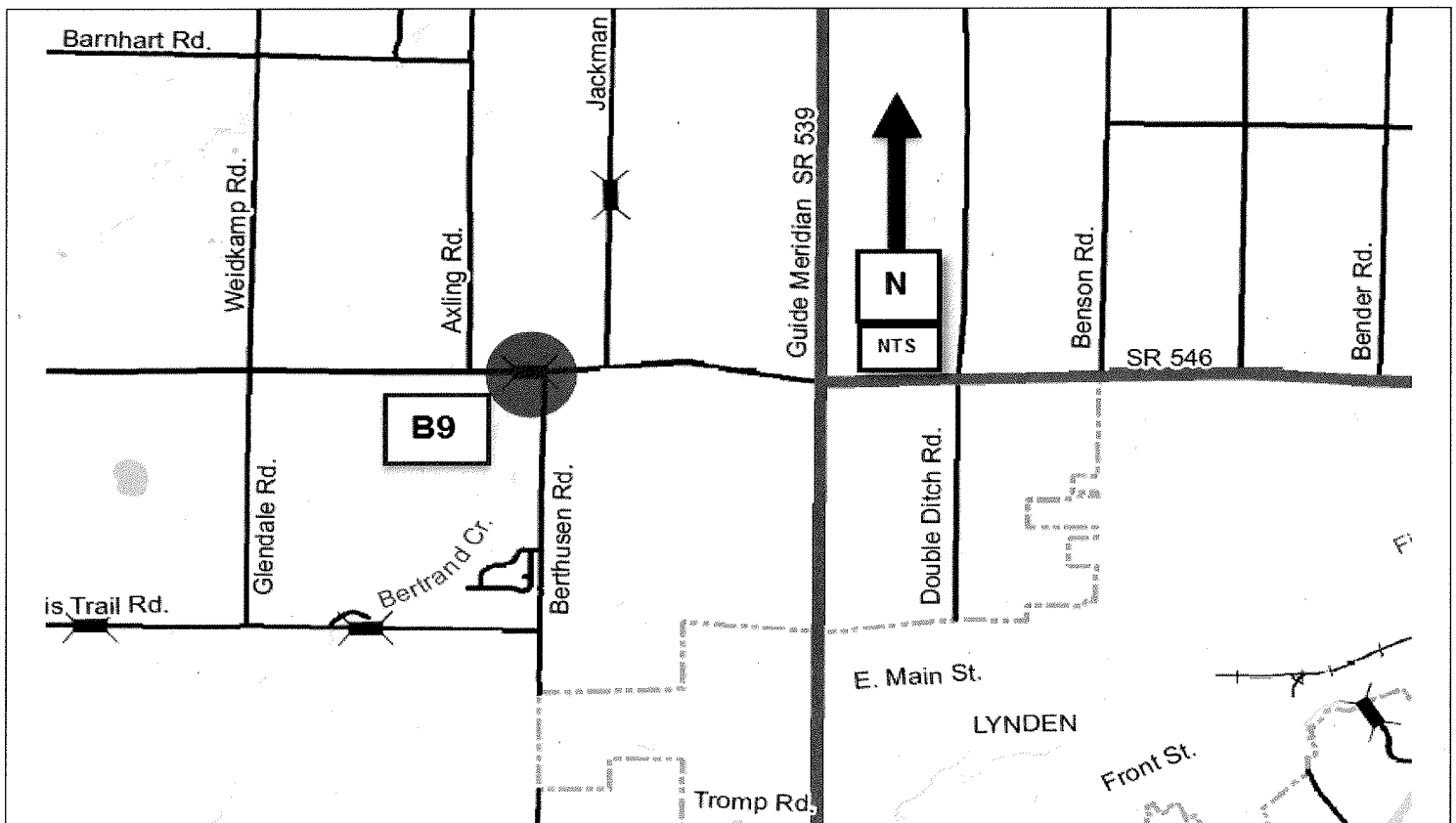
Funding Sources:

Federal	\$175,000 (BR)
State	\$0
Local	\$80,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Goshen Road/Anderson Creek Bridge No. 248

CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project is located south of Everson/Goshen in Section 19, T39N, R4E. This is a bridge rehabilitation and sedimentation control project to address the existing 62-foot structurally deficient bridge. This project is listed **#B10** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status: Preliminary design and permitting to begin in 2020.

Total Estimated Project Cost: TBD

Expenditures to Date: \$ 0

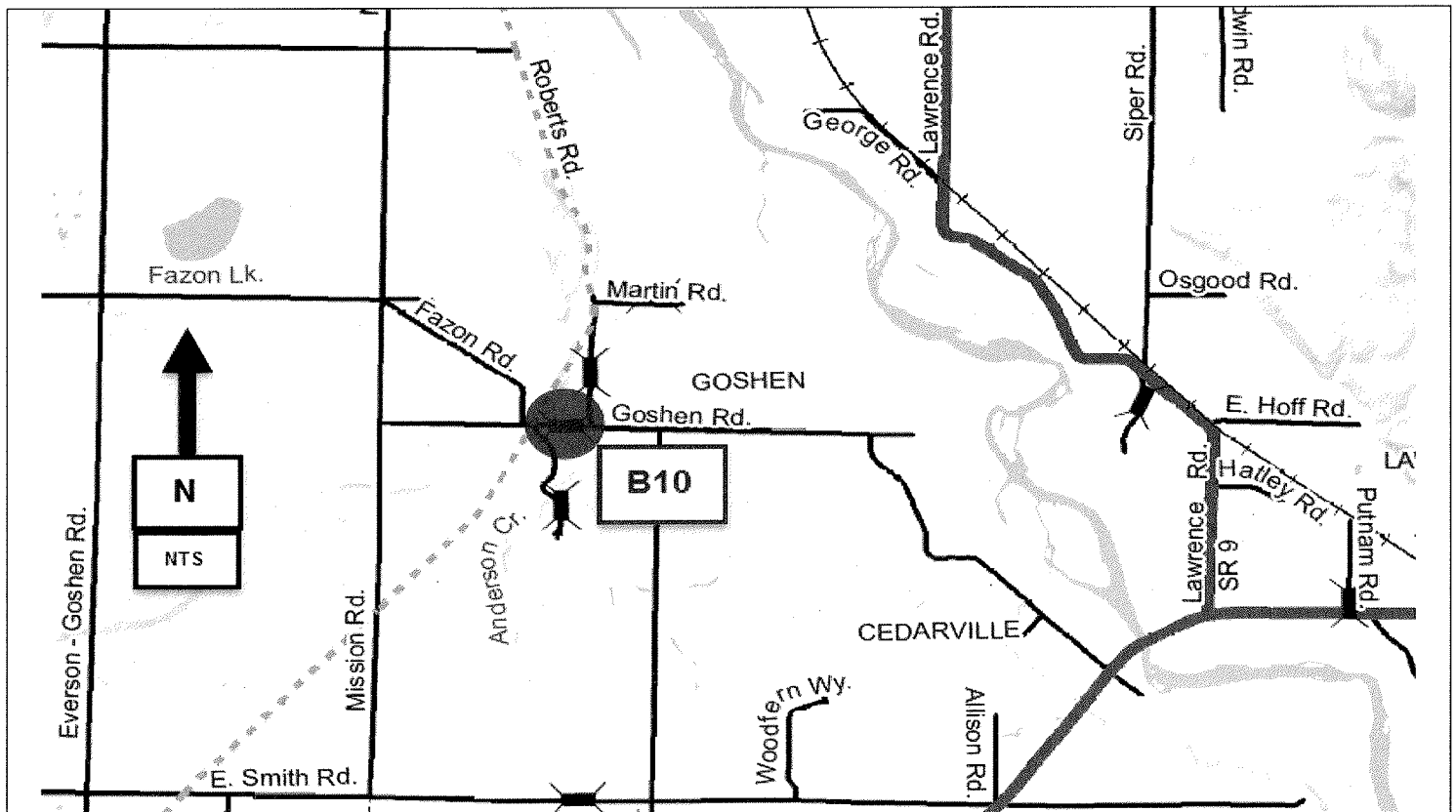
Funding Sources:

Federal	\$0
State	\$0
Local	\$20,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Slater Road / Nooksack River Bridge No. 512 Overheight Detection CRP #914013

Construction Funding Year(s): TBD

Project Narrative:

This project is located on Slater Road at the Nooksack River in Section 6, T38N, R2E. This is an overheight detection/warning system project. The project is listed #B11 on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Preliminary design work to begin in 2021.

Total Estimated Project Cost: TBD

Expenditures to Date: \$1,500

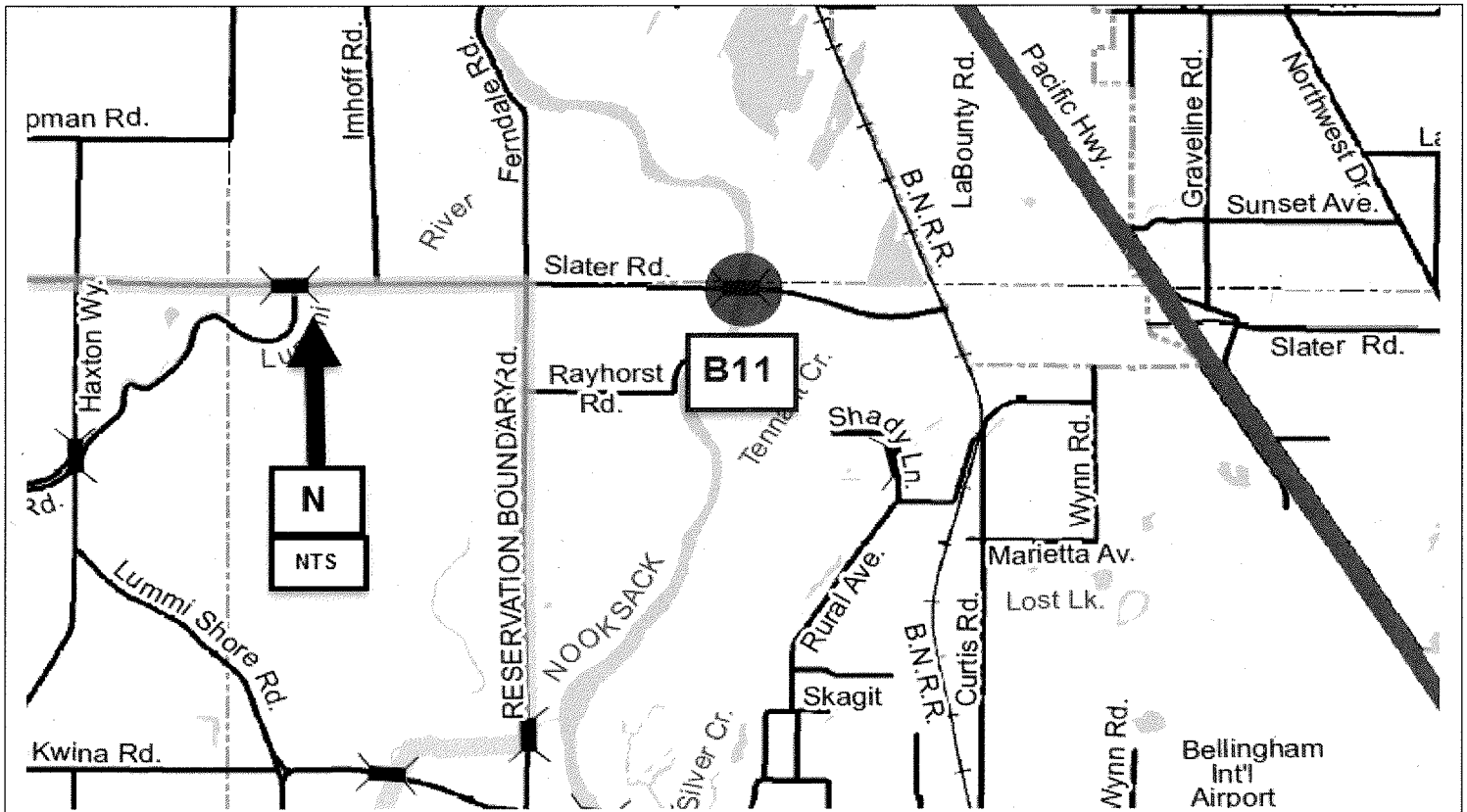
Funding Sources:

Federal	\$0
State	\$0
Local	\$20,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A



Martin Road/Anderson Creek Bridge No. 250 CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative: Project:

This project is located on Martin Road in Section 18 & 19, T39N, R4E. This is a project to replace the existing 31-foot structurally deficient bridge. This project is listed **#B12** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Preliminary design and permitting to begin in 2021.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

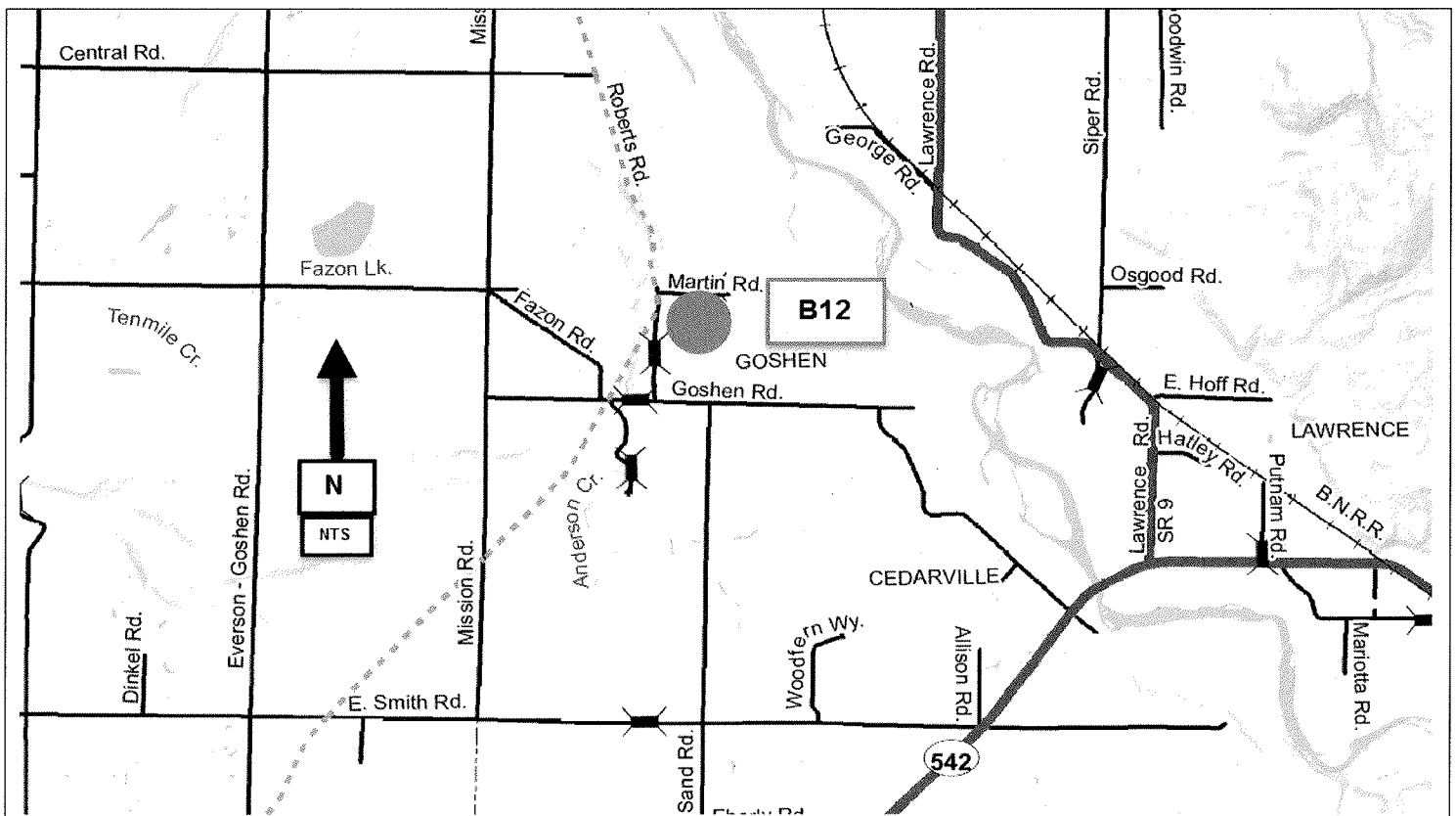
Funding Sources:

Federal	
State	
Local	\$5,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Loomis Trail Rd/Bertrand Cr. Trib. Bridge No. 497
CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project is located on Loomis Trail Road in Section 15 & 22, T40N, R2E. This project is to replace the existing 21-foot structurally deficient bridge. This project is listed **#B13** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Preliminary design and permitting to begin in 2022.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

Funding Sources:

Federal

State

Local

\$5,000

Environmental Permitting

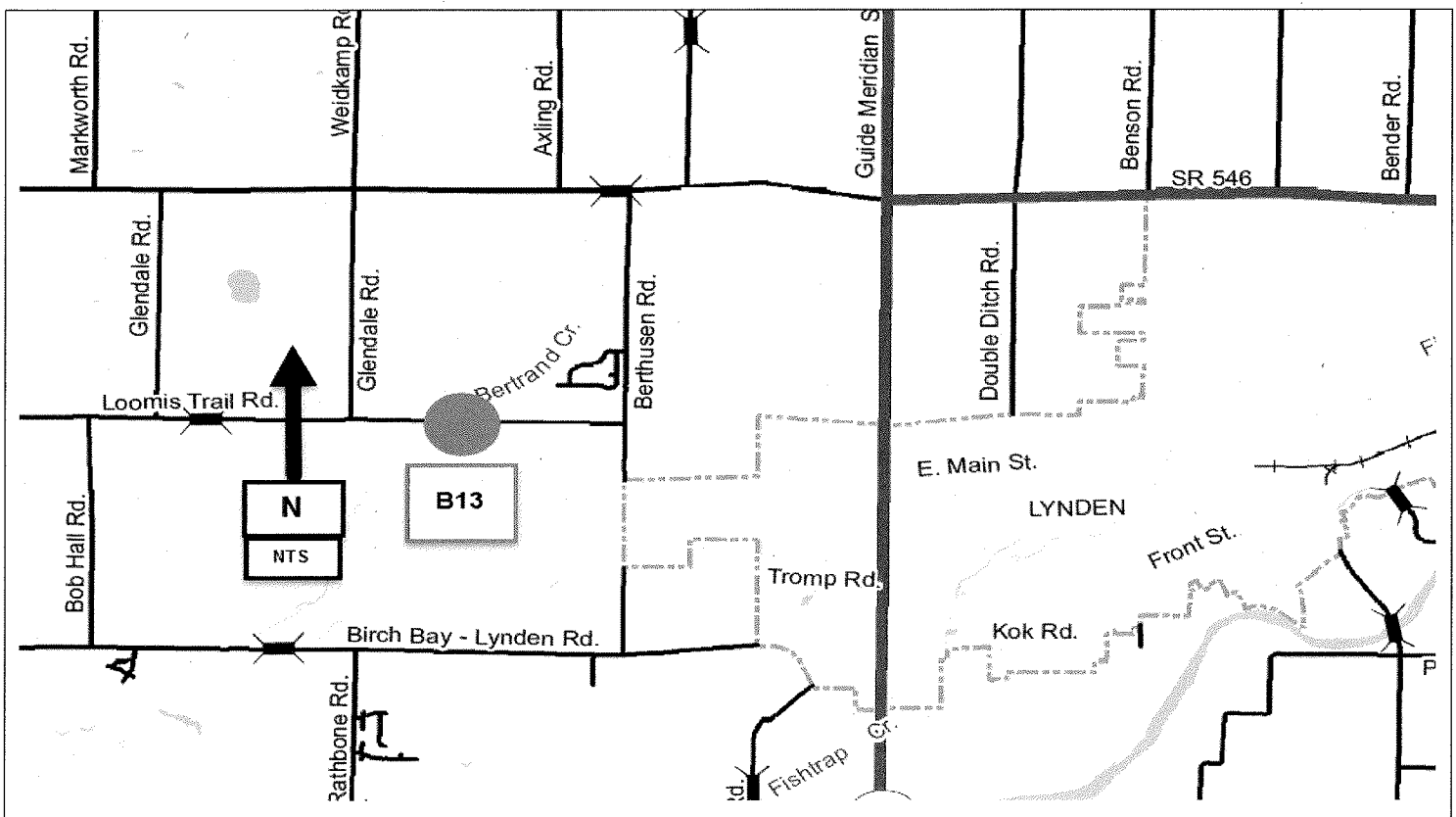
TBD

Right-of-Way Acquisition (Estimate)

TBD

County Forces (Estimate)

TBD



Lenhart Rd/Saar Creek Bridge No. 329 CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project is located on Lenhart Road in Section 31, T41N, R5E. This project is to replace the existing 31-foot structurally deficient bridge. This project is listed **#B14** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Preliminary design and permitting to begin in 2022.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

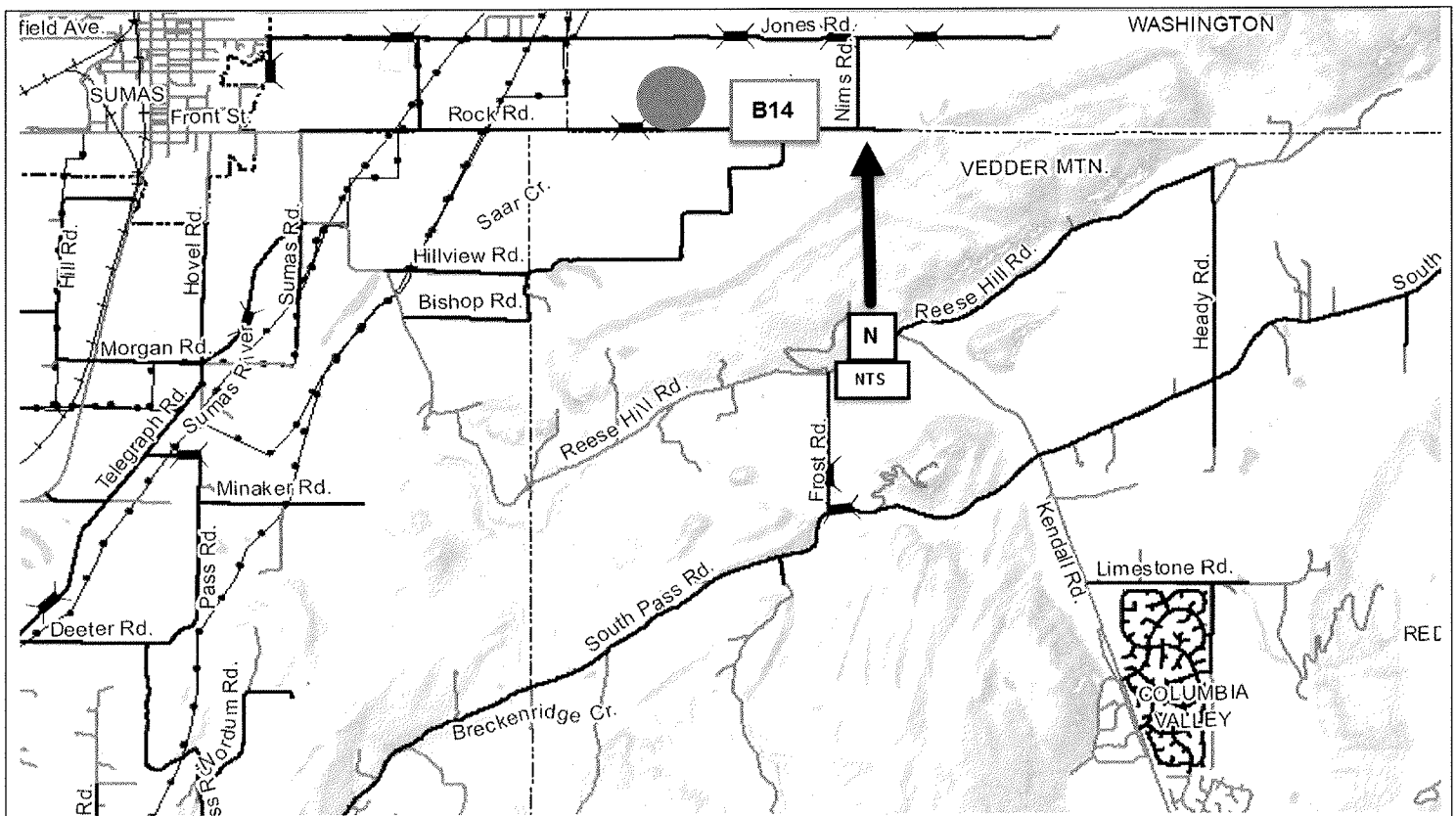
Funding Sources:

Federal	
State	
Local	\$5,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Salakanum Way/Anderson Creek Bridge No. 509
CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project is located on Salakanum Road in Section 19, T39N, R4E. This project is to replace the existing 31-foot structurally deficient bridge. This project is listed **#B15** on the 2018-2023 Six-Year Transportation Improvement Program.

Project Status:

Preliminary design and permitting to begin in 2022.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

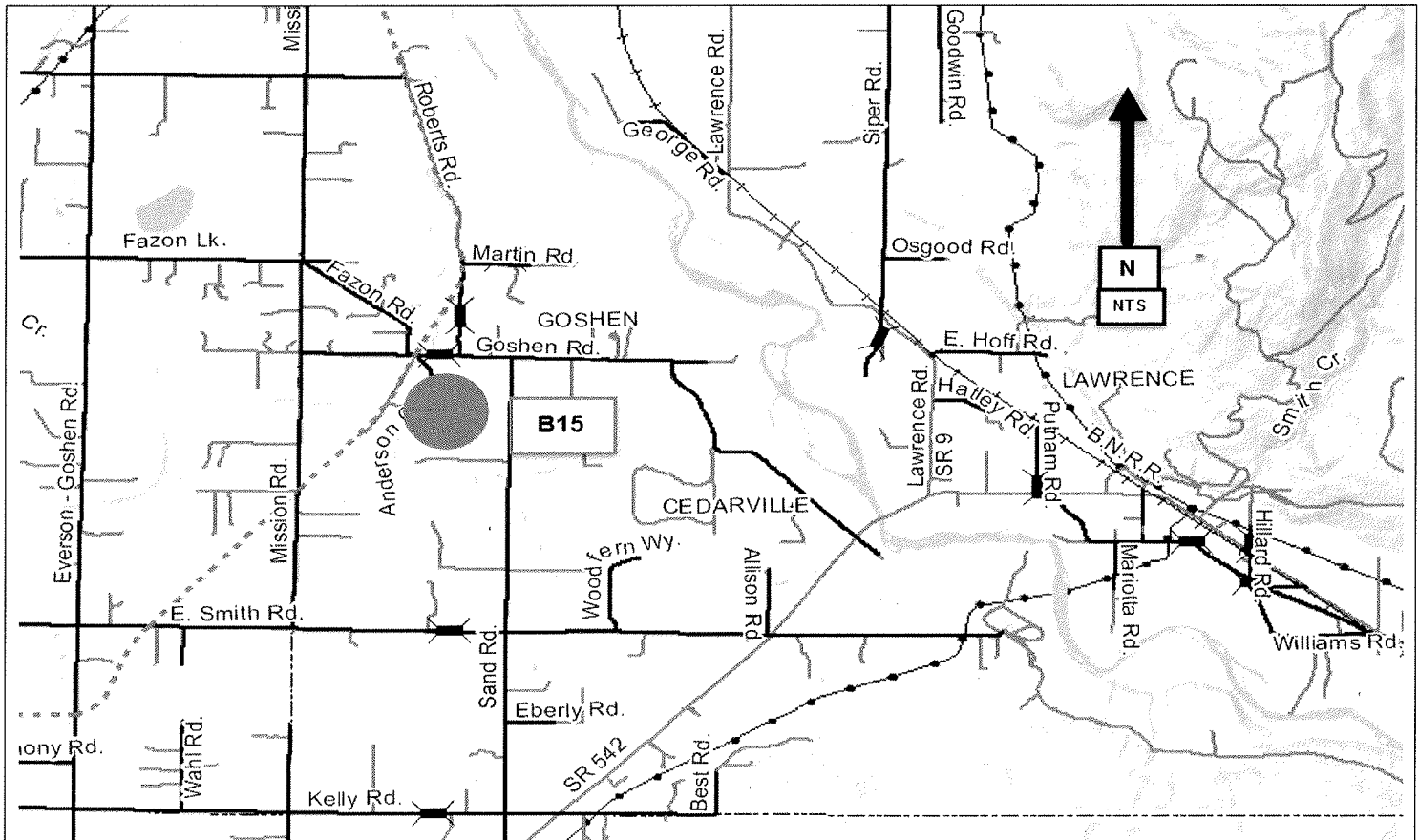
Funding Sources:

Federal	
State	
Local	\$5,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Refurbish / Upgrade of the Whatcom Chief CRP #910012

Construction Funding Year(s): TBD

Project Narrative:

This project involves the upgrade and preservation of the current ferry to Lummi Island, M/V Whatcom Chief. The project definition will address safety, accessibility and reliability concerns associated with the approximately 50 year old ferry. This project is listed **#F1** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Opportunities for project funding will be reviewed as they become available.

Total Estimated Project Cost: TBD

Expenditures to Date: \$2,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$5,000

Environmental Permitting	None Required
---------------------------------	---------------

Right-of-Way Acquisition (Estimate)	None Required
--	---------------

County Forces (Estimate)	N/A
---------------------------------	-----

M/V Whatcom Chief



Ferry Terminal Electrical Project CRP #916020

Construction Funding Year(s): 2017

Project Narrative:

This project includes electrical improvements at both ferry terminals. This project is listed #F2 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design and permitting complete. Construction started in August 2017 and is expected to be completed in October 2017. Project closeout will continue into 2018.

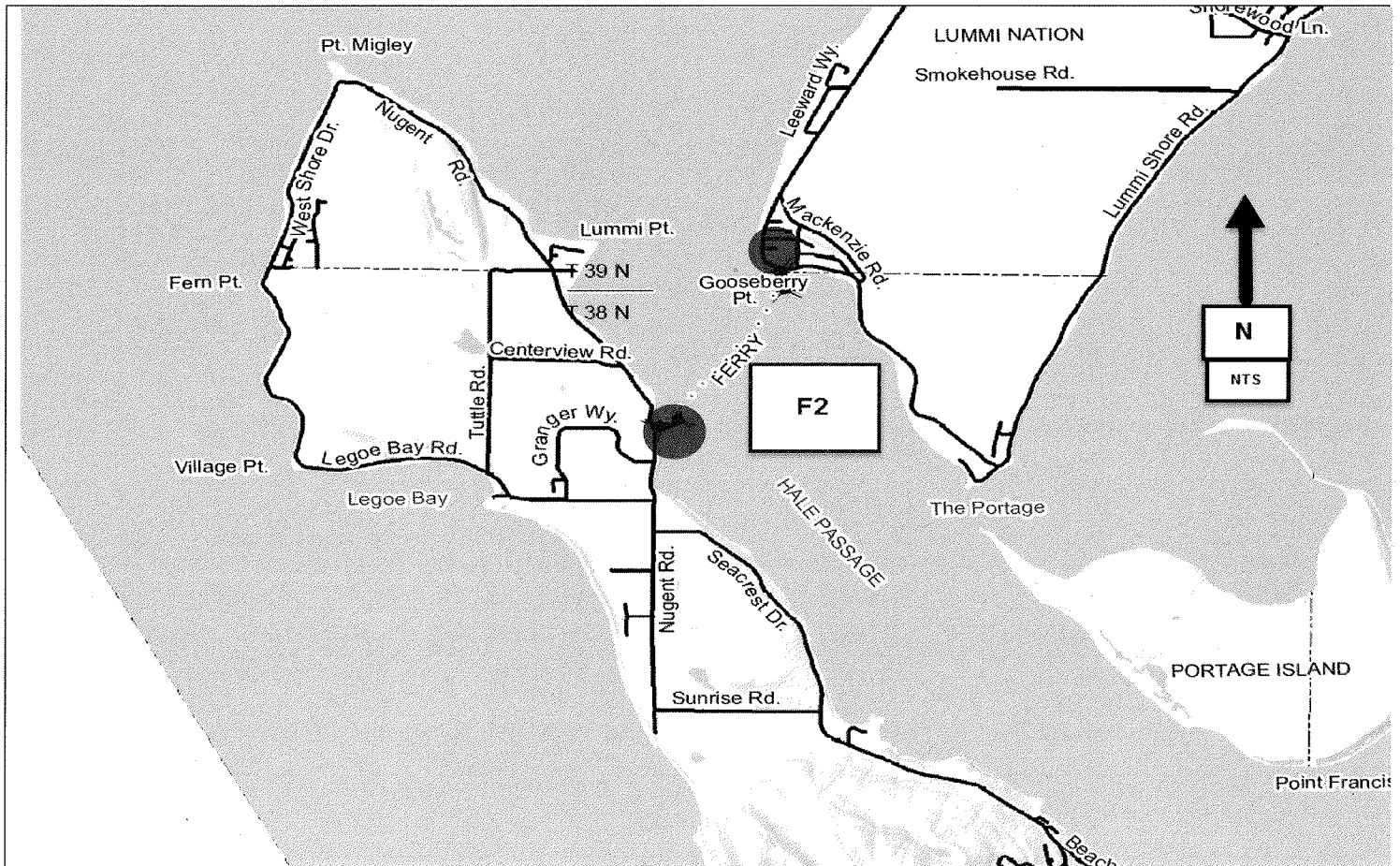
Total Estimated Project Cost: \$350,000

Expenditures to Date: \$320,000

Funding Sources:

Federal	\$
State	\$
Local	\$350,000

Environmental Permitting	HPA, SEPA, CORPS 404, COUNTY SHORELINES
Right-of-Way Acquisition (Estimate)	None Required
County Forces (Estimate)	N/A



Ferry Terminal Painting and Structural Repair Project CRP # 917015

Construction Funding Year(s): 2018

Project Narrative:

This project includes structural repair and painting of the approach spans and towers at both ferry terminals. This project is listed #F3 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design and permitting work is underway with construction anticipated in 2018.

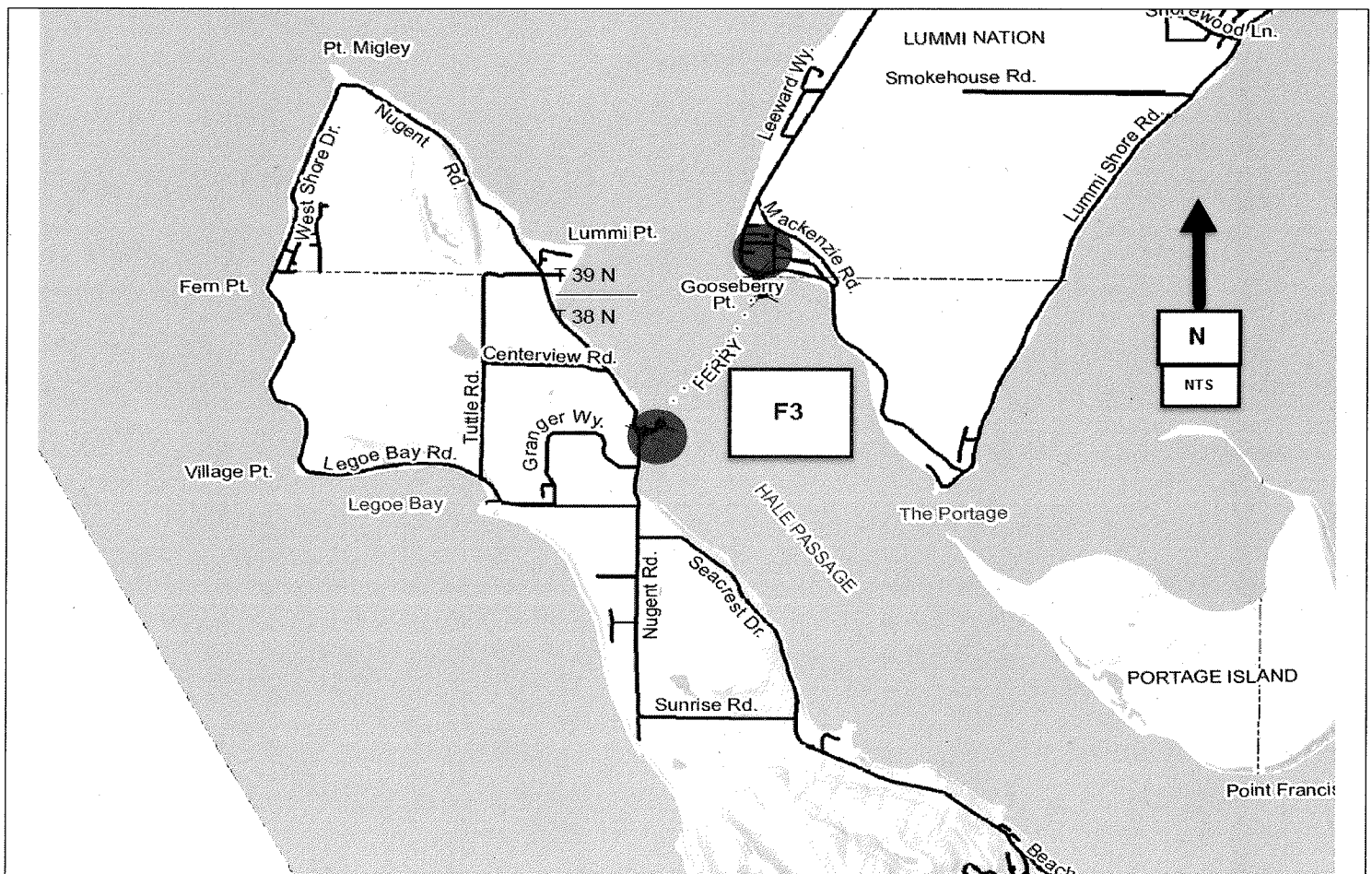
Total Estimated Project Cost: \$1,260,000

Expenditures to Date: \$ 60,000

Funding Sources:

Federal	\$
State	\$
Local	\$1,260,000

Environmental Permitting	HPA, SEPA, CORPS 404, COUNTY SHORELINES
Right-of-Way Acquisition (Estimate)	None Required
County Forces (Estimate)	N/A



Lummi Dolphin and Breakwater Replacement CRP #914015

Construction Funding Year(s): TBD

Project Narrative:

This project includes replacing the three remaining timber dolphins and southerly breakwater at the Lummi Island ferry terminal. These structures were constructed in the mid 1980's and are reaching the end of their service life. This project is listed **#F4** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Federal Ferry Boat Program funds have been obtained for this project. Design and permitting work is underway.

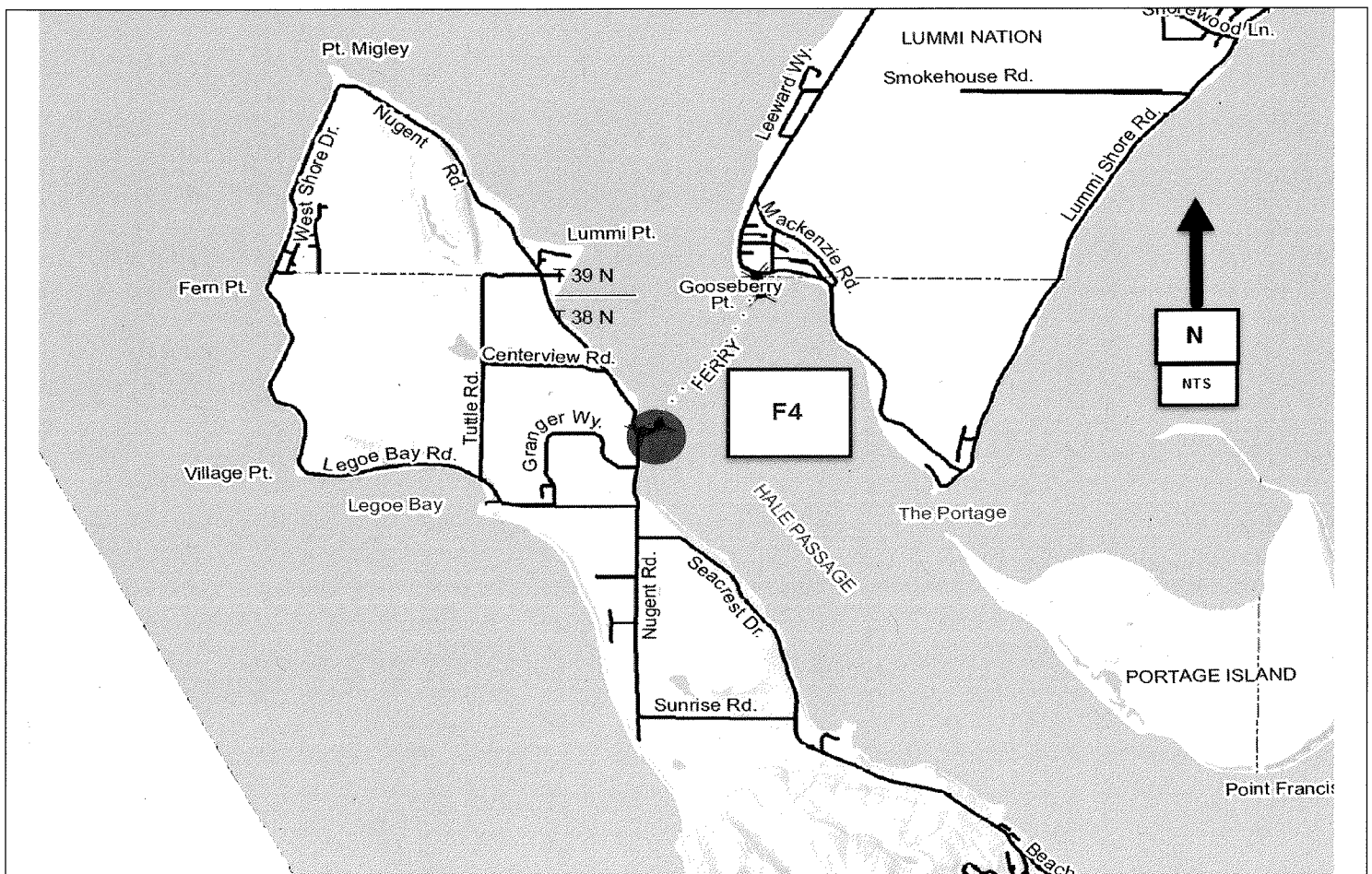
Total Estimated Project Cost: TBD

Expenditures to Date: \$125,000

Funding Sources:

Federal	\$120,000 (FBP)
State	\$
Local	\$30,000

Environmental Permitting	HPA, SEPA, CORPS 404, COUNTY SHORELINES
Right-of-Way Acquisition (Estimate)	None Required
County Forces (Estimate)	N/A



Replacement of the Whatcom Chief CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This project involves replacement of the current ferry to Lummi Island, M/V Whatcom Chief. This project is listed **#F5** on the 2018-2023 Six Year Transportation Improvement Program:

Project Status:

Opportunities for project funding will be reviewed as they become available.

Total Estimated Project Cost: TBD

Expenditures to Date: \$350,000 (approx)

Funding Sources:

Federal	\$0
State	\$0
Local	\$10,000

Environmental Permitting	None Required
---------------------------------	---------------

Right-of-Way Acquisition (Estimate)	None Required
--	---------------

County Forces (Estimate)	None Required
---------------------------------	---------------

M/V Whatcom Chief



Various Bridges Rehabilitation / Replacement CRP #Not Assigned

Construction Funding Year(s): 2018

Project Narrative:

This item provides funding to address unanticipated bridge rehabilitation and/or replacement. It is listed **#Y1** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design and construction to occur as necessary.

Total Estimated Project Cost: \$1,800,000

Expenditures to Date: N/A

Funding Sources:

Federal	\$
State	\$
Local	\$1,800,000 (STIP, 2018-2023)

Environmental Permitting	TBD
---------------------------------	-----

Right-of-Way Acquisition (Estimate)	TBD
--	-----

County Forces (Estimate)	TBD
---------------------------------	-----

Due to the nature of this item, no map exists. Council review and prioritization will be sought at the appropriate times.

Right of Way Acquisition
CRP # Not Assigned

Construction Funding Year(s): 2018-2023

Project Narrative:

This item addresses the unanticipated need for Right-of-Way that may arise during a given year that requires immediate action. This project is listed **#Y2** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

N/A.

Total Estimated Project Cost: \$180,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$180,000 (2018-2023)

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Unanticipated Site Improvements CRP # Not Assigned

Construction Funding Year(s): 2018 - 2023

Project Narrative:

This Annual Construction Program item addresses the unanticipated project(s) that may arise during a given year that require immediate action due to safety concerns, environmental factors, traffic volumes, accident history, funding or grant availability and other issues not related to an existing program project. This project is listed #Y3 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

It is anticipated that the design and construction of projects will occur yearly as the needs and locations are determined.

Total Estimated Project Cost: \$1,800,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$1,800,000 (2018-2023)

Environmental Permitting	TBD
---------------------------------	-----

Right-of-Way Acquisition (Estimate)	TBD
--	-----

County Forces (Estimate)	N/A
---------------------------------	-----

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Stormwater Quality Improvements
CRP # Not Assigned

Construction Funding Year(s): 2018

Project Narrative:

This project varies in location. Identification and prioritization to be addressed and reviewed through County Council. This project is listed #Y4 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design and construction will be completed in 2017/2018.

Total Estimated Project Cost: \$345,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$345,000 (2018-2023)

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Non-motorized Transportation Improvements

CRP # Not Assigned

Construction Funding Year(s): 2018 - 2023

Project Narrative:

This program item addresses the need to identify and prioritize non-motorized projects for future consideration. Projects would include pedestrian and bike facilities (eg: sidewalks, trails, shoulder widening) in various locations around the county. This project is listed #Y5 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

It is anticipated that the design and construction of projects will occur yearly as the needs and locations are determined.

Total Estimated Project Cost: \$600,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$600,000 (2018-2023)

Environmental Permitting	TBD
---------------------------------	-----

Right-of-Way Acquisition (Estimate)	TBD
--	-----

County Forces (Estimate)	TBD
---------------------------------	-----

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Fish Passage Project
CRP #912014

Construction Funding Year(s): 2019

Project Narrative:

This project is for the design and construction of fish passage projects. This project is listed **#Y6** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design work will begin in 2019 with construction of the first project scheduled for 2020.

Total Estimated Project Cost: TBD Expenditures to Date: N/A	Funding Sources:	
	Federal	\$0
	State	\$0
	Local	\$250,000 (2019-2023) *

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

*Note: 2017-2018 Fish Passage Project is #B1, Slater Rd/Jordan Creek Bridge.

Swift Creek Transportation Impacts

CRP # Not Assigned

Construction Funding Year(s): TBD

Project Narrative:

This item addresses the various projects related to Sumas Mountain/Swift Creek Slide. Locations to be determined. This project is #Y7 on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Design and construction for the various projects will be initiated in 2018 and extend through 2019.

Total Estimated Project Cost: \$600,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$600,000 (2018-2023)

Environmental Permitting	N/A
--------------------------	-----

Right-of-Way Acquisition (Estimate)	N/A
-------------------------------------	-----

County Forces (Estimate)	N/A
--------------------------	-----

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Railroad Crossing Improvements CRP # Not Assigned

Construction Funding Year(s): 2018 - 2023

Project Narrative:

Locations to be determined. Identification and prioritization to be addressed. This project is listed **#Y8** on the 2018-2023 Six Year Transportation Improvement Program.

Project Status:

Locations and prioritization of projects is on-going. Negotiations with BNSF will be a factor on timing and cost.

Total Estimated Project Cost: \$120,000 Expenditures to Date: - 0 -	Funding Sources:	
	Federal	\$0
	State	\$0
	Local	\$120,000 (2018-2023)

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

FUND BALANCE

Road Fund
Cash Flow Projections (\$ in millions)

	1	2	3	4	5	6	7	8	9	10
Year	General		Non-Capital		Capital Program		Net	Ending Fund Balance	Designated Fund Balance	Available Fund Balance
	Revenue	Expense	Revenue	Expense	Revenue	Const. Expense				
act. 2000	\$18.590	(\$13.908)	\$4.682		\$2.480	(\$6.255)	(\$3.775)	\$11.927	\$0.000	\$11.927
act. 2001	\$18.795	(\$14.251)	\$4.544		\$2.233	(\$7.432)	(\$5.199)	\$11.272	\$0.000	\$11.272
act. 2002	\$18.680	(\$14.724)	\$3.956		\$2.146	(\$6.767)	(\$4.621)	\$10.607	\$0.000	\$10.607
act. 2003	\$19.659	(\$15.266)	\$4.393		\$1.088	(\$4.319)	(\$3.231)	\$11.769	\$0.000	\$11.769
act. 2004	\$19.901	(\$15.025)	\$4.876		\$1.305	(\$6.934)	(\$5.629)	\$11.016	\$0.000	\$11.016
act. 2005	\$21.554	(\$16.151)	\$5.403		\$2.240	(\$7.621)	(\$5.381)	\$11.037	\$0.000	\$11.037
act. 2006	\$21.535	(\$17.258)	\$4.277		\$3.650	(\$8.162)	(\$4.512)	\$10.802	\$0.000	\$10.802
act. 2007	\$21.986	(\$16.907)	\$5.079		\$1.603	(\$8.994)	(\$7.391)	\$8.490	\$0.000	\$8.490
act. 2008	\$23.366	(\$18.844)	\$4.522		\$2.471	(\$5.541)	(\$3.070)	\$9.943	\$0.000	\$9.943
act. 2009	\$23.987	(\$17.221)	\$6.766		\$6.882	(\$8.737)	(\$1.855)	\$14.853	\$0.829	\$14.024
act. 2010	\$23.184	(\$18.494)	\$4.690		\$3.813	(\$4.481)	(\$0.668)	\$18.875	\$0.290	\$18.585
act. 2011	\$24.136	(\$19.733)	\$4.403		\$1.078	(\$2.038)	(\$0.960)	\$22.318	\$0.397	\$21.921
act. 2012	\$24.628	(\$17.904)	\$6.724		\$1.103	(\$3.594)	(\$2.491)	\$26.551	\$10.460	\$16.091
act. 2013	\$26.049	(\$25.159)	\$0.890		\$4.505	(\$4.488)	\$0.017	\$27.458	\$12.204	\$15.254
act. 2014	\$24.507	(\$18.250)	\$6.257		\$7.432	(\$9.348)	(\$1.916)	\$31.799	\$13.432	\$18.367
act. 2015	\$25.149	(\$20.699)	\$4.450		\$6.849	(\$13.188)	(\$6.339)	\$29.911	\$12.151	\$17.760
act. 2016	\$25.231	(\$21.544)	\$3.687		\$3.701	(\$6.138)	(\$2.437)	\$31.161	\$12.250	\$18.911
proj. 2017	\$25.617	(\$21.522)	\$4.095		\$3.194	(\$10.725)	(\$7.531)	\$27.725	\$10.250	\$17.475
proj. 2018	\$26.031	(\$21.994)	\$4.037		\$4.036	(\$16.280)	(\$12.244)	\$19.517	\$10.250	\$9.267
proj. 2019	\$26.444	(\$22.476)	\$3.967		\$0.810	(\$6.822)	(\$6.012)	\$17.473	\$10.250	\$7.223
proj. 2020	\$26.859	(\$22.970)	\$3.889		\$0.000	(\$3.075)	(\$3.075)	\$18.287	\$10.250	\$8.037
proj. 2021	\$27.182	(\$23.474)	\$3.709		\$3.509	(\$9.440)	(\$5.931)	\$16.065	\$10.250	\$5.815
proj. 2022	\$27.674	(\$23.989)	\$3.685		\$0.000	(\$0.975)	(\$0.975)	\$18.775	\$10.250	\$8.525
proj. 2023	\$28.091	(\$24.516)	\$3.575		\$0.000	(\$0.990)	(\$0.990)	\$21.360	\$10.250	\$11.110

Road Fund

REVENUES

Cash Flow Projections (\$ in millions)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Year	Property Tax Revenue	General Fuel Tax	Private Timber Harvest	Federal Forest	State Forest	Ferry Tolls	Fuel Tax Ferry Deficit	Reimb.	Interfund Charges	Other Revenue	Total Non-Const Revenue	Const. Grants & Loans	Total Revenue
act. 2007	\$14.985	\$3.828	\$0.141	\$0.874	\$0.240	\$0.000	\$0.000	\$0.336	\$0.829	\$0.753	\$21.986	\$1.603	\$23.589
act. 2008	\$15.744	\$4.115	\$0.167	\$0.790	\$1.034	\$0.000	\$0.000	\$0.230	\$0.669	\$0.617	\$23.366	\$2.471	\$25.837
act. 2009	\$15.802	\$3.631	\$0.092	\$0.709	\$0.453	\$0.000	\$0.000	\$0.140	\$1.148	\$2.012	\$23.987	\$6.882	\$30.869
act. 2010	\$16.276	\$3.778	\$0.093	\$0.639	\$0.292	\$0.000	\$0.000	\$0.361	\$0.777	\$0.968	\$23.184	\$3.813	\$26.997
act. 2011	\$16.841	\$3.734	\$0.181	\$0.515	\$0.517	\$0.000	\$0.000	\$0.351	\$0.732	\$1.265	\$24.136	\$1.078	\$25.214
act. 2012	\$16.876	\$3.784	\$0.282	\$0.454	\$0.739	\$0.000	\$0.000	\$0.333	\$0.695	\$1.465	\$24.628	\$1.103	\$25.731
act. 2013	\$17.167	\$3.888	\$0.196	\$0.000	\$0.457	\$0.000	\$0.000	\$0.406	\$0.706	\$3.229	\$26.049	\$4.505	\$30.554
act. 2014	\$17.520	\$3.906	\$0.144	\$0.469	\$0.271	\$0.000	\$0.000	\$0.361	\$0.626	\$1.210	\$24.507	\$7.432	\$31.939
act. 2015	\$17.778	\$4.011	\$0.256	\$0.432	\$0.527	\$0.000	\$0.000	\$0.317	\$0.515	\$1.313	\$25.149	\$6.849	\$31.998
act. 2016	\$18.128	\$4.322	\$0.182	\$0.428	\$0.199	\$0.000	\$0.000	\$0.246	\$0.945	\$0.781	\$25.231	\$3.701	\$28.932
proj. 2017	\$18.075	\$4.235	\$0.219	\$0.430	\$0.450	\$0.000	\$0.000	\$0.300	\$1.015	\$0.893	\$25.617	\$3.194	\$28.811
proj. 2018	\$18.406	\$4.389	\$0.235	\$0.460	\$0.452	\$0.000	\$0.000	\$0.306	\$1.045	\$0.736	\$26.031	\$4.036	\$30.067
proj. 2019	\$18.599	\$4.512	\$0.290	\$0.458	\$0.452	\$0.000	\$0.000	\$0.312	\$1.077	\$0.744	\$26.444	\$0.810	\$27.254
proj. 2020	\$18.817	\$4.653	\$0.288	\$0.468	\$0.452	\$0.000	\$0.000	\$0.318	\$1.109	\$0.753	\$26.859	\$0.000	\$26.859
proj. 2021	\$18.979	\$4.722	\$0.337	\$0.465	\$0.452	\$0.000	\$0.000	\$0.325	\$1.142	\$0.759	\$27.182	\$3.509	\$30.691
proj. 2022	\$19.236	\$4.873	\$0.371	\$0.465	\$0.452	\$0.000	\$0.000	\$0.331	\$1.177	\$0.769	\$27.674	\$0.000	\$27.674
proj. 2023	\$19.433	\$4.993	\$0.420	\$0.465	\$0.452	\$0.000	\$0.000	\$0.338	\$1.212	\$0.777	\$28.091	\$0.000	\$28.091

Whatcom County Public Works

ATTACHMENT "C3"

8/29/2017

Road Fund

EXPENDITURES

Cash Flow Projections (\$ in millions)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Year	108100	108110	Noxious Weed	Loan Repmt.	10890	Admin. & Acct.	Eng. Admin.	10851	10852/1	10853/1	108131/1	Total Non-Const.	90000.99999 CRP & PBB Const.	Total Expense
act. 2007	\$10.177	\$0.162	\$0.000	\$0.000	\$1.837	\$1.433	\$0.629	\$0.949	Undist. Const. Eng.	Eng. Traffic & Develop.	Other	\$16.907	\$8.994	\$25.901
act. 2008	\$10.917	\$0.181	\$0.000	\$0.000	\$1.800	\$2.257	\$0.830	\$0.912	\$1.312	\$0.334	\$0.300	\$18.844	\$5.541	\$24.385
act. 2009	\$10.579	\$0.192	\$0.000	\$0.000	\$0.000	\$2.347	\$1.719	\$0.204	\$1.303	\$0.519	\$0.358	\$17.221	\$8.737	\$25.958
act. 2010	\$10.005	\$0.212	\$0.000	\$0.000	\$0.043	\$2.772	\$0.982	\$0.668	\$1.355	\$0.441	\$2.014	\$18.494	\$4.481	\$22.975
act. 2011	\$10.900	\$0.246	\$0.000	\$0.000	\$0.336	\$4.478	\$0.869	\$0.861	\$1.282	\$0.580	\$0.181	\$19.733	\$2.038	\$21.771
act. 2012	\$11.316	\$0.224	\$0.000	\$0.000	(\$0.099)	\$2.486	\$0.934	\$1.009	\$1.333	\$0.517	\$0.184	\$17.904	\$3.594	\$21.498
act. 2013	\$11.557	\$0.213	\$0.000	\$0.000	\$6.851	\$2.529	\$0.868	\$1.239	\$1.272	\$0.531	\$0.099	\$25.159	\$4.488	\$29.647
act. 2014	\$12.019	\$0.209	\$0.000	\$0.000	(\$0.119)	\$2.316	\$0.865	\$1.054	\$1.310	\$0.477	\$0.119	\$18.250	\$9.348	\$27.598
act. 2015	\$13.345	\$0.180	\$0.000	\$0.000	\$0.359	\$3.029	\$0.900	\$0.917	\$1.410	\$0.432	\$0.127	\$20.699	\$13.188	\$33.887
act. 2016	\$13.858	\$0.220	\$0.000	\$0.000	\$0.008	\$3.357	\$0.971	\$1.187	\$1.495	\$0.317	\$0.131	\$21.544	\$6.138	\$27.682
proj. 2017	\$13.642	\$0.226	\$0.000	\$0.000	\$0.008	\$3.441	\$0.995	\$1.217	\$1.532	\$0.325	\$0.136	\$21.522	\$10.725	\$32.247
proj. 2018	\$13.915	\$0.231	\$0.000	\$0.000	\$0.008	\$3.527	\$1.020	\$1.247	\$1.571	\$0.333	\$0.142	\$21.994	\$16.280	\$38.274
proj. 2019	\$14.193	\$0.237	\$0.000	\$0.000	\$0.009	\$3.615	\$1.046	\$1.278	\$1.610	\$0.341	\$0.147	\$22.476	\$6.822	\$29.298
proj. 2020	\$14.477	\$0.243	\$0.000	\$0.000	\$0.009	\$3.705	\$1.072	\$1.310	\$1.650	\$0.350	\$0.153	\$22.970	\$3.075	\$26.045
proj. 2021	\$14.767	\$0.249	\$0.000	\$0.000	\$0.009	\$3.798	\$1.099	\$1.343	\$1.691	\$0.359	\$0.159	\$23.474	\$9.440	\$32.914
proj. 2022	\$15.062	\$0.255	\$0.000	\$0.000	\$0.009	\$3.893	\$1.126	\$1.377	\$1.734	\$0.368	\$0.166	\$23.989	\$0.975	\$24.964
proj. 2023	\$15.363	\$0.262	\$0.000	\$0.000	\$0.010	\$3.990	\$1.154	\$1.411	\$1.777	\$0.377	\$0.172	\$24.516	\$0.990	\$25.506

Attachment "D"
2017
Whatcom County
Priority Rating Program

2017

Rating	Road Name	From	To	Length	FFC
33	North Shore Road	Bellingham C/L	Y Road	2.87	16
34	Marine Drive	Wynn Road	Old Marine Drive	0.44	16
35	Lake Louise Road	Gate 13 (SV)	Austin Street	1.97	16
35	Lake Whatcom Boulevard	UAB	South Bay Drive	1.95	7
35	Marine Drive	Bridge #5	Rural Avenue	1.16	7
36	Bennett Drive	Airport Drive	Bakerview Road (W)	0.26	17
36	Lake Louise Road	Gate 5 (SV)	Gate 13 (SV)	1.59	16
37	Lake Louise Road	Lake Whatcom Boulevard	Gate 5 (SV)	0.50	16
39	Haxton Way	Kwina Road	Slater Road	1.82	7
40	Harborview Road	Lincoln Road	Drayton Harbor Road	0.47	17
40	Vista Drive	Grandview Road	Bay Road	1.61	7
41	Beach Way	Slater Road	Sucia Drive	0.36	8
41	Drayton Harbor Road	Harborview Road	Blaine Road	0.90	17
41	Nugent Road	Ferry Dock	West Shore Drive	2.49	8
41	Yew Street Road	Spring Valley Dr (private)	Samish Way	0.71	17
42	Bay Road	Blaine Road	Kickerville Road	0.98	7
42	Bay Road	Kickerville Road	Bruce Road	2.76	7
42	Goodman Road	Johnson Road	Meadow Lane	0.25	8
42	Shintaffer Road	Lincoln Road	Birch Bay Drive	0.60	17
42	South Pass Road	North Pass Road	Frost Road	4.16	7
42	Wiser Lake Road (E)	SR 539	Hannegan Road	2.12	18
43	Cedarville Road	Goshen Road	SR 542	1.39	8
43	Drayton Harbor Road	Blaine C/L	Harborview Road	1.16	18
43	Hovander Road	Smith Road (W)	Ferndale C/L	0.29	16
43	Lake Whatcom Boulevard	Lake Louise Road	UAB	0.93	17
43	South Pass Road	Goodwin Road	North Pass Road	1.74	7
43	Van Wyck Road	Hannegan Road	SR 542	2.15	7
44	Badger Road (W)	Sunrise Road	Markworth Road	2.01	7
44	Cain Lake Road	NE Cain Lk Rd	Lake Whatcom Boulevard	0.37	7
44	Ferndale Road	Slater Road	Ulrich Road	1.05	7
44	Ferndale Road	Ulrich Road	Ferndale C/L	0.38	16
44	Goodwin Road	Sorenson Road	South Pass Road	1.00	8
44	H Street Road	Axling Road	Sunrise Road	3.78	7
44	Marine Drive	Old Marine Drive	McAlpine Rd	0.73	16
44	Mountain View Road	Olson Road	Ferndale C/L	0.77	16
44	North Telegraph Road	Sorenson Road	Badger Road (E)	2.19	8
44	Portal Way	Birch Bay Lynden Road	Hall Road	3.32	7
44	Portal Way	Hall Road	Blaine C/L	0.41	17
44	Silver Lake Road	SR 542	Rock Quarry	3.22	8
44	Vista Drive	Ferndale C/L	Grandview Road	1.67	17
45	Alderwood Avenue	Marine Drive	Airport Drive	0.34	16
45	Bakerview Road (W)	Bellingham C/L	Bennett Drive	0.33	17
45	Birch Bay Drive	Alderson Road	Harborview Road	1.14	17
45	H Street Road	Sunrise Road	Blaine C/L	2.72	7
45	Jackson Road	Birch Bay Drive	UAB	0.92	18

Rating: 0 (worst) to 100 (best)

Incorporates; road geometrics, surface condition, ride,
drainage, traffic volumes, traffic types, accident history
UC - Under construction

Federal Functional Classification (FFC):

7 & 8 - Rural collectors

14, 16, 17 & 18 - Urban arterials/collectors

2017
Whatcom County
Priority Rating Program

2017

Rating	Road Name	From	To	Length	FFC
45	Mountain View Road	Lake Terrell Road	Olson Road	2.00	7
45	North Telegraph Road	Badger Road (E)	SR 547	1.88	8
45	Northwood Road	Hampton Road	Lynden C/L	0.75	8
45	Rural Avenue	Curtis Road	Ferndale C/L	0.58	17
46	Airport Drive	Alderwood Avenue	Airport Way	0.46	16
46	Axton Road (E)	SR 539	Hannegan Road	1.97	7
46	Ferndale Road	Marine Drive	Slater Road	1.89	7
46	Grandview Road	Point Whitehorn Way	Jackson Road	0.98	7
46	Lummi View Drive	Gooseberry Spur	Mackenzie Rd / Haxton Wy	0.44	7
46	Maplewood Avenue (W)	Bellingham C/L	Bakerview Road (W)	0.26	14
46	Marine Dr / Edwards Dr	Gulf Road	Marina Drive	1.27	8
46	Marine Dr/Lummi Shore Dr	Kwina Road	Bridge #5	0.41	7
46	Slater Road	Beach Way	Lake Terrell Road	1.09	8
46	Smith Road (W)	Hovander Road	Ferndale C/L	0.17	16
46	South Bay Drive	Lake Whatcom Boulevard	Brannigan Creek	2.77	8
46	West Shore Drive	Legoe Bay Road	Nugent Road	2.31	8
46	Wiser Lake Road (W)	Northwest Drive	Old Guide Road	2.18	8
47	APA Road	Tyee Drive	Boundary Bay Road	1.50	8
47	Benson Road	Teller Road	Boundary Bay Road	1.75	8
47	Birch Point Road	Semiahmoo Drive	Birch Bay Village Entrance	1.58	17
47	Curtis Road	Country Lane	Rural Avenue	1.50	17
47	H Street Road	SR 539	Axling Road	1.24	7
47	Hopewell Road	Siper Road	Goodwin Road	0.23	8
47	Kickerville Road	Bay Road	Birch Bay Lynden Road	2.02	8
47	Lake Whatcom Boulevard	Seaplane Road	Lake Louise Road	1.39	17
47	Loomis Trail Road	Bob Hall Road	Bertrand Creek Bridge #30	1.43	8
47	Loomis Trail Road	Bertrand Creek Bridge #30	Berthusen Road	0.62	18
47	Nugent Road	Sunrise Road	Granger Road	1.33	8
47	Semiahmoo Drive	Elderberry Lane	Blaine C/L	0.96	17
47	Silver Lake Road	Rock Quarry	South Pass Road	2.67	8
48	Cain Lake Road	Skagit County Line	NE Cain Lk Rd	1.80	7
48	Gooseberry Spur	Lummi view Drive	Ferry Dock	0.05	7
48	Goshen Road	Fazon Road	Cedarville Road	1.23	8
48	Johnson Road	Tyee Drive	Boundary Bay Road	1.51	8
48	Kickerville Road	Rainbow Road	Grandview Road	2.01	7
48	Marine Drive	Gulf Road	Roosevelt Road	1.27	8
48	Northwest Drive	Pole Road (W)	Ritter Road	0.84	8
49	Alderwood Avenue	Airport Drive	Bellingham C/L	0.71	17
49	Bancroft Road	Marine Drive	Country Lane	0.59	16
49	Birch Bay Drive	Shintaffer Road	Birch Point Road	0.66	17
49	Boundary Bay Road	APA Road	Johnson Road	1.00	8
49	Country Lane	Rural Avenue	Bancroft Road	0.82	16
49	Enterprise Road (N)	Harksell Road	Birch Bay Lynden Road	2.00	7
49	Fazon Road	Goshen Road	Hemmi Road (E)	0.77	8
49	Harksell Road	Enterprise Road	Enterprise Road (N)	0.38	7

Rating: 0 (worst) to 100 (best)

Incorporates; road geometrics, surface condition, ride,
drainage, traffic volumes, traffic types, accident history
UC - Under construction

Federal Functional Classification (FFC):

7 & 8 - Rural collectors

14, 16, 17 & 18 - Urban arterials/collectors

2017
Whatcom County
Priority Rating Program

2017					
Rating	Road Name	From	To	Length	FFC
49	Lake Samish Drive (W)	Nulle Road	Summerland Road	1.73	8
49	Lake Whatcom Boulevard	Cable Street	Strawberry Point Road	1.50	17
49	Laurel Road (E)	SR 539	Hannegan Road	1.97	8
49	Loomis Trail Road	Blaine Road	Portal Way	1.75	8
49	Northwood Road	SR 546	Halverstick Road	2.01	8
49	Slater Road	Lake Terrell Road	Haxton Way	2.50	7
49	Slater Road	Ferndale Road	Ferndale C/L	1.40	7
49	South Bay Drive	Brannigan Creek	Park Road	0.94	8
49	Van Buren Road	MP 3.34	Halverstick Road	1.41	8
50	Berthusen Road	Loomis Trail Road	West Main Street	0.26	18
50	Goodwin Road	South Pass Road	Hopewell Road	2.54	8
50	Grandview Road	Ferndale C/L	UAB	0.40	17
50	Halverstick Road	Crape Road	Garrison Road	1.00	8
50	Harborview Road	Birch Bay Drive	Lincoln Road	1.17	17
50	Haxton Way	Mackenzie Road	Balch Road	0.94	7
50	Jackson Road	UAB	Grandview Road	0.51	8
50	Lake Whatcom Boulevard	Strawberry Point Road	Seaplane Road	1.53	17
50	Laurel Road (W)	Northwest Drive	Aldrich Road	0.99	17
50	Laurel Road (W)	Aldrich Road	SR 539	1.51	8
50	Lummi Shore Drive	Kwina Road	Haxton Way	1.08	8
50	Lummi View Drive	Lummi Shore Road	Goosebery spur	1.69	8
50	Marine Drive	Bancroft Road	Wynn Road	0.20	16
50	Mosquito Lake Road	North Fork Road	SR 542	0.95	8
50	Olson Road	Vista Drive	Aldergrove Road	1.90	8
50	Olson Road	Aldergrove Road	Mountain View Road	1.99	8
50	Valleyview Road	Birch Bay Lynden Road	Haynie Road	2.45	8
50	Wiser Lake Road (W)	Old Guide Road	SR 539	0.50	18
51	Badger Road (E)	Garrison Road	North Telegraph Road	0.33	8
51	Halverstick Road	Northwood Road	Van Buren Road	3.54	8
51	Halverstick Road	Van Buren Road	Crape Road	1.02	8
51	Lincoln Road	Blaine C/L	0.05 m. west of Shintaffer Rd	0.39	17
51	Lummi Shore Drive	Cagey Road	Marine Drive	2.76	8
51	Pole Road (W)	Old Guide Rd	SR 539	0.51	17
51	Smith Road (E)	Mission Road	SR 542	2.24	7
51	Van Dyk Road	Theil Road	Everson Goshen Road	2.62	8
52	Birch Bay Drive	State Park (north gate)	Alderson Road	1.18	17
52	Birch Bay Drive	Harborview Road	Shintaffer Road	0.95	17
52	Birch Point Road	Birch Bay Village Entrance	Birch Bay Drive	0.40	17
52	Grandview Road	UAB	Dahlberg Road	0.33	7
52	Lake Samish Drive (N)	Lake Samish Drive (E)	Old Samish Road	0.87	8
52	Lake Samish Drive (W)	Summerland Road	Lake Samish Drive (N)	0.87	8
52	Marina Drive	Edwards Drive	APA Road	0.56	8
52	Meadow Lane	Goodman Road	Roosevelt Road	0.26	8
52	Mosquito Lake Road	Hutchinson Creek	Middle Fork Bridge	3.89	8
52	Mosquito Lake Road	Middle Fork Bridge	Township Line	2.75	8

Rating: 0 (worst) to 100 (best)

Incorporates; road geometrics, surface condition, ride,
 drainage, traffic volumes, traffic types, accident history
 UC - Under construction

Federal Functional Classification (FFC):

7 & 8 - Rural collectors

14, 16, 17 & 18 - Urban arterials/collectors

2017
Whatcom County
Priority Rating Program

2017

Rating	Road Name	From	To	Length	FFC
52	Mosquito Lake Road	Township Line	North Fork Road	1.94	8
52	Northwest Drive	Smith Road (W)	Paradise Road	1.76	16
52	Pacific Highway	Bellingham C/L	Slater Road	1.34	17
52	Rainbow Road	Mountain View Road	Kickerville Road	1.20	7
52	Samish Way	Old Samish Road	Galbraith Lane	1.51	8
52	Samish Way	Galbraith Lane	Bellingham C/L	1.52	17
52	Slater Road	Haxton Way	Imhof Road	0.98	7
52	Smith Road (E)	Noon Road	Mission Road	2.01	7
52	South Pass Road	Frost Road	SR 547	1.24	7
53	Cedarwood Avenue	Bennett Drive	Bellingham C/L	0.10	17
53	Custer School Road	Creasy Road	Birch Bay Lynden Road	0.50	8
53	Everson Goshen Road	SR 542	Smith Road (E)	1.99	7
53	Everson Goshen Road	Smith Road (E)	Hemmi Road (E)	2.01	7
53	Haxton Way	Balch Road	Kwina Road	3.28	7
53	Lake Samish Drive (N)	Lake Samish Drive (W)	Lake Samish Drive (E)	0.93	8
53	Legoe Bay Road	Nugent Road	West Shore Drive	1.67	8
53	Lummi Shore Road	Lummi View Drive	Smokehouse Road	2.38	8
53	Lummi Shore Road	Smokehouse Road	Cagey Road	1.01	8
53	Northwest Drive	Bellingham C/L	Smith Road (W)	2.54	16
53	Portal Way	Faris Road	Birch Bay Lynden Road	2.85	7
53	Siper Road	MP 0.81	Hopewell Road	0.99	8
53	Slater Road	Ferndale C/L	Northwest Drive	1.03	16
53	Tyee Drive	APA Road	Benson Road	0.50	7
53	Van Buren Road	Hampton Road	Lindsay Road	0.55	7
53	Van Dyk Road	Hannegan Road	Theil Road	0.98	8
54	Airport Drive	Airport Way	Bennett Drive	0.30	16
54	Bennett Drive	Marine Drive	Airport Drive	1.23	17
54	Birch Bay Lynden Road	UAB	Portal Way	2.41	7
54	Birch Bay Lynden Road	Delta Line Road	Enterprise Road (N)	1.90	7
54	Birch Bay Lynden Road	Enterprise Road (N)	Rathbone Road	2.03	7
54	Birch Bay Lynden Road	Rathbone Road	Berthusen Road	1.01	7
54	Everson Goshen Road	Hemmi Road (E)	Pole Road (E)	2.08	7
54	Hemmi Road (E)	Everson Goshen Road	Mission Road	1.00	8
54	Mosquito Lake Road	Dike Road DNR	Hutchinson Creek	3.17	8
54	Portal Way	Ferndale C/L	Faris Road	1.16	16
54	Sunrise Road	Badger Road (W)	H Street Road	2.02	8
54	Sweet Road	Blaine C/L	Stadsvold Road	1.44	7
54	Weidkamp Road	Badger Road (W)	H Street Road	1.96	8
55	Birch Bay Lynden Road	Harborview Road	UAB	1.25	17
55	Birch Bay Lynden Road	MP 4.20	Delta Line Road	1.82	7
55	Hampton Road	Northwood Road	Van Buren Road	2.99	7
55	Hemmi Road (E)	Hannegan Road	Everson Goshen Road	3.05	8
55	Lake Terrell Road	Slater Road	Mountain View Road	2.00	7
55	Main Street	Bruce Road	Custer School Road	0.24	8
55	Mosquito Lake Road	SR 9	Dike Road DNR	1.68	8

Rating: 0 (worst) to 100 (best)

Incorporates; road geometrics, surface condition, ride,
drainage, traffic volumes, traffic types, accident history
UC - Under construction

Federal Functional Classification (FFC):

7 & 8 - Rural collectors

14, 16, 17 & 18 - Urban arterials/collectors

2017
Whatcom County
Priority Rating Program

2017

Rating	Road Name	From	To	Length	FFC
55	Mountain View Road	Rainbow Road	Lake Terrell Road	0.50	7
55	Northwest Drive	Paradise Road	Pole Road (W)	2.00	7
55	Nulle Road	Lake Samish Drive (W)	I-5	0.62	8
55	Sucia Drive	BMP	Beach Way	1.87	8
55	Sunrise Road	Nugent Road	Seacrest Drive	0.75	8
55	Van Buren Road	Lindsay Road	SR 546	1.00	7
55	Y Road	North Shore Road	Jensen Road	1.87	8
56	Alderson Road	Birch Bay Drive	Blaine Road	0.85	18
56	Birch Bay Drive	Point Whitehorn Way	State Park (north gate)	0.76	17
56	Birch Bay Lynden Road	Berthusen Road	Lynden C/L	0.52	16
56	Cottonwood Avenue	Bennett Drive	Bellingham C/L	0.09	17
56	Enterprise Road	Ferndale C/L	Harksell Road	1.79	17
56	Enterprise Road (N)	Birch Bay Lynden Road	Loomis Trail Road	1.01	8
56	Hampton Road	UAB	Northwood Road	1.66	7
56	Haynie Road	Valleyview Road	Delta Line Road	2.01	7
56	Old Samish Road	Lake Samish Drive (N)	Bellingham C/L	3.20	8
56	Point Whitehorn Road	Grandview Road	Birch Bay Drive	0.57	17
56	Rock Road	Sumas Road	Nims Road	2.90	8
56	Siper Road	SR 9	MP 0.81	0.81	8
56	Sorenson Road	Breckenridge Road	North Telegraph Road	0.47	8
56	South Pass Road	Nooksack C/L	Goodwin Road	1.23	7
56	Stadsvold Road	Haynie Road	Sweet Road	0.52	7
56	Y Road	Jensen Road	SR 542	2.55	8
57	Britton Road	SR 542	Bellingham C/L	1.48	16
57	Custer School Road	Main Street	Creasy Road	0.77	8
57	Haynie Road	Stadsvold Road	Valleyview Road	1.24	7
57	Kickerville Road	Grandview Road	Bay Road	1.00	7
57	Kickerville Road	Birch Bay Lynden Road	Loomis Trail Road	1.00	8
57	Lakeway Drive	Bellingham C/L	Terrace Avenue (N)	0.63	16
57	Roosevelt Road	Tyee Drive	Meadow Lane	1.37	8
57	Seacrest Drive	Sunrise Road	Scenic Estates	1.21	8
57	Semiahmoo Drive	Birch Point Road	Elderberry Lane	1.49	17
57	South Pass Road	SR 547	Silver Lake Road	4.99	8
57	Van Buren Road	Everson C/L	Hampton Road	1.09	7
58	Austin Street	Lake Louise Road	Cable Street	0.37	16
58	Axton Road (W)	Ferndale C/L	Northwest Drive	0.86	16
58	Baker Lake Road	Skagit County Line	MP 3.93	3.93	7
58	Breckenridge Road	Nooksack C/L	Sorenson Road	1.12	8
58	Hannegan Road	Bellingham C/L	Smith Road E	2.27	7
58	Hannegan Road	Smith Road (E)	Hemmi Road (E)	2.07	7
58	Hemmi Road (E)	SR 539	Hannegan Road	1.97	8
58	Lindsay Road	Van Buren Road	Van Buren Road	0.31	7
58	Smith Road (E)	SR 539	Hannegan Road	1.96	7
58	Van Wyck Road	BMP	Hannegan Road	0.40	7
59	Bruce Road	Bay Road	Main Street	0.74	8

Rating: 0 (worst) to 100 (best)

Incorporates; road geometrics, surface condition, ride,
 drainage, traffic volumes, traffic types, accident history
 UC - Under construction

Federal Functional Classification (FFC):

7 & 8 - Rural collectors

14, 16, 17 & 18 - Urban arterials/collectors

2017
Whatcom County
Priority Rating Program

2017

Rating	Road Name	From	To	Length	FFC
59	Cable Street	Terrace Avenue (N)	Lake Whatcom Boulevard	0.51	16
59	Marine Drive	Bennett Drive	Bellingham C/L	0.29	16
59	Roosevelt Road	Marine Drive	Tyee Drive	0.93	8
59	Weidkamp Road	Loomis Trail Road	Badger Road (W)	1.02	8
60	Gulf Road	Marine Drive	Tyee Drive	0.65	7
60	Terrace Avenue (N)	Lakeway Drive	Cable Street	0.16	16
60	Van Buren Road	SR 546	MP 3.34	0.63	8
61	Axton Road (W)	Northwest Drive	UAB	0.25	16
61	Delta Line Road	Badger Road (W)	Haynie Road	0.48	7
61	Marine Drive	McAlpine Rd	Bennett Drive	0.62	16
61	Nugent Road	Granger Road	Ferry Dock	0.19	8
61	Park Road	South Bay Drive	SR 9	2.78	8
61	Pole Road (W)	Northwest Drive	Old Guide Rd	2.22	7
61	Yew Street Road	Spring Valley Dr (private)	Tacoma Av (private)	0.28	17
62	Birch Bay Lynden Road	Portal Way	MP 4.20	0.54	7
62	Grandview Road	Jackson Road	Blaine Road	1.02	7
62	Smith Road (W)	Ferndale C/L	Northwest Drive	0.57	16
62	Tyee Drive	Benson Road	Roosevelt Road	0.95	7
63	Kwina Road	Haxton Way	Lummi Shore Road	0.96	7
63	Loomis Trail Road	Sunrise Road	Bob Hall Road	2.00	8
63	Nulle Road	I-5	Skagit County Line	0.59	7
63	Smith Road (E)	Hannegan Road	Noon Road	2.02	7
63	Smith Road (W)	Waschke Road	SR 539	2.00	7
64	Axton Road (W)	UAB	SR 539	2.25	7
64	Badger Road (W)	Markworth Road	SR 539	3.05	7
64	Bender Road	Boundary Road (E)	Visser Road	0.37	8
64	Hampton Road	Lynden C/L	UAB	0.04	17
64	Northwood Road	Halverstick Road	Boundary Road (E)	0.62	8
64	Yew Street Road	Bellingham C/L	Spring Valley Dr (private)	1.06	17
65	Badger Road (W)	Delta Line Road	Sunrise Road	0.86	7
65	Bakerview Road (W)	Bennett Drive	Bellingham C/L	0.26	16
65	Boundary Road (E)	SR 539	Benson Road	0.96	8
65	Hannegan Road	Hemmi Road (E)	Beard Rd	1.51	7
65	Hannegan Road	UAB	Nooksack Bridge #252	2.88	7
66	Benson Road	Visser Road	Boundary Road (E)	0.36	8
66	Boundary Road (E)	Bender Road	Northwood Road	1.49	8
66	Slater Road	Imhof Road	Ferndale Road	0.49	7
66	Smith Road (W)	Northwest Drive	Waschke Road	0.50	17
67	Country Lane	Bancroft Road	Curtis Road	0.07	17
67	Hannegan Road	Beard Rd	UAB	0.71	17
67	Hannegan Road	Nooksack Bridge #252	Lynden C/L	0.43	17
70	Lincoln Road	0.05 m. west of Shintaffer Rd	Harborview Road	0.79	17
70	Visser Road	Bender Road	Benson Road	1.00	8
71	Sunrise Road	Birch Bay Lynden Road	Badger Road (W)	2.01	8

Total miles = 358.28

Rating: 0 (worst) to 100 (best)

Incorporates; road geometrics, surface condition, ride,
 drainage, traffic volumes, traffic types, accident history
 UC - Under construction

Federal Functional Classification (FFC):

7 & 8 - Rural collectors
 14, 16, 17 & 18 - Urban arterials/collectors



2016 Annual Bridge Report



Prepared by the Whatcom County Public
Works Bridge and Hydraulic Group
Submitted September 2017

Whatcom County

2016 Bridge Report

Submitted: September 2017

This bridge report is prepared by Whatcom County Public Works Bridge and Hydraulic Division under the direction of the County Engineer each year to fulfill requirements of the Washington Administrative Code (WAC) 136-20-060. This WAC requires the County Engineer's report of bridge inspections as follows:

"Each county engineer shall furnish the county legislative authority with a written report of the findings of the bridge inspection effort. This report shall be made available to said authority and shall be consulted during the preparation of the proposed six-year transportation program revision. The report shall include the county engineer's recommendations as to replacement, repair or load restriction for each deficient bridge. The resolution of adoption of the six-year transportation program shall include assurances to the effect that the county engineer's report with respect to deficient bridges was available to said authority during the preparation of the program. It is highly recommended that deficient short span bridges, drainage structures, and large culverts be included in said report."

Prepared by:



Steve Dillon
Bridge Inspection Team Leader

Reviewed by:



James E. Lee, P.E.
Engineering Manager – Bridge & Hydraulics

Approved by:



Joseph E. Rutan, P.E.
County Engineer/Assistant Director

Cover Photo:

Portal Way/Dakota Creek Bridge No. 500 spanning lower Dakota Creek. This seven (7) span reinforced concrete T-beam bridge has a total overall length of 335-feet and was originally constructed in 1928. A seismic retrofit project was completed on this bridge in 2015.

Table of Contents

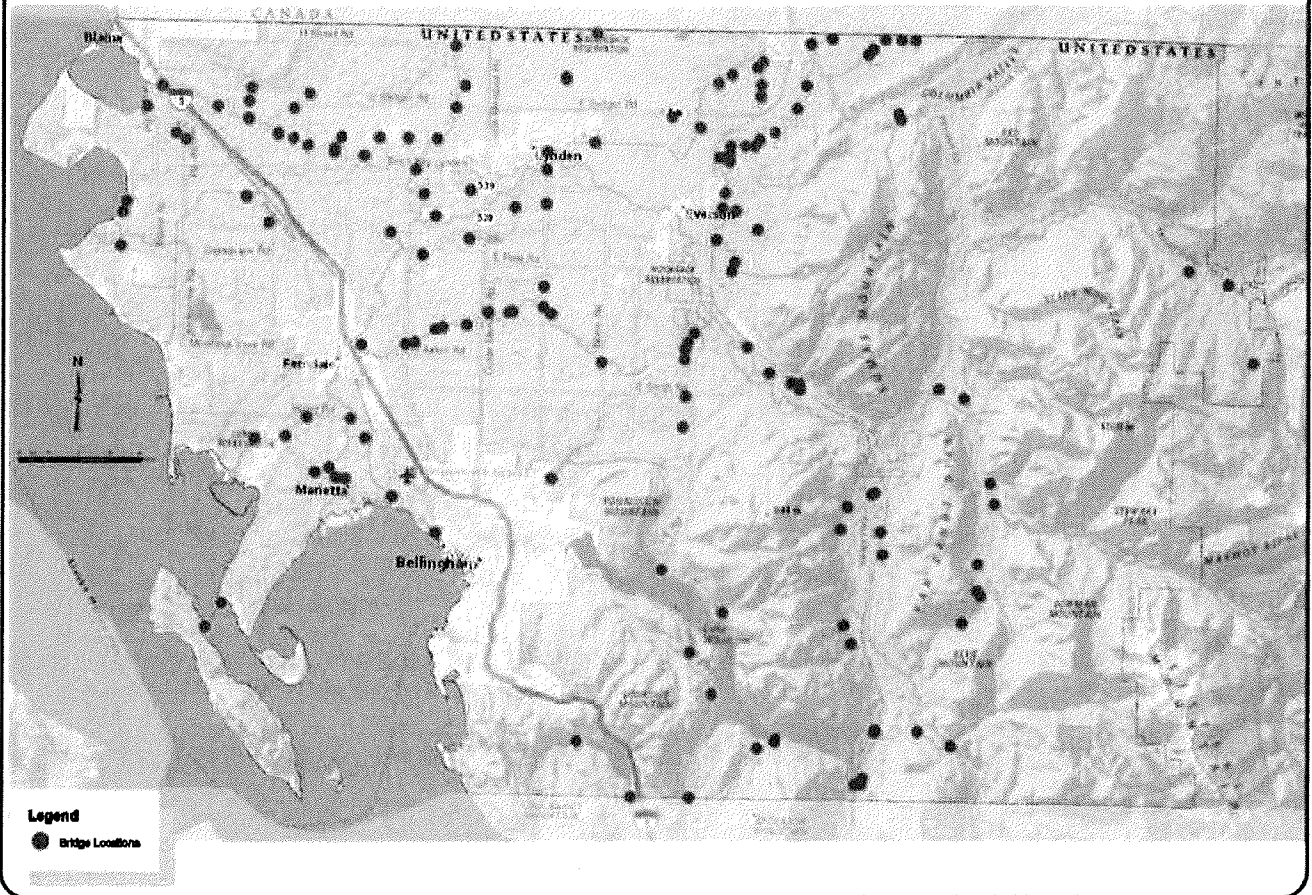
WAC 136-20-060 and signature page	2
Table of Contents	3
Acronyms	4
Whatcom County Bridge Location Map.....	5
Executive Summary.....	6
Bridge Inventory Summary.....	7
Bridge Inspection, Findings and Recommendations.....	9
Load, Height and Width Restricted Bridges.....	11
Bridge Replacement and Rehabilitation Plan for Deficient Bridges.....	12
Maintenance and Repair Activities.....	15
Glossary of Bridge Terms.....	17
Appendix A – Whatcom County Bridge Inventory.....	21
Appendix B – Large Culvert Inventory.....	26

Acronyms

The following is a list of common acronyms widely used in the bridge inspection field:

ADT	Average Daily Traffic
BRAC	Bridge Replacement Advisory Committee
FHWA	Federal Highway Administration
FO	Functionally Obsolete
HBRRP	Highway Bridge Replacement and Rehabilitation Program
NBIS	National Bridge Inspection Standards
SD	Structurally Deficient
SID	Structure Identification Number
SR	Sufficiency Rating
UBIT	Under Bridge Inspection Truck
WAC	Washington Administrative Code
WSDOT	Washington State Department of Transportation

Whatcom County Bridge Location Map



Executive Summary

This report has been completed in compliance with WAC 136-20-060, which requires that each County Engineer furnish a written resume of the county's bridge inspection efforts to the county legislative authority. It is also the intention of this report that information presented here be incorporated into a comprehensive program strategy to preserve the county's roadways. This report summarizes the status of the Whatcom County Bridge Program for calendar year 2016.

Whatcom County's bridge inventory is vital in connecting the nearly 974 miles of County roads and providing for the safe and efficient movement of people and freight. Specifically, bridges on key transportation and freight corridors are monitored closely to prevent bridges on these routes from becoming restricted.

One of the key overall Bridge Program goals is to replace or rehabilitate bridges that are considered structurally deficient (SD) per the National Bridge Inspection Standards (NBIS). At the end of 2016 Whatcom County had a total of 161 bridges in the overall inventory and 10 of these bridges were designated as SD. Of those 10 bridges 4 were actively worked on in 2016 for future replacement. In addition, all SD bridges are programmed in the Whatcom County 6-Year Transportation Improvement Program. For a comprehensive list of the SD bridges please see Exhibit C.

A new addition to the 2016 Annual Bridge Report from prior years is the large culvert inventory. Large culverts are defined as culverts with a diameter of 5' or larger. Bridge Program staff inspected 110 of these structures in 2016 which are listed in Appendix B.

2016 Bridge Program Highlights

- Whatcom County bridge inventory consists of 161 structures.
- A total of 73 Whatcom County bridge condition inspections were completed in 2016.
- Whatcom County provided bridge inspection services for 23 structures owned by outside local agencies in 2016.
- A total of 39 bridge repair and maintenance work orders were completed by the Maintenance & Operations Bridge Crew in 2016.
- In September of 2016 the Washington State Department of Transportation (WSDOT) and the Federal Highways Administration (FHWA) completed a comprehensive audit of the Whatcom County Bridge Program. This audit included review of physical bridge files as well as site visits of 6 bridges. The intent of the audit was to ensure that the Bridge Program is being managed compliant with the NBIS standards. This compliance review was passed with flying colors.
- The existing South Pass Road/Saar Creek Bridge No. 212, which was designated as SD, was replaced with a new reinforced concrete bridge.
- M&O's Bridge Crew, in conjunction with Uretex, USA Inc., completed bridge approach stabilization work at 5 bridges located throughout Whatcom County.

Bridge Inventory Summary

Of the 161 structures in the Whatcom County inventory 5 are of timber construction, 101 are of concrete construction, 6 are predominately steel (all of which are fracture critical) and the remainder are a combination of these materials. See Appendix A for a complete list of Whatcom County Bridges.



This Bridge on Friday Creek is typical of our channel beam girders supported by timber piles and caps.

Lummi Island Ferry Terminals

As a part of the Whatcom County Bridge program the Gooseberry Point and Lummi Island Ferry Terminals are inspected and maintained. These consist of a steel transfer span and a timber approach span at the Gooseberry Point terminal and a steel transfer span and a reinforced concreted girder approach span at the Lummi Island terminal.



Gooseberry Point Terminal

Short Span Bridges

The Highway Bridge Replacement and Rehabilitation Program (HBRRP) excludes short span bridges (span length of 20 feet or less) from receiving federal funding. Out of the 161 bridges in Whatcom County inventory, 21 of these bridges are classified as short span bridges. Even though the inspection reports and bridge information for short span bridges are not reported to WSDOT or FHWA, they are inspected and operated the same as the larger, federally reported bridges in our inventory.

Outside Local Agency Bridges

The Whatcom County Bridge and Hydraulics program provides inspection services to local agencies upon request. The county works with cities under inter-local agreements (ILA), with conditions set forth in the Revised Code of Washington (RCW) Chapter 39.34. The county's services are provided primarily to local agencies that lack expertise to inspect and maintain their bridge inventory. In addition, the Whatcom County Public Works Road Maintenance Division contracts with local agencies for the maintenance of other local agency bridges. In 2016 the county provided inspection services on 23 bridges for outside local agencies.

Local Agency	Number of bridges inspected in 2016
City of Everson	1
City of Bellingham Parks	18
San Juan County	4

Summary of outside local agency bridges inspected in 2016

Oversize/Overweight Load Permits

There were approximately 214 oversize/overweight permits issued in 2016 and of those 35 involved routes over county owned bridges. Bridge program staff reviews these applications to ensure that these oversize/overweight loads can cross these bridges without causing any harm to the structure.



Slater Road Bridge 512 with posted height restriction

Bridge Inspection, Findings and Recommendations

Bridge inspections are performed in accordance with the National Bridge Inspection Standards (NBIS) in conformance with 23 CFR 650.3. The standards mandate that all public agencies with a bridge inventory inspect and report the findings at a minimum of once every two years (routine inspection). Special inspections are required for bridges that cannot be given close or adequate inspection from the ground. For these bridges an Under-Bridge Inspection Truck (UBIT) is required. Steel bridges with fracture critical members may also require special inspections with special inspection equipment. A third category of special inspections are the Under Water Inspections which are required every five years for bridges with piers that extend below ordinary low-water levels.

During bridge inspections, the current condition of each bridge element is noted. The deficiencies are coded to NBIS standards and show the degree of deterioration in various elements- the three primary elements being:

- Deck,
- Superstructure, and
- Substructure.

As deterioration accelerates, the coding values drop and work orders for repairs are issued. In the case where the coding factors are extremely low, recommendations are made for repair, replacement or rehabilitation. Bridges with identified deficiencies may be inspected or monitored at more frequent intervals.

The results of our inspection program are forwarded to the Washington State Department of Transportation (WSDOT) for review. Once the report has been accepted by WSDOT it is available for the Federal Highway Administration (FHWA).

Whatcom County has many reinforced concrete channel beam superstructures designed in the 1950's which are at the low end of today's load carrying capacity requirements and are supported by timber caps and piles. These structures are being maintained and/or replaced on a regular basis depending on the age and the deterioration rate of the structure.

The NBIS utilizes information from the latest bridge inspection to determine the Sufficiency Rating (SR) which is a calculated score based on information from the most recent bridge inspection. The SR is a number from 0 to 100 with 100 being an entirely sufficient bridge, and 0 being an entirely insufficient or deficient bridge. Items that factor into the determination of the SR include: load bearing capacity, average daily traffic, availability and length of detour, the geometry of the bridge and the risk of scour on bridge foundations at waterway crossings.

Whatcom County owns 7 bridges located on designated truck freight routes with a T-2 classification (there are no T-1 routes currently designated in Whatcom County). T-2 freight routes are defined as carrying 4 million to 10 million annual gross tonnage and serve as vital transportation corridors in Whatcom County. The T-2 freight routes with bridges on them include the following County roads; Birch Bay Lynden Road, Hannegan Road and Slater Road. Of the 7 bridges on these roads none are restricted.

In 2016 routine inspections were performed on 96 bridges, including 23 outside local agency bridges. In addition, 110 large diameter culverts were also inspected in 2016.

If the underside of the bridge deck cannot be given close or adequate inspection from the ground then a special inspection using an under bridge inspection truck (UBIT) or under bridge inspection platform is required.

See Exhibit A for our master list of special inspections and details on inspection frequencies and schedules for all of our UBIT and underwater bridge inspections.



Photo of a typical UBIT

Exhibit "A" - Master List of Special Inspection and Equipment Needs

Bridge #	Bridge Name	Fracture Critical Last Inspection Date	Underwater Last Inspection Date	UBIT Frequency
3	MARIETTA		September 2012	72 Months
107	NORTH LAKE SAMISH		June 2015	
115	HIGH BRIDGE			48 Months
140	MIDDLE FORK	August 2016		24 Months
252	NOOKSACK RIVER	March 2016	September 2016	24 Months
332	NORTH FORK	March 2017		24 Months
421	ROCKY CREEK	March 2017		24 Months
500	DAKOTA CREEK			48 Months
503	GOOSEBERRY FERRY SLIP	October 2016	March 2016	24 Months
507	LUMMI ISLAND FERRY SLIP	October 2016	March 2016	24 Months
512	NOOKSACK RIVER	April 2017		24 Months

Load, Height and Width Restricted Bridges

Each bridge is required to have a "Load Rating" calculation. The Load Rating establishes how much weight the bridge can carry for several standard configurations of vehicle axle loads.

During the 2016 inspection cycle, no bridges were added to the load restriction list. As of the end of 2016 there are a total of 15 weight restricted bridges in the county.

Bridges that have traffic portals of 15 feet or less are required to be posted with the allowable height. Whatcom County has two roads passing through posted height restricted bridge structures, both of which are steel truss structures. They are Slater Road/Nooksack River Bridge No. 512 and Mosquito Lake Road/Middle Fork Nooksack River Bridge No. 140.

The majority of Whatcom County's posted bridges have a deficient superstructure due to the original girder design and are not an immediate concern for many of our lower ADT roads but they are inspected every 12-months to look for any problems that would accelerate their need for replacement.

Exhibit "B" – Load, Height and Width Restricted Bridges

Bridge #	Road Name	Features Crossed	Restricted Width	Restricted Vertical Clearance	Bridge Posted for Load Restriction
1	MARINE DR	ACCESS RD CREEK OLD RR			Yes
44	BRIDGE WAY	CALIFORNIA CREEK	16		Yes
50	W. BADGER ROAD	BERTRAND CREEK			Yes
51	FLYNN RD	FISHTRAP CREEK	16		
81	JACKSON RD.	TERRELL CREEK			Yes
82	ALDERSON RD	TERRELL CREEK			Yes
91	STEIN RD	DAKOTA CR. TRIB.			Yes
105	MANLEY ROAD	SILVER CREEK	11.8		
107	N. LAKE SAMMISH DR.	LAKE SAMMISH	12		Yes
132	HUDSON ROAD	JONES CREEK	15		
140	MOSQUITO LK RD	MIDDLE FORK	13.2	18'	
151	HILLSIDE RD.	SIGITOWITZ CREEK			Yes
249	ROBERTS RD.	ANDERSON CREEK			Yes
291	MASSEY RD	SUMAS RIVER			Yes
308	ALM RD	SUMAS RIVER			Yes
332	MOSQUITO LK RD	NORTH FORK			Yes
503	LUMMI VIEW DR	9104	12		Yes
503A	LUMMI VIEW DR	HALE PASS			Yes
506	HERON LANE	JOHNSON CREEK	12		
507	LUMMI IS FERRY RTE	HALE PASSAGE	14		
507A	LUMMI IS FERRY RTE	HALE PASSAGE	14		Yes
510	COAL CREEK RD	GALLOP CREEK	14		
512	SLATER RD	NOOKSACK RIVER		15'03"	

Bridge Replacement and Rehabilitation Plan for Deficient Bridges

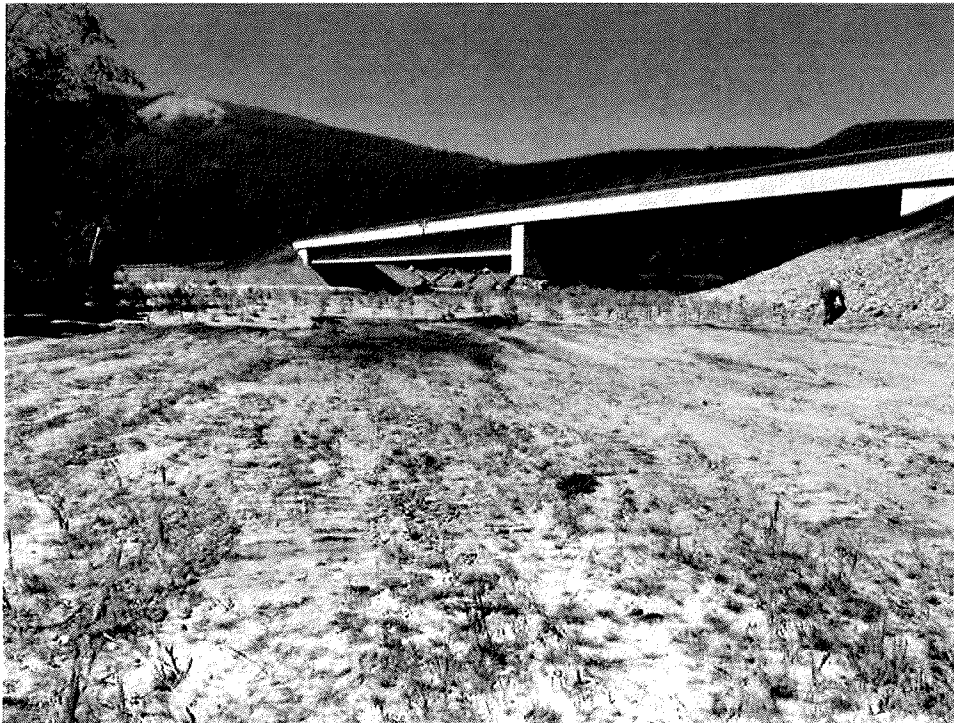
The county's current focus is to replace or rehabilitate bridges that are classified as structurally deficient (SD) per NBIS. The 3 SD bridges listed below were active in the design phase during 2016:

1. West Badger Road/Bertrand Creek Bridge No. 50 Replacement (BRAC funded)
2. Roberts Road/Anderson Creek Bridge No. 249 Replacement (BRAC funded)
3. North Lake Samish Bridge No. 107 (began work on TS&L with BRAC application in 2017)

Design work was also underway in 2016 on the Hannegan Road/Ten-Mile Creek Bridge No. 236 Replacement Project. While this bridge is not currently designated as SD, it is the last remaining reinforced concrete channel girder bridge remaining on the Hannegan Road, which is a designated T-2 freight route and an important transportation corridor in Whatcom County. The existing bridge utilizes an older style channel girder that has historically not held up well to truck traffic. This replacement project is scheduled for construction in 2018 and aims to remove this bridge from Hannegan Road before problems develop and the bridge needs to be load restricted. Since 2000, 19 SD bridges have been replaced or rebuilt in Whatcom County. The list of current SD bridges is shown in Exhibit 'C.'

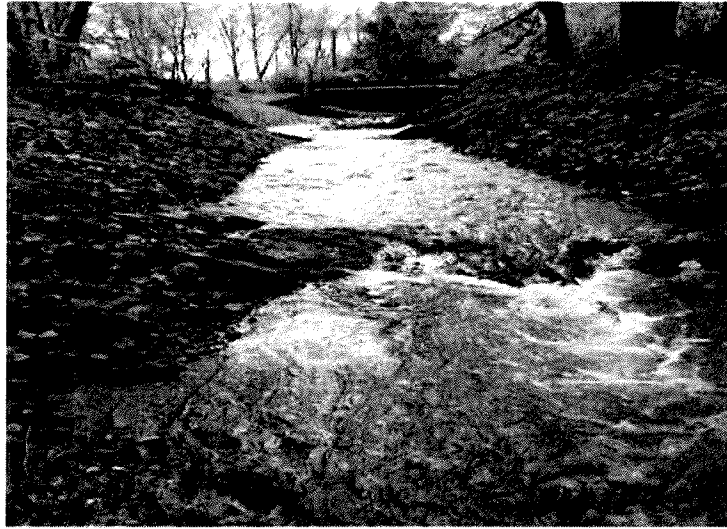
2016 Replacement and Rehabilitation Construction Projects

Potter Road/South Fork Nooksack River Bridge No. 148 Replacement Project. This project included replacement of the existing structurally deficient and functionally obsolete truss bridge with a reinforced concrete bridge. The new structure was opened to traffic in the fall of 2015. Scour protection measures installed summer of 2016.



Potter Road/SF Nooksack River Bridge No. 148

South Bay Road/Fir Creek Bridge No. 120 Scour Mitigation Project This project included installing three angular rock grade control structures downstream of the bridge. This work removed the scour critical designation on this bridge.



South Bay Rd/Fir Creek Bridge No. 120

South Pass Rd/Saar Creek Bridge No. 212 Replacement Project This project included replacing a 31-foot structurally deficient bridge with a new 53-foot span reinforced concrete voided slab girder bridge. Construction was completed in the fall of 2016.



South Pass Rd/Saar Creek Bridge No. 212

Exhibit "C" – Structurally Deficient Bridges

Bridge #	Bridge Name	Deficiency's	Sufficiency Rating	Status
50	BERTRAND CR	Timber Cap Section Loss	22.51	Construction Scheduled 2019
81	JACKSON RD.	Timber Cap and Pile Deterioration	28.50	Monitoring – apply for BRAC funds in 2017
248	ANDERSON CR	Timber Cap and Pile Deterioration	36.88	Monitoring
249	ANDERSON CR	Timber Cap Section Loss	39.86	Construction Scheduled 2018
1	LITTLE SQUALICUM	Delamination of Deck, Cap Beam Capacity	40.38	Monitoring
291	SUMAS RIVER	Concrete Channel Beam Deterioration	42.72	Monitoring
497	BERTRAND CR TRIB	Scour Exposing Concrete Footings	45.37	Monitoring
172	BNSF RR	Deck Deterioration	75.45	Monitoring
250	ANDERSON CR	Timber Cap and Pile Deterioration	53.54	Monitoring
107	North Lake Samish	Timber Girder Section Loss	14.02	TS&L Study Underway – Apply for BRAC funds 2017

2016 Large Culvert Inventory

In 2016 Whatcom County Bridge Program staff inspected all culverts with a diameter of 5' or greater located on the County road system. All culvert inspections were completed using FHWA publication No. FHWA-CFL/TD-10-005 titled "*Culvert Assessment and Decision Making Procedures Manual*" dated September 2010. All told 110 structures were inspected as part of this effort. As part of the inspection effort each culvert is given an overall condition rating and any needed repairs or maintenance work is forwarded to Maintenance & Operations. These large diameter culverts will continue to be inspected moving forward on a regular basis. For a detailed list of the large diameter culverts please Appendix "B".

Maintenance and Repair Activities

The majority of bridge repair and maintenance work is done by Whatcom County Maintenance & Operation crews, with support from various vendors. During 2016 Maintenance & Operation crews cleaned the majority of the County bridges and all of the bridges in the County inventory were washed. In addition, the majority of the bridges were brushed to support ongoing maintenance, repair and inspection activities. Thirty nine (39) maintenance work orders were completed in 2016. (See Exhibit D below).

Work planned for 2017 includes Massy Road/Sumas River Bridge No. 291 redecking and routine maintenance on the majority of the bridge inventory which typically includes helper piles and caps, abutment repairs, asphalt approaches, concrete repair and bridge cleaning and brushing.

Exhibit "E" – Maintenance Work Orders Completed in 2016

Bridge #	Waterway	Work Completed	Date Repaired
13	BARRETT CREEK	Remove Log Jam	January 2016
1	BNSF RAILROAD	Guardrail Repair	January 2016
252	NOOKSACK RIVER	Guardrail Repair	January 2016
497	BERTRAND CR TRIB	Curb Repair	January 2016
497	BERTRAND CR TRIB	Bridge Rail Repair	January 2016
503A/507A	FERRY – LUMMI/GP	Remove Weight from Counter Weights	January 2016
497	BERTRAND CR TRIB	Guardrail Repair	January 2016
306	SUMAS RIVER	Bridge Approach Repair	January 2016
284	SMITH CREEK	Deck Repair	February 2016
30	BERTRAND CREEK	Deck Repair	February 2016
101	CALIFORNIA CREEK	Install Earthquake Brackets	February 2016
82	TERRELL CREEK	Install Earthquake Brackets	February 2016
82	TERRELL CREEK	Approach Repair	February 2016
107	LAKE SAMISH	Repair Weight Restriction Sign	March 2016
236	TEN-MILE CREEK	Deck Patch	April 2016
249	ANDERSON CREEK	Re-Torque and Grind Bolts	April 2016
308	SUMAS RIVER	Re-Torque and Grind Bolts	April 2016
101	CALIFORNIA CREEK	Spall Repair	April 2016
82	TERRELL CREEK	Spall and Patch Repair	April 2016
173	HAYNIE CREEK	Vactor Out Catch Basin	May 2016
11	RED RIVER	Approach Repair	June 2016
507A	FERRY – GOOSEBERRY PT	Emergency Ramp Repair	June 2016
510	GALLOP CREEK	Pothole Repair	July 2016

410	HENDRICKS CREEK	Pothole Repair	July 2016
331	SUMAS RIVER	Pothole Repair	July 2016
3	NOOKSACK RIVER	Log Jam Removal	July 2016
252	NOOKSACK RIVER	Bio Swale Maintenance	August 2016
503A	FERRY – GOOSEBERRY PT	Hoist and Counter Weight Cable Replacement	August 2016
507A	FERRY – LUMMI ISLAND	Hoist and Counter Weight Cable Replacement	August 2016
1	BNSF RAILROAD	Approach Repair	August 2016
313	SWIFT CREEK	Remove Sediment from Bridge	September 2016
240	TEN MILE CREEK	Approach Stabilization	September 2016
201	SWIFT CREEK	Remove Sediment from Bridge	September 2016
126	INNIS CREEK	Clean Out Sediment Trap	September 2016
313	SWIFT CREEK	Repair Shoulder at Bulkhead	September 2016
250	ANDERSON CREEK	Remove Beaver Dam at Bridge	September 2016
332	NF NOOKSACK RIVER	Install Survey Targets for Monitoring	September 2016
503A/507A	FERRY – LUMMI/GP	Dry Dock Prep	September 2016

Glossary of Bridge Terms

Abutment – a substructure supporting the end of a single span, or the extreme end of a multi-span super-structure and, in general, retaining or supporting the bridge approach fill.

Approach span – the span or spans connecting the abutment with the main span or spans.

Back wall – the top-most portion of an abutment functioning primarily as a retaining wall to contain approach roadway fill.

Beam – a linear structural member designed to span from one support to another.

Bent – a supporting unit of the beams of a span made up of one or more column or column-like members connected at their top-most ends by a cap, strut, or other horizontal member.

Box Girder – a support beam that is a hollow box; Its cross-section is a rectangle or square.

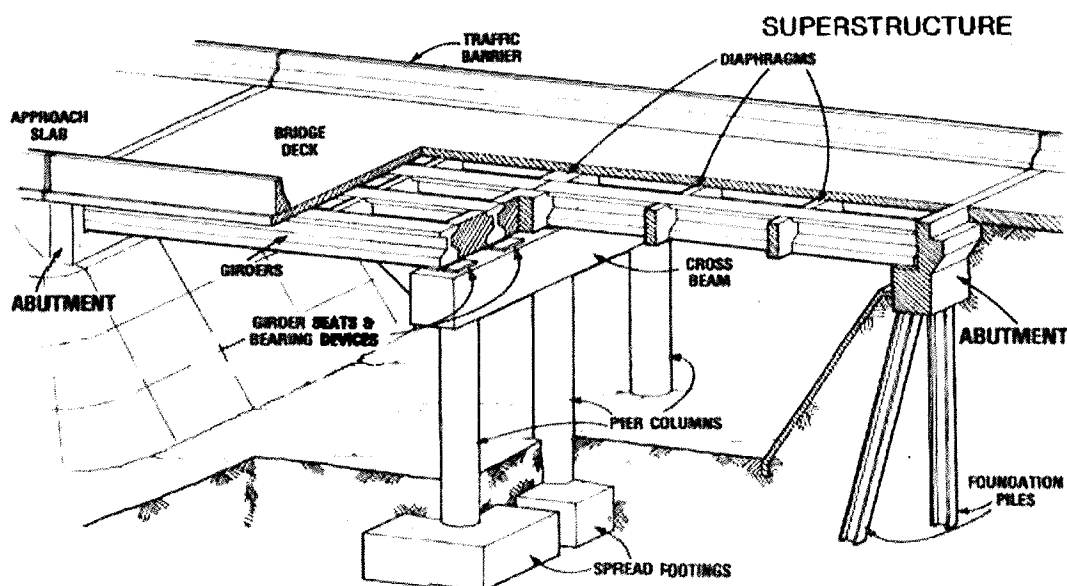
Bracing – a system of tension or compression members, or a combination of these, connected to the parts to be supported or strengthened by a truss or frame. It transfers wind, dynamic, impact, and vibratory stresses to the substructure and gives rigidity throughout the complete assemblage. Can also refer to diagonal members that tie two or more columns of a bent together.

Cap – the horizontally-oriented, top-most piece or member of a bent serving to distribute the beam loads upon the columns and to hold the beams in their proper relative positions.

Cast-in-Place – concrete poured within form work on site to create a structural element in its final position.

Catwalks – temporary foot bridges, used by bridge inspection personnel.

Basic Bridge Parts 1



Chord – in a truss, the upper-most and the lower-most longitudinal members, extending the full length of the truss.

Column – a vertical structural member that transfers dead and live load from the bridge deck and girders to the footings or shafts.

Column crosses brace – transverse brace between two main longitudinal members.

Compression – a type of stress involving a pressing or squeezing together; tends to shorten a member; opposite of tension.

Culvert – a pipe or small structure used for drainage under a road, railroad or other embankment. A culvert with a span length greater than 20 feet

Is included in the National Bridge Inventory and Receives a rating using the NBI scale.

Dead load – a static load due to the weight of the structure itself.

Deck – the roadway portion of a bridge that provides direct support for vehicular and pedestrian traffic.

Deck bridge – a bridge in which the supporting members are all beneath the roadway.

Deck truss – a bridge whose roadway is supported from beneath by a truss.

Diagonal – a sloping structural member of a truss or bracing system.

Elastomeric pads – rectangular pads made of neoprene, found between the sub-structure and superstructure that bears the entire weight of the superstructure. Elastomeric pads can deform to allow for thermal movements of the superstructure.

End wall – the wall located directly under each end of a bridge that holds back approach roadway fills. The end wall is part of the abutment.

Expansion joint – A joint designed to provide means for expansion and contraction movements produced by temperature changes, load, or other forces.

Fatigue – Cause of structural deficiencies, usually due to repetitive loading over time.

Footing – The enlarged, lower portion of a sub-structure that distributes the structure load either to the earth or to supporting piles; the most common footing is the concrete slab; "footer" is a colloquial term for footing.

Fracture critical member – a member in tension or with a tension element whose failure would probably cause a portion of or the entire bridge to collapse.

Girder – a main support member for the structure that usually receives loads from floor beams and stringers; also, any large beam, especially if built up.

Hanger – a tension member serving to suspend an attached member.

Hinge – a point in a structure at which a member is free to rotate.

Live load – vehicular traffic, wind, water, and/or earthquakes.

Lower chord – the bottom horizontal member of a truss.

Main beam – a beam supporting the spans and bearing directly onto a column or wall.

Member – an individual angle, beam, plate, or built piece intended to become an integral part of an assembled frame or structure.

Oscillation – a periodic movement back and forth between two extreme limits. An example is the string of a guitar that has been plucked. Its vibration back and forth is one oscillation. A vibration is described by its size (amplitude), its oscillation rate (frequency), and its timing (phase). In a suspension bridge, oscillation results from energy collected and stored by the bridge. If a part of the bridge has to store more energy than it is capable of storing, that part will probably fail.

Pier – a structure comprised of stone, concrete, brick, steel, or wood that supports the ends of the spans of a multispan superstructure at an intermediate location between abutments. A pier is usually a solid structure as opposed to a bent, which is usually made up of columns.

Pile – a linear (vertical) member of timber, steel, concrete, or composite materials driven into the earth to carry structure loads into the soil.

Pile bent – A row of driven or placed piles with a pile cap to hold them in their correct positions; see "Bent."

Plate girder – a large, solid web plate with flange plates attached to the web plate by flange angles or fillet welds. Typically fabricated from steel.

Post or column – a member resisting compressive stresses, in a vertical or near vertical position.

Pre-cast girder – fabricated off site of Portland Cement Concrete, reinforcing steel and post-tensioning cables. These girders are shipped to the construction site by truck and hoisted into place by cranes.

Reinforced concrete – concrete with steel reinforcing bars bonded within it to supply increased tensile strength and durability.

Scour – erosive action of removing streambed material around bridge substructure due to water flow. Scour is of particular concern during high-water events.

Short span bridge -these bridges have a single NBIS span length of 20 feet or less. They are typically supported by timber piles or shallow concrete footings.

Soffit – the underside of the bridge deck or sidewalk.

Spall – a concrete deficiency wherein a portion of the concrete surface is popped off from the main structure due to the expansive forces of corroding steel rebar underneath. This is especially common on older concrete bridges.

Span – The distance between piers, towers, or abutments.

Steel -A very hard and strong alloy of iron and carbon.

Stringer – a longitudinal beam (less than 30 feet long) supporting the bridge deck, and in large bridges, framed into or upon the floor beams.

Sufficiency rating -the sufficiency rating is a numeric value from 100 (a bridge in new condition) to 0 (a bridge incapable of carrying traffic). The sufficiency rating is the summation of four calculated values: Structural Adequacy and Safety, Serviceability and Functional Obsolescence, Essentiality for Public Use, and Special Reductions.

Substructure – the abutment, piers, grillage, or other structure built to support the span or spans of a bridge superstructure, and distributes all bridge loads to the ground surface. Includes abutments, piers, bents, and bearings.

Superstructure – the entire portion of a bridge structure which primarily receives and supports traffic loads and in turn transfers the reactions to the bridge substructure; usually consists of the deck and beams or, in the case of a truss bridge, the entire truss.

Tension – type of stress involving an action which pulls apart.

Tie – a member carrying tension.

Torsion – a twisting force or action.

Truss bridge – a bridge having a pair of trusses for the superstructure.

Upper chord – the top longitudinal member of a truss.

Web – the portion of a beam located between and connected to the flanges.

Welded joint – a joint in which the assembled elements and members are united through fusion of metal.

Wheel rail – a timber curb fastened directly to the deck, most commonly found on all-timber bridges.

Wing wall – walls that slant outward from the corners of the overall bridge that support roadway fill of the approach.

Appendix "A" – 2016 Whatcom County Bridge Inventory; 161 Bridges (21 Short Spans)

Bridge No.	Bridge Name	Year Built	Structure Length	Structure Width	Traffic (ADT)	Detour Length
1	LITTLE SQUALICUM	1933	270	35	3796	2
2	MARIETTA SLOUGH	1978	105	32	3746	7
3	MARIETTA	1936	420	32.9	3746	7
5	PORTAGE SLOUGH	1997	90	42	3700	6
7	SLOUGH BRIDGE	1979	90	32.1	1099	6
8	Red River	1997	82	31	284	3
9	SILVER CREEK	1953	31	25.5	70	0
11	RED RIVER	1920	126	25.5	5592	5
12	SCHNEIDER DITCH	1950	19	21.3	230	99
13	BARRETT CREEK	1969	57	25.5	1316	3
14	TEN MILE CR	1924	38	25.8	1192	2
15	TEN MILE CR	1935	83	43.2	4900	3
16	TEN MILE CR	1986	80	31	441	3
17	TEN MILE CR	1933	61	25.5	1185	2
21	TEN MILE CR	1933	31	25.5	887	3
22	DAKOTA CR.	1930	31	25.7	167	4
29	TERRELL CREEK	2003	31	34	833	4
30	BERTRAND CR.	1938	126	33.1	1839	4
313	SWIFT CR	2017	31	17.2	223	4
35	CALIFORNIA CR	1956	169	32.6	951	4
36	DAKOTA CR.	1934	75	25.5	820	4
37	CALIFORNIA CR	1923	40	32	558	3
38	DRAYTON HARBOR	1933	104	25.5	5082	3
42	DAKOTA CR.	1995	131	31.1	275	4
43	BERTRAND CR.	1995	118	37.4	924	5
44	Bridge Way	1922	85	16	10	99
47	BERTRAND CREEK	1950	82	36	1251	6
50	BERTRAND CR	1934	69	32	2988	4
51	FISHTRAP CR	1988	36	17	120	2
53	RIVER ROAD	2004	50	23.8	125	99
56	BERTRAND CREEK	1949	83	27	9097	6
81	JACKSON RD.	1975	62	25.5	977	4
82	TERRELL CREEK	1987	50	46.9	2766	3
86	DAKOTA CREEK	1956	18	36	1245	3
87	DAKOTA CREEK	2005	53	37	729	4
88	S. FORK DAKOTA CR	2005	53	37	729	4
89	DAKOTA CR.	1950	31	25.5	644	3

Bridge No.	Bridge Name	Year Built	Structure Length	Structure Width	Traffic (ADT)	Detour Length
90	COUGAR CR	1947	19	25.5	433	2
91	DAKOTA CR TRIB	1906	50	25.5	150	4
92	DAKOTA CREEK	2000	55	32	720	4
94	COUGAR CR	1931	18	25.5	129	2
99	DRAINAGE DITCH	1932	19	25.5	190	5
101	CALIFORNIA CR	1949	31	25.9	365	3
102	CALIFORNIA CREEK	2004	31	25.5	190	4
105	MANLEY	2011	19	12.8	10	6
106	FRIDAY CR	1934	76	27	851	7
107	LAKE SAMISH	1953	251	29.9	955	7
115	HIGH BRIDGE	2006	228	37.5	2123	19
116	AUSTIN CREEK	2004	82	42.8	2481	7
119	BRANNIAN CREEK	2008	40	32.2	542	0
120	FIR CREEK	1944	20	25.5	545	0
121	DIVERSION CHANNEL	1944	20	25.5	545	0
124	NP RR	1955	126	31.4	120	5
125	Samish River	1998	69	32.3	114	3
126	INNIS CREEK	2007	40	24	103	3
127	SOUTH FORK	1998	276	31	250	99
130	JONES CR.	1951	31	25.9	338	0
131	MCCARTY CR	1975	70	23.8	338	99
132	HUDSON	1950	15	15	5	0
134	ANDERSON CR	1939	31	25.5	402	3
137	SMITH CREEK	1989	99	30.6	1010	99
138	HUTCHINSON CREEK	1945	31	25.5	337	21
139	MOSQUITO LK	1951	19	25	160	21
140	MIDDLE FORK	1915	423	16	117	21
141	PORTER CREEK	1936	31	25.5	135	21
142	JOHNSON CREEK	2004	24	0	337	21
143	BLACK SLOUGH	1934	19	25.6	170	99
147	BLACK SLOUGH	1934	31	21.3	66	4
148	SOUTH FORK	2015	360	30	700	99
149	SLOUGH	1934	76	25.5	636	99
150	LOW WATER CROSSING	1969	24	26	194	99
151	SIGITOWITZ CREEK	1950	31	25.5	250	0
157	HUTCHINSON CREEK	2005	72	32.2	818	21
159	DOREN RD	1958	19	29.5	224	3
162	OLSON CR	1940	19	25.5	1171	99
163	DAKOTA CR TRIB	1954	31	25.5	813	5

Bridge No.	Bridge Name	Year Built	Structure Length	Structure Width	Traffic (ADT)	Detour Length
164	DAKOTA CR	1950	31	25.5	813	5
170	N. INNIS CREEK	1999	31	25.5	180	4
172	GN RR OVERPASS	1940	196	32.3	4200	1
173	HAYNIE CR	1956	38	25.5	820	4
174	SILVER CR	1958	19	21.3	194	99
201	SWIFT CR	1934	38	27	1425	6
204	TEN MILE CR	1934	38	25.5	372	5
206	SUMAS RIVER	1935	69	25.5	252	3
212	SAAR CREEK	2016	53	32.5	867	3
233	TEN MILE CR TRIB	1900	31	25.5	841	4
234	TEN MILE CR	1947	31	25.5	841	4
235	TEN MILE CR	1946	38	25.5	68	99
236	TEN MILE CR	1944	31	36	11198	5
237	FOUR MILE CREEK	1954	37	44	9411	6
240	TEN MILE CREEK	2012	40	32.2	645	3
242	SAAR CREEK	2004	104	29.7	118	3
244	SCOTT DITCH	1951	31	25.5	72	5
245	Scott Ditch	2009	77	42.7	8960	4
248	ANDERSON CR	1973	62	25.5	1316	4
249	ANDERSON CR	1958	69	30	150	4
250	ANDERSON CR	1958	31	30	80	0
252	NOOKSACK RIVER	1934	320	30	9332	12
256	ASSINK RD	1949	31	25.5	185	4
257	FISH TRAP CR	1950	31	27	300	5
258	KAMM SLOUGH	1956	19	25.5	838	5
261	Kamm Slough	2010	145	50	2400	4
263	FISH TRAP CR	1954	38	30.1	700	4
275	SQUAW CREEK	1963	19	25.5	866	4
277	ANDERSON CREEK	2005	53	40	4147	4
284	LIND	1955	31	25.5	50	99
288	SUMAS RIVER	1959	19	25.5	131	3
290	SUMAS RIVER	1932	31	25.5	125	3
291	SUMAS RIVER	1950	31	30	326	4
295	JOHNSON	1950	31	25.5	1031	2
302	JOHNSON CREEK	2010	53	32	240	5
303	SUMAS RIVER	1956	76	25.5	267	4
304	SUMAS RIVER	1993	60	32	263	3
306	SUMAS RIVER	1997	75	31	267	4
307	SUMAS RIVER	1953	60	25.5	1032	4
308	SUMAS RIVER	1947	69	25.5	261	2

Bridge No.	Bridge Name	Year Built	Structure Length	Structure Width	Traffic (ADT)	Detour Length
309	SUMAS RIVER	1932	76	25.5	269	2
310	SUMAS RIVER	1947	57	25.5	209	2
315	SUMAS RIVER	1954	82	25.4	700	4
319	SUMAS RIVER	1949	31	25.5	250	3
322	SLEASMAN SLOUGH	1935	31	21.3	131	99
324	SLEASMAN SLOUGH	1935	19	25.5	120	5
325	SAAR CR	1946	31	27	113	6
327	SUMAS RIVER	1917	152	27	206	4
328	SAAR CR	1966	31	29.7	524	6
329	LENHART RD BR	1953	31	21.5	30	99
331	SUMAS RIVER	1943	82	25.5	922	3
332	NORTH FORK	1930	210	28	800	22
334	CANYON CR	1937	80	27	1050	23
336	SWIFT CR	1935	82	27	1933	3
337	SQUALICUM CR	1934	19	21.5	58	99
347	JOHNSON CR	1955	31	21.3	40	99
348	DRAINAGE RELIEF	2002	12	23.5	172	40
349	JOHNSON CR	1945	47	29.3	567	2
406	SMITH CR	1974	19	22	149	99
408	SMITH CR	1958	31	21.5	56	99
410	HENDRICKS CREEK	1967	60	23.4	62	1
411	SMITH CR	1945	20	29	260	2
413	DAKOTA CR	1965	31	25.5	1485	4
421	ROCKY CREEK	1956	180	33.2	911	2
422	SULPHUR CREEK	2010	112	33	916	99
423	SANDY CREEK	1957	127	31.3	916	99
494	SMITH CREEK OVERFLOW	1946	84	27.5	1112	2
495	SOUTH FORK DAKOTA CREEK	1950	30	44.4	1500	4
497	BERTRAND CR TRIB	1950	21	30	1156	3
498	DAKOTA CREEK	2006	40	32	604	3
499	DAKOTA CREEK TRIB	1950	16	28	1434	4
500	DAKOTA CR	1928	335	31.5	1221	2
503	GOOSEBERRY FERRY SLIP	1950	70	13	1100	99
503A	FERRY SLIP APPR	1950	158	23.8	1250	99
505	SKOOKUM CR	1980	101	26	100	99
506	JOHNSON CR	1944	72	14	25	99

Bridge No.	Bridge Name	Year Built	Structure Length	Structure Width	Traffic (ADT)	Detour Length
507	LUMMI ISLAND FERRY SLIP	1978	96	17.5	1100	99
507A	FERRY SLIP APPR	1978	60	17.5	1250	99
508	JOHNSON CREEK	1996	53	20	30	99
509	ANDERSON CREEK	1954	31	22.7	50	99
510	GALLOP CREEK	1952	65	16.6	16	99
511	DEEP CREEK	2000	31	21.3	15	99
512	NOOKSACK RIVER	1957	246	32.6	11192	7
513	RED RIVER	1900	104	36	11365	7
346	BONE CREEK	1946	10	0	263	4

Appendix "B" – 2016 Whatcom County Large Culvert Inventory

Road Name	Milepost	Stream Name	Shape	Material	Length	Diameter
ARNIE RD	1.62	UNKNOWN	BOX	PCC	72	8
ASSINK RD	0.629	Unnamed	SQSH	CST	44	7.5
BARBO RD	0.503	VAN VOLKENBERG CREEK	RND	PCC	51	5.0
BAY RD	4.540	UNNAMED	ARCH	CST	90	7.5
BIRCH BAY LYNDEN RD	9.080	UNNAMED	RND	PCC	117	6.0
BLUE CANYON RD	0.623	BLUE CANYON CR	RND	CST	41	5.0
BLUE CANYON RD	0.973	UNKNOWN	RND	CST	57	5.0
BROWN RD	0.9	TERRELL CR	RND	PCC	58	6
CHASTEEN RD	0.499	UNNAMED	RND	PCC	41	5.0
CLARKSON RD	0.4	Unnamed	RND	PCC	77	6
CLEARBROOK RD	2.304	BONE CREEK	RND	PCC	37	6
CLIPPER RD	0.189	Unnamed	BOX	PCC	42	6.0
CLIPPER RD	0.590	Tingling Cr	BOX	PCC	42	6.0
COAL CREEK RD	1.240	DAVIS CR	RND	CST	78	5.0
COAL CREEK RD	5.510	UNNAMED	RND	CST	51	5.2
COAL CREEK RD	0.790	UNKNOWN	RND	CST	61	5.0
CORNELL CREEK RD	0.360	Unknown	SQSH	CST	36	9
CUSTER SCHOOL RD	2.270	Unnamed	ARCH	CST	47	9.0
CUSTER SCHOOL RD	0.322	UNKNOWN	RND	CST	50	6
DEWEY RD	1.231	SQUALICUM CR	RND	CST	73	6
DEWEY RD	1.23	SQUALICUM CR	RND	CST	73	6
E LAKE SAMISH DR	1.239	BARNES CREEK	BOX	CPC	44	8.0
E LAUREL RD	0.400	Crystal Springs Cr	ARCH	CST	41	6.5

Road Name	Milepost	Stream Name	Shape	Material	Length	Diameter
E PRAIRE RD	0.501	DOUBLE DITCH	BOX	PCC	58	6.0
E PRAIRE RD	0.499	DOUBLE DITCH	BOX	PCC	58	6.0
EAST RD	0.136	DEER CR	RND	CAL	60	5.0
FOX RD	1.21	UNKNOWN	RND	CAL	43	6
GILES RD	0.104	Unnamed	ARCH	CST	72	5.5
GLENHAVEN DR	0.119	SILVER CR	BOX	PCC	50	8.0
GOODWIN RD	0.687	GOLD CREEK	BOX	PCC	41	6
GOODWIN RD	3.178	DALE CR	RND	CST	71	6
GRAVELINE RD	0.486	SILVER CREEK	RND	CST	122	8
H STREET RD	5.231	UNNAMED	SQSH	CST	50	6.0
H STREET RD	0.737	JACKMAN DITCH	RND	CST	40	5.5
HAM RD	1.830	TARTE CREEK	RND	CST	44	6.5
HAMPTON RD	4.785	JOHNSON CR	RND	PCC	98	6.5
HARVEY RD	0.740	SPOONER CR	RND	CST	95	5.0
HAYNIE RD	0.872	Unnamed	RND	PCC	105	5.0
HILL RD	0.554	BONE CREEK	RND	CST	41	7
HOIER RD	0.146	Unnamed	RND	PCC	84	6.0
IMHOFF RD	0.03	LUMMI RIVER	SQSH	CST	71	9
ISLAND DR	2.03	UNNAMED	BOX	PCC	40	6
JONES RD	4.63	ARNOLD SLOUGH	RND	CST	44	6
KICKERVILLE RD	3.1	TERRELL CR	BOX	PCC	67	8
KWINA RD	0.45	UNKNOWN	BOX	PCC	67	6
LAKE LOUISE RD	2.063	UNKNOWN	RND	CST	70	6.0
LAKE LOUISE RD	1.454	UNKNOWN	BOX	PCC	59	6.0
LINDQUIST RD	0.100	CARPENTER CREEK	RND	PCC	67	5.0

Road Name	Milepost	Stream Name	Shape	Material	Length	Diameter
LINDSAY RD	4.42	KINNEY CR	RND	CST	40	8
LINNEL RD	0.307	Unknown	SQSH	CST	35	6
LOOMIS TRAIL RD	1.450	UNKNOWN	RND	PCC	58	6
LOOMIS TRAIL RD	4.200	MCCLELLAND CR	RND	PCC	101	6.0
MASSEY RD	0.375	GOODWIN CREEK	RND	CST	29	6
MOSQUITO LAKE RD	0.808	Unnamed	RND	PCC	60	5.0
NIMS RD	0.43	ARNOLD SLOUGH	RND	CST	60	8
NOON RD	8.071	SCOTT DITCH	BOX	PCC	51	6.0
NOON RD	6.721	UNNAMED	ARCH	CST	40	6.0
NOON RD	2.537	UNNAMED	ARCH	CST	44	7.5
NOON RD	0.379	UNNAMED	RND	CST	45	5.0
NOON RD	0.610	MCCORMICK CR	BOX	PCC	43	6.0
NOON RD	1.744	UNNAMED	ARCH	CST	50	7.5
NORTH FORK RD	0.948	Kenny Cr	RND	CST	87	5.0
NORTH LAKE SAMISH RD	0.8	FINNEY CR	RND	PCC	88	6
NORTH RED RIVER RD	1	JORDAN CR	RND	CST	38	9
NORTH SHORE RD	2.990	CARPENTER CREEK	RND	PCC	65	6.0
NORTH TELEGRAPH RD	0.895	KINNEY CR	RND	CST	45	8
NORTHWEST DR	2.200	SILVER CR	RND	CST	191	6.0
NORTHWEST DR	7.730	COUGAR CR	RND	SST	50	7.5
NORTHWEST DR	2.340	SILVER CR	RND	CST	103	6.0
NORTHWEST DR	2.750	SILVER CR	RND	PCC	141	5.0
NORTHWEST DR	4.430	DEER CR	RND	CST	101	6.0
OLD SAMISH RD	2.176	CHUCKANUT CR	RND	CST	94	6
OLD SAMISH RD	2.179	CHUCKANUT CR	RND	CST	94	6

Road Name	Milepost	Stream Name	Shape	Material	Length	Diameter
PANGBORN RD	1.002	Unnamed	BOX	PCC	67	6.0
PANGBORN RD	0.002	Unnamed	BOX	PCC	58	6.0
PARK RD	1.184	UNKNOWN	RND	PCC	62	6
PARK RD	0.4	Unnamed	BOX	PCC	69	8
PEBLEY RD, PRIVATE END	0.2	MITCHELL CREEK	SQSH	CAL	20	5.5
PORTAL WY	2.150	UNKNOWN	BOX	PCC	92	6
PORTAL WY	4.120	UNKNOWN	BOX	PCC	66	8
RAINBOW DR	0.730	SILVER CR	RND	CAL	48	6.0
ROCK RD	2.853	ARNOLD SLOUGH	SQSH	CST	59	8
ROGER RD	0.100	Unnamed	RND	PCC	102	6.0
ROY RD	0.73	UNNAMED	BOX	PCC	43	6
SAMISH WAY	0.85	CHUCKANUT CREEK	BOX	PCC	115	8
SAND RD	0.826	Unnamed	SQSH	CST	48	7
SILVER LAKE RD	4.220	Unnamed	RND	PCC	46	5.0
SLATER RD	8.25	BEAR CREEK	RND	PCC	98	6
SORENSEN RD	0.933	KINNEY CR	RND	CST	40	8
SOUTH PASS RD	2.854	BRECKENRIDGE CREEK	BOX	CPC	160	8
STEIN RD	1.170	Unnamed	ARCH	CST	40	5.5
STICKNEY ISLAND	1.999	MORMON DITCH	SQSH	CST	48	9
STRAND RD	1.153	Tinling Cr	BOX	PCC	24	6.0
SUNRISE RD	3.533	NORTH FORK DAKOTA CR	RND	PCC	50	6.0
SUNRISE RD	3.856	UNNAMED	SQSH	CST	37	5.5
SUNSET RD	0.675	SILVER CREEK	RND	CAL	102	8
SWEET RD	0.774	Unnamed	RND	CST	182	6.0
THIEL RD	1.15	SCOTT DITCH	BOX	PCC	50	6

Road Name	Milepost	Stream Name	Shape	Material	Length	Diameter
THIEL RD	1.556	SCOTT DITCH	RND	PCC	65	6
TRUCK RD	1.012	Unnamed	RND	PCC	37	5.0
UNICK RD	0.35	JORDAN CREEK	BOX	PCC	41	6
VAN DYK RD	1.43	ELDER DITCH	RND	PCC	66	6
VAN WYCK RD	0.28	SPRING CREEK	RND	CST	90	9
VAN WYCK RD	1.724	MCCORMICK CREEK	RND	CST	38	6
VISTA DR	2.3	UNKNOWN	RND	CST	71	7
W AXTON RD	0.751	DEER CR	RND	PCC	84	6.0
W AXTON RD	0.750	DEER CR	RND	PCC	89	6.0
W BADGER RD	3.070	UNKNOWN	RND	PCC	74	5.0
WILLIAMS RD	0.738	Unnamed	RND	CST	41	5.0
Y RD	0.098	CARPENTER CREEK	RND	PCC	90	5.0

PROPOSED BY: Public Works
INTRODUCED: 9/12/2017

RESOLUTION NO. _____

WHATCOM COUNTY SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM
FOR THE YEARS 2018 THROUGH 2023

WHEREAS, pursuant to RCW 36.81.121, Whatcom County is required to prepare and approve a Six-Year Transportation Improvement Program each year; and

WHEREAS, pursuant to RCW 36.54.015, Whatcom County is required to prepare a Fourteen-Year Ferry Capital Program each year; and

WHEREAS, the Road Priority Array and the Annual Bridge Report were made available to the legislative authority during the preparation of this program; and

WHEREAS, following approval of the Six-Year Transportation Improvement Program, the law requires an annual review of the work accomplished under the program and a determination of current transportation needs; and

WHEREAS, based upon the findings of the annual review, and after a public hearing, a Six-Year Transportation Improvement Program shall be approved; and

WHEREAS, pursuant to RCW 36.81.121, the Six-Year Transportation Improvement Program and Fourteen-Year Ferry Capital Program must be consistent with the County comprehensive plan pursuant to RCW 36.70A; and

WHEREAS, the Six-Year Transportation Improvement Program attached hereto as Exhibit "A" has been reviewed and determined to be consistent with the County's comprehensive plan; and

WHEREAS, the Fourteen-Year Ferry Capital Program attached hereto as Exhibit "B" has been reviewed and determined to be consistent with the County's comprehensive plan;

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council as follows:

1. That the Whatcom County Six-Year Transportation Improvement Program for the years 2018 through 2023, which is attached hereto as Exhibit "A", including the capital elements of the first six-years of the Fourteen-Year Ferry Capital Program, which is attached hereto as Exhibit "B", is hereby approved.
2. That the County Engineer is directed to file a copy of the same with the County Road Administration Board and the State Secretary of Transportation.

APPROVED this ____ day of _____, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Chair of the Council

APPROVED AS TO FORM:



Dan Gibson, Chief Civil Deputy Prosecutor

FUND CLASS	TIP PROJECT NO.	PROJECT IDENTIFICATION A. PIN/Federal Aid No. B. Bridge Number C. Project Title D. Street/Road Name or Number E. Beginning MP or Road-Ending MP or Road F. Describe Work to be Done	IMPROVEMENT TYPE(S)	STATUS	TOTAL LENGTH (mi.)	UTILITY CODES	PROJECT COSTS IN THOUSANDS OF DOLLARS										EXPENDITURE SCHEDULE						FEDERALLY FUNDED PROJECTS ONLY			
							FEDERAL FUNDS						FUNDING SOURCE INFORMATION				EXPENDITURE SCHEDULE						FEDERALLY FUNDED PROJECTS ONLY			
							PROJECT PHASE		MONTH / YEAR	FEDERAL FUND CODE	FEDERAL COST BY PHASE	STATE FUND CODE	STATE FUNDS	OTHER REVENUES	LOCAL FUNDS	TOTAL	YEAR 1 2018	YEAR 2 2019	YEAR 3 2020	Years 4th Thru 6th	TOTAL 2018-2023	Grant Total 2018-2023	Local Total 2018-2023	ENVIRON- MENTAL TYPE	DATE COMPLETE	R/W REQ'D Y/N

Road Capital Construction

17	R1	Birch Bay Drive & Pedestrian Facility 20010 from Lora Lane to Cedar Avenue Pedestrian & Non-motorized Enhancements	12 05 32 06	S	1.58	T P C W	PE RW CN Total	1/2018 1/2018 1/2018 Total	STP/ITA 0 0 0 0	0 0 0 0	1,030 100 5,610 6,740	0 0 0 0	0 0 0 0	1,030 100 7,220 8,350	600 100 4,000 4,700	380 0 3,070 3,450	50 0 150 200	0 0 0 0	1,030 100 7,220 8,350	0 0 1,610 1,610	0 0 5,610 6,740	CE	Yes 11/2017
17	R2	Lake Whatcom Blvd, Water Quality Improvements 44120 From MP 0.21 to MP 1.71 Cable Street to Strawberry Point Water Quality/Stormwater Improvements	12 06 13	P	1.50	G O P T W	PE RW CN Total	1/2018 1/2020 5/2023 Total	0 0 0 0	0 0 0 0	50 50 0 100	0 0 0 0	0 0 0 0	50 50 0 100	25 0 0 25	20 0 0 20	5 50 0 55	0 0 0 0	50 50 0 100	0 0 0 0	50 50 0 100	CE	Yes
00	R3	Horton Road, Northwest Drive to Aldrich Road New Roadway	01	P	.70	C P T W	PE RW CN Total	1/2018 1/2018 1/2018 Total	0 0 0 0	0 0 0 0	157 0 0 157	0 0 0 0	0 0 0 0	157 0 0 157	90 0 0 90	67 0 0 67	0 0 0 0	0 0 0 0	157 0 0 157	0 0 0 0	157 0 0 157	CE	Yes
16	R4	Slater Road & Northwest Drive 14760/74050 Intersection Improvements	12 03 06	P	0.40	C G P T W	PE RW CN Total	1/2019 1/2019 1/2019 Total	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	50 0 0 50	0 0 0 0	50 0 0 50	Yes	
16	R5	Slater Road, I5 Interchange to 0.10m E. of Pacific Hwy 14760 From MP 7.26 to MP 7.65 Reconstruction	03	P	0.39	G O P S T W	PE RW CN Total	1/2019 1/2019 1/2019 Total	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	50 0 0 50	0 0 0 0	50 0 0 50	Yes	
00	R6	Slater Road, Northwest Drive to Aldrich Road New Roadway	01	P	2.00	C G O P S T W	PE RW CN Total	1/2019 1/2019 1/2019 Total	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	0 0 0 0	50 0 0 50	0 0 0 0	50 0 0 50	0 0 0 0	50 0 0 50	Yes	
16	R7	Smith Road & Northwest Drive 75080/74050 Intersection Improvements	12 03 06	P	0.40	C G P T W	PE RW CN Total	1/2022 1/2022 1/2022 Total	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	5 0 0 5	Yes	
00	R8	Roadway Frost Depth Detectors Various Locations	12	S			PE RW CN Total	1/2018 1/2018 6/2019 Total	0 0 0 0	0 0 0 0	20 0 300 320	0 0 0 0	0 0 0 0	20 0 300 320	10 0 300 310	10 0 300 310	0 0 0 0	0 0 0 0	20 0 300 320	0 0 0 0	20 0 300 320	No	
17	R9	Bennett Drive, Marine Dr. to West Bakerview Rd. 71070 From MP 0.00 to MP 1.23 Roadway surface, safety & ADA Improvements	07 12	P	1.23	C G P S T W	PE RW CN Total	1/2017 1/2018 6/2018 Total	0 0 0 0	0 0 0 0	200 100 1,100 1,400	0 0 0 0	0 0 0 0	200 100 1,100 1,400	200 100 1,100 1,400	0 0 0 0	0 0 0 0	0 0 0 0	200 100 1,100 1,400	0 0 0 0	200 100 1,100 1,400	Yes	
16	R10	Marine Drive, Locust Avenue to Alderwood Avenue 12790 From MP 4.75 to MP 3.92 Reconstruction & bicycle/pedestrian facilities	03 12 06 32	P	0.51	C G P S T W	PE RW CN Total	1/2017 1/2018 1/2021 Total	0 0 0 0	0 0 0 0	525 200 791 1,516	0 0 0 0	0 0 0 0	525 200 791 1,516	150 100 2,300 3,025	75 100 0 175	25 0 0 25	275 0 0 2,575	525 200 2,300 3,025	0 0 1,509 1,509	525 200 1,509 1,516	CE	Yes 5/2020
08	R11	Lumni View Drive Bank Stabilization 112780 from MP 0.67 to MP 0.72 Slide Repair	03 07	P	0.05	C P T W S	PE RW CN Total	1/2018 1/2018 1/2018 Total	0 0 0 0	0 0 0 0	30 0 0 30	0 0 0 0	0 0 0 0	30 0 0 30	30 0 0 30	0 0 0 0	0 0 0 0	0 0 0 0	30 0 0 30	0 0 0 0	30 0 0 30	No	
16	R12	North Shore Road, Bellingham City Limits to Y Road 47051 From MP 0.00 to MP 2.87 Roadway surface, safety and stormwater improvements	03 12 13	P	2.87	P T	PE RW CN Total	1/2021 1/2021 1/2021 Total	0 0 0 0	0 0 0 0	10 0 0 10	0 0 0 0	0 0 0 0	10 0 0 10	0 0 0 0	0 0 0 0	0 0 0 0	10 0 0 10	0 0 0 0	10 0 0 10	Yes		

FUNG. CLASS	PROJECT IDENTIFICATION A. PIN/Federal Aid No. B. Bridge Number C. Project Title D. Street/Road Name or Number E. Beginning MP or Road-Ending MP or Road F. Describe Work to be Done	IMPROVEMENT TYPE(S)	STATUS	TOTAL LENGTH (mi.)	UTILITY CODES	PROJECT COSTS IN THOUSANDS OF DOLLARS						EXPENDITURE SCHEDULE						FEDERALLY FUNDED PROJECTS ONLY							
						FUNDING SOURCE INFORMATION						EXPENDITURE SCHEDULE													
						PROJECT PHASE	MONTH / YEAR	FEDERAL FUND CODE	FEDERAL COST BY PHASE	STATE FUNDS		OTHER REVENUES	LOCAL FUNDS	TOTAL	YEAR 1 2018	YEAR 2 2019	YEAR 3 2020			Years 4th Thru 6th	TOTAL 2018-2023	Grant Total 2018-2023	Local Total 2018-2023	ENVIRON- MENTAL TYPE	R/W REQ' Y/N DATE COMPLETE
458	TIP PROJECT																								
07	R13 Lummi Nation Transportation Projects Various locations on Reservation	12 03 06 07 32	S		C T W S P.G	PE RW CN Total	1/2018 1/2018 1/2018 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	350 150 1,500 2,000	0 0 0 0	0 0 0 0	0 0 0 0	350 150 1,500 2,000	0 0 0 0	350 150 1,500 2,000	Yes					
00	R14 Point Roberts Transportation Improvements Project locations to be determined in 2017	06 32	S	.25	P W C	PE RW CN Total	1/2018 6/2018 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	50 100 150	0 0 0	0 0 0	0 0 0	50 100 150	0 0 0	50 100 150	No					
07	R15 Slater Rd/Haxton Way Intersection Improvements	05 07 12	P	0.25	C P W T S	PE RW CN Total	1/2018 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	70 70	0 0	0 0	0 0	70 70	0 0	70 70	Yes					
07	R16 East Smith Road, Everson Goshen Road to SR 542 Pavement Rehabilitation	07	P	3.25	P T	PE RW CN Total	1/2021 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	150 150 1,300 1,450	0 0 0 0	0 0 0 0	0 0 0 0	150 150 1,300 1,450	0 0 0 0	150 150 1,300 1,450	No					
07	R17 East Smith Road & Hannegan Road Intersection Improvements	12 07	P	0.4	C P T	PE RW CN Total	1/2018 4/2018 5/2021 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	550 150 3,000 3,700	0 0 0 0	0 0 0 0	0 0 0 0	550 150 3,000 3,700	0 0 0 0	550 150 3,000 3,700	Yes 2/2020					
	R18 Guardrail Safety Program Safety Improvement		P		T P C W S	PE RW CN Total	10/2017 10/2017 Total		90 810 900	0 0 0	0 0 0	0 0 0	100 810 910	0 0 0	0 0 0	0 0 0	100 810 910	0 0 0	100 810 910						
17	R19 Birch Bay Drive, Jackson Road to Shintaffer Road Pavement Rehabilitation	07	P	2.43	T C W S	PE RW CN Total	1/2021 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	200 1,000 1,200	0 0 0	0 0 0	0 0 0	200 1,000 1,200	0 0 0	200 1,000 1,200	No					
09	R20 Turkington Road/Jones Creek Road Grade Modification and creek channelization	03 06	P	.020	P C	PE RW CN Total	1/2019 1/2020 Total		0 0 0	0 0 0	0 0 0	0 0 0	450 50 500	0 0 0	0 0 0	0 0 0	450 50 500	0 0 0	450 50 500	Yes					
09	R21 Lincoln Road - IL Harborview Road to SR 548 (Blaine Road) Reconstruction and new road, non-motorized enhancement	01 03 06	P	1.00	C T S W	PE RW CN Total	1/2023 Total		5 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	5 0 0 5	Yes					
16	R22 Marine Drive IL Alderwood Avenue to Bridge No. 172 Reconstruction & bicycle/pedestrian facilities	03 06 12 32	P	0.55	C P S T.W	PE RW CN Total	1/2022 Total		5 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	5 0 0 5	Yes					
08	R23 Henmi Road Flood Mitigation Drainage improvement & pavement restoration	07 06	P	0.3	C T	PE RW CN Total	1/2018 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	250 0 0 250	0 0 0 0	0 0 0 0	0 0 0 0	250 0 0 250	0 0 0 0	250 0 0 250	No					
09	R24 Innis Creek Road Raise roadway	07 06	P	0.2	T C W S	PE RW CN Total	1/2018 Total		0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	10 10 10	0 0 0	0 0 0	0 0 0	10 10 10	0 0 0	10 10 10	Yes					

Six Year
Transportation
Improvement Program
2018-2023

FUNG. CLASS	TIP PROJECT NO.	PROJECT IDENTIFICATION A. PIN/Federal Aid No. B. Bridge Number C. Project Title D. Street/Road Name or Number E. Beginning MP or Road-Ending MP or Road F. Describe Work to be Done	IMPROVEMENT TYPE(S)	STATUS	TOTAL LENGTH (mi.)	UTILITY CODES	PROJECT COSTS IN THOUSANDS OF DOLLARS						EXPENDITURE SCHEDULE						FEDERALLY FUNDED PROJECTS ONLY			
							PROJECT PHASE	MONTH / YEAR	FUNDING SOURCE INFORMATION				TOTAL	YEAR 1 2018	YEAR 2 2019	YEAR 3 2020	Years 4th Thru 6th	TOTAL 2018-2023	Grant Total 2018-2023	Local Total 2018-2023	ENVIRON- MENTAL TYPE	R/W REQ'Y/ DATE COMPLETE
									FEDERAL FUND CODE	FEDERAL COST BY PHASE	STATE FUND CODE	STATE FUNDS										
19	R25	Larrabee Road Flood Mitigation 73800 MP 0.15 to MP 0.25 Drainage improvements & stream restoration	13	P	0.10	C T	PE RW CN Total	1/2022				5 0 0 5	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5				No		
16	R26	Lakeway Drive Corridor Improvements 45890 MP 0.00 to MP 1.40 Safety and Multimodal Improvements	06 12 32	P	1.30	ABD B D E F G	PE RW CN Total	1/2020				5 0 0 5	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5				Yes		
16	R27	Airport Drive Subsurface Repair 74000 Roadway Repair	06	S	0.1		PE RW CN Total	1/2018 6/2018				50 150 200	0 0 0	0 0 0	0 0 0	50 150 200	0 0 0	50 150 200	CE	No		
00	R28	Ferndale Road/Levee Improvements 12800 from MP 2.50 to MP 3.82 Levee Improvements	03 06	P	1.1	C P T	PE RW CN Total	1/2019				75 0 0 75	15 0 0 15	15 0 0 15	45 0 0 45	75 0 0 75						
00	R29	Abbott Road/Levee Improvements 55560 from MP 1.90 to MP 2.01 Levee Improvements	03 06	P	1.32	C P T	PE RW CN Total	1/2022				25 0 0 25	0 0 0 0	0 0 0 0	0 0 0 0	25 0 0 25	0 0 0 0	25 0 0 25				
16	R30	Northwest Drive, City of Bellingham to Axton Road 74050 from MP 1.11 to MP 4.65 Structural Overlay	06 07	P	3.45	C G P T W	PE RW CN Total	1/2019 6/2020				250 0 0 1,250 1,500	75 0 0 0 75	175 0 0 1,250 1,425	0 0 0 0 0	250 0 0 1,250 1,500	0 0 0 0 0	250 0 0 1,250 1,500	CE	No		

Bridge Capital Construction

07	B1	Slater Road/Jordan Creek Bridge 14760 From MP 2.0 to MP 2.1 Bridge Construction/Fish Passage	08	S	0.10	P T G W	PE RW CN Total	1/2018 1/2018					50 0 0 200 250	0 0 0 0 0	0 0 0 0 0	0 0 0 0 0	50 0 0 200 250	0 0 0 0 0	50 0 0 200 250		Yes 6/2017
16	B2	Marine Drive/Little Squalicum Bridge No.1 12790 From MP 5.24 to 5.34 Rehabilitation	10	P	0.10		PE RW CN Total	1/2018					20 0 0 20	0 0 0 0	0 0 0 0	0 0 0 0	20 0 0 20	0 0 0 0	20 0 0 20		Yes
08	B3	Jackson Road/Terrell Creek/Bridge No. 81 21950 From MP 0.00 to MP 0.10 Replacement	09	P	0.10	P T C W	PE RW CN Total	1/2018 1/2019					200 20 0 220	100 20 0 120	0 0 0 0	0 0 0 0	200 20 0 220	0 0 0 0	200 20 0 220		No
08	B4	Mosquito Lake Road/Porter Creek/Bridge No. 141 84190 From MP 9.55 to MP 9.65 Replacement	09	P	.010	T C P	PE RW CN Total	1/2020					5 0 0 5	0 0 0 0	0 0 0 0	0 0 0 0	5 0 0 5	0 0 0 0	5 0 0 5		No
08	B5	North Lake Samish Road/Bridge No. 107 44170 From MP 0.01 to MP 0.11 Replacement Study	09	P	0.10	C T G	PE RW CN Total	1/2018 1/2018					450 50 0 500	100 50 0 100	0 0 0 0	0 0 0 0	450 50 0 500	0 0 0 0	450 50 0 500		Yes
07	B6	Hannagan Road/Ten Mile Creek Bridge No. 236 55110 From MP 6.76 to MP 6.86 Replacement	09	P	0.10	T C	PE RW CN Total	1/2018 6/2018 STP (R)					300 0 0 1,300 1,600	0 0 0 0 0	0 0 0 0 0	0 0 0 0 0	300 0 0 1,300 1,600	0 0 0 850 850	300 0 0 1,300 1,600		Yes

Six Year
Transportation
Improvement Program
2018-2023

Hearing Date:
Adoption Date:
Resolution No:

FUND CLASS	PROJECT IDENTIFICATION A. PIN/Federal Aid No. B. Bridge Number C. Project Title D. Street/Road Name or Number E. Beginning MP or Road-Ending MP or Road F. Describe Work to be Done	IMPROVEMENT TYPE(S)	STATUS	TOTAL LENGTH (mi.)	UTILITY CODES	PROJECT COSTS IN THOUSANDS OF DOLLARS										EXPENDITURE SCHEDULE						FEDERALLY FUNDED PROJECTS ONLY																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
						PROJECT PHASE	MONTH / YEAR	FUNDING SOURCE INFORMATION			TOTAL	YEAR 1 2018	YEAR 2 2019	YEAR 3 2020	Years 4th Thru 6th	TOTAL 2018-2023	Grant Total 2018-2023	Local Total 2018-2023	ENVIRON- MENTAL TYPE	R/W REQ? Y/N DATE COMPLETE 5/2017																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
								FEDERAL FUND CODE	FEDERAL COST BY PHASE	STATE FUND CODE											OTHER REVENUES		LOCAL FUNDS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
460	TIP PROJECT																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								

Ferry Capital Construction

00	F1	06	P			PE	1/2018		0				5	5		0	0	5	0	5		No
						RW			0				0	0	0	0	0	0	0	0		
						CN			0				0	0	0	0	0	0	0	0		
						Total			0				5	5	0	0	0	5	0	5		
00	F2	06	P	0.10		PE	1/2018		0				30	30		0	0	30	0	30		No
						RW			0				0	0	0	0	0	0	0	0		
						CN			0				0	0	0	0	0	0	0	0		
						Total			0				30	30	0	0	0	30	0	30		
00	F3	06	S	0.10		PE	1/2018		0				200	200		0	0	200	0	200		No
						RW			0				0	0	0	0	0	0	0	0		
						CN	6/2018		0				1,000	1,000	0	0	0	1,000	0	1,000		
						Total			0				1,200	1,200	0	0	0	1,200	0	1,200		

FUNC. CLASS	TIP PROJECT NO.	PROJECT IDENTIFICATION A. PIN/Federal Aid No. B. Bridge Number C. Project Title D. Street/Road Name or Number E. Beginning MP or Road-Ending MP or Road F. Describe Work to be Done	IMPROVEMENT TYPE(S)	STATUS	TOTAL LENGTH (mi.)	UTILITY CODES	PROJECT COSTS IN THOUSANDS OF DOLLARS										EXPENDITURE SCHEDULE						ENVIRON- MENTAL TYPE	FEDERALLY FUNDED PROJECTS ONLY		
							PROJECT PHASE	MONTH / YEAR	FEDERAL FUND CODE	FEDERAL COST BY PHASE	STATE FUNDS			LOCAL FUNDS	TOTAL	YEAR 1 2018	YEAR 2 2019	YEAR 3 2020	Years 4th Thru 6th	TOTAL 2018-2023	Grant Total 2018-2023	Local Total 2018-2023				
											STATE FUND CODE	STATE FUNDS	OTHER REVENUES													
																									FEDERAL FUND CODE	FEDERAL COST BY PHASE
00	F4	Lummi Dolphin and Breakwater Replacement	06	P	0.10		PE RW CN Total	1/2018	FBP	120	0	0	0	30	150	0	0	0	0	150	120	30	No			
											0	0	0	0	0	0	0	0	0	0	0					
										120	0	0	0	30	150	0	0	0	0	150	120	30				
00	F5	Replacement of Whatcom Chief & Docks New Ferry and Docks	06	P			PE RW CN Total	1/2020		0	0	0	10	10	0	0	10	0	0	10	0	10				
										0	0	0	0	0	0	0	0	0	0	0	0					
										0	0	0	0	0	0	0	0	0	0	0	0					
										0	0	0	0	10	10	0	0	10	0	10	0	10				
Yearly Capital Construction																										
00	Y1	Various Bridges Rehabilitation/Replacement As prioritized	09 10	S	0.50		PE RW CN Total	1/2018		0	0	0	300	300	0	0	300	50	50	150	300	0	300			
								1/2018		0	0	0	0	0	0	0	0	0	0	0	0	0				
										0	0	0	1,500	1,500	0	0	250	250	750	1,500	0	1,500				
										0	0	0	1,800	1,800	0	0	300	300	900	1,800	0	1,800				
00	Y2	Right of Way Acquisition Various locations		S			PE RW CN Total	1/2018		0	0	0	0	0	0	0	0	0	0	0	0	0				
										0	0	0	180	180	0	0	20	60	180	0	180	Yes				
										0	0	0	0	0	0	0	0	0	0	0	0					
										0	0	0	180	180	0	0	20	60	180	0	180					
00	Y3	Unanticipated Site Improvements As prioritized	01 02 03 04 06, 12	S			PE RW CN Total	1/2018		0	0	0	180	180	0	0	30	30	90	180	0	180				
										0	0	0	0	0	0	0	0	0	0	0	0					
								1/2018		0	0	0	1,620	1,620	0	0	270	270	810	1,620	0	1,620				
										0	0	0	1,800	1,800	0	0	300	300	900	1,800	0	1,800				
00	Y4	Stormwater Quality Improvements Various locations		S			PE RW CN Total	1/2018		0	0	0	120	120	0	0	100	5	5	10	120	0	120			
										0	0	0	0	0	0	0	0	0	0	0	0					
								1/2018		0	0	0	225	225	0	0	45	45	135	225	0	225				
										0	0	0	345	345	0	0	100	50	50	145	345	0	345			
00	Y5	Non-motorized Transportation Improvements Various locations	06 12 32	S			PE RW CN Total	1/2018		0	0	0	60	60	0	0	10	10	30	60	0	60				
										0	0	0	0	0	0	0	0	0	0	0	0					
								5/2018		0	0	0	540	540	0	0	90	90	270	540	0	540				
										0	0	0	600	600	0	0	100	100	300	600	0	600				
00	Y6	Fish Passage Project Various locations	06 13	P			PE RW CN Total	1/2019		0	0	0	50	50	0	0	10	10	30	50	0	50	Yes			
										0	0	0	0	0	0	0	0	0	0	0	0					
								5/2019		0	0	0	200	200	0	0	40	40	120	200	0	200				
										0	0	0	250	250	0	0	50	50	150	250	0	250				
00	Y7	Swift Creek Transportation Impacts Various projects related to Sumas Mountain/Swift Creek Slide	12	S			PE RW CN Total	1/2018		0	0	0	60	60	0	0	10	10	30	60	0	60				
										0	0	0	0	0	0	0	0	0	0	0	0					
								1/2018		0	0	0	540	540	0	0	90	90	270	540	0	540				
										0	0	0	600	600	0	0	100	100	300	600	0	600				
00	Y8	Railroad Crossing Improvements Various locations	12 07	S			PE RW CN Total	1/2018		0	0	0	25	25	0	0	5	5	10	25	0	25				
										0	0	0	0	0	0	0	0	0	0	0	0					
								1/2018		0	0	0	95	95	0	0	15	15	45	95	0	95				
										0	0	0	120	120	0	0	20	20	60	120	0	120				
461																										
							PE			330	0	0	7,232	7,562	3,895	1,622	705	1,340	7,562	330	7,232					
							RW			0	0	0	1,070	1,070	620	220	170	60	1,070	0	1,070					
							CN			8,025	0	0	20,925	28,950	11,765	4,980	2,200	10,005	28,950	8,025	20,925					
							Total			8,355	0	0	29,227	37,582	16,280	6,822	3,075	11,405	37,582	8,355	29,227					

EXHIBIT “B”



WHATCOM COUNTY 2018-2031 FOURTEEN-YEAR FERRY CAPITAL PROGRAM

Overview

This program provides a blueprint for the effective, efficient, and continuing operation of the Whatcom County Ferry System within existing financial constraints. Capital improvements are scheduled based on many years of experience operating and maintaining the system, while complying with applicable regulations.

Inevitably, priorities and available funds for the ferry system will change over the fourteen years projected in this program. Therefore, the intention of the program is to be a guide indicating long-range improvements and anticipated revenues and expenditures. Strict adherence is not required.

Enacted in 1975, Revised Code of Washington (**RCW**) **36.54.015** states “The legislative authority of every county operating ferries shall prepare, with the advice and assistance of the county engineer, a fourteen year long range capital improvement plan embracing all major elements of the ferry system. Such plan shall include a listing of each major element of the system showing its estimated current value, its estimated replacement cost, and its amortization period.”

Table 1: Ferry System Current and Replacement Values – meets applicable requirements, showing the current value, replacement cost, and amortization periods for the vessels and facilities. The current value of the M/V Whatcom Chief is the insured value, the closest approximation of true worth. The facilities’ current value is book value; original cost less depreciation plus depreciated improvements.

RCW 36.81.121 (1) states “...the legislative authority of each county, after one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years....and for those counties operating ferries shall also include a separate section showing proposed capital expenditures for ferries, docks, and related facilities. Copies of the program shall be filed with the county road administration board and the secretary of transportation not more than thirty days after its adoption by the legislative authority...” Subsection (2) requires expanded information on how a county will spend all its money on the various facets of the transportation program. This RCW Section was enacted in 1961. The capital expenditure portion of Subsection (1) is satisfied by:

Table 2: Projected Revenues defines the known and/or anticipated sources of operating and capital project funding for the 14-Year Plan.

Table 3: Projected Expenditures includes all other expenditures on the system that meet Subsection (2) requirements. Operational expenditures are delineated

between vessel and non-vessel costs. U.S. Coast Guard regulations currently require the ferries to be dry-docked every two years, however to extend the life, improve reliability and protect our capital investment Whatcom County schedules dry-docking every year for its vessel. The landings are inspected regularly as required by the National Bridge Inspection Standards administered through the Washington State Department of Transportation. The inspection report helps identify and schedule major maintenance and replacement of these facilities.

This RCW section also provides the reporting requirement and timing of program submission, as well as establishing the annual update requirement.

Additionally, the Federal Highway Administration requires all agencies within a Metropolitan Planning Organization to develop and annually update the long range Transportation Improvement Plans and their Biennial Element. Whatcom County updates this 14-Year plan each year and incorporates the results into the Six-Year Transportation Improvement Program.

Major Project Analysis

A level of service and alternatives analysis for the vessel and Gooseberry Point terminal relocation will be completed in 2018.

In 2019, preliminary plans will be developed for the replacement of the approach span and transfer span deck on Lummi Island.

Major Maintenance/Reconstruction

Electrical Upgrades

The Gooseberry Point terminal electrical system was overhauled and updated in 2017 with minor improvements to the newer Lummi Island electrical system.

Structural Repair and Painting

Structural steel repair and painting of both the Gooseberry Point and Lummi Island terminals is anticipated for construction in 2018.

Dolphin & Breakwater Replacement

Engineering and design to replace the remaining timber dolphins and breakwater at the Lummi Island terminal with steel structures will continue in 2018. Construction will be scheduled as funding and operational periods allow.

Vessel Dry-Docking

US Coast Guard regulations require periodic inspections of all ferry vessels. In addition to yearly certifications, each vessel is required to be dry-docked every two years, with an underwater hull survey required as part of the annual certification between dry dockings. Whatcom County schedules dry-docking every year. The engine overhaul, vessel painting, hull repairs, and other major

and minor repairs occur during dry-docking. Propulsion engine overhauls occur every third year. Generator engines are overhauled on a six-year cycle. Engines are replaced every ten to twelve years. Every three to five years, a vessel survey is conducted to assess the vessel's overall condition (last valuation was in 2014), establish the fair market value, estimate replacement cost, and provide a detailed hull strength assessment. This survey is used in part to determine the requirements for hull plating and framing replacement, and is also a requirement of the current insurance carrier.

Minor Maintenance

General minor maintenance is continual on the ferry, landings, aprons, approaches, and waiting facilities. The costs and extent of the work is unpredictable, and frequently problems must be repaired immediately upon detection. Routine maintenance such as building painting and roof cleaning is more predictable and scheduled in advance.

History of the Ferry System

The ferry system is the only public transportation link for the majority of Lummi Island residents and vehicles to the mainland at Gooseberry Point. In the event of an emergency ferry outage or mechanical failure, the County has contracted pedestrian only ferry services while the vessel is being repaired.

Following is a brief chronology outlining the history of the Whatcom County Ferry System.

YEAR EVENT

- 1926 Lummi Shore Road from Bellingham was completed and a ferry, the Central, owned by Whatcom County and large enough to hold six small Model-T Fords started making scheduled runs between Lummi Island and Gooseberry Point.
- 1929 The slightly larger Chief Kwina replaces the Central.
- 1950 Gooseberry Point terminal built.
- 1962 The M/V Whatcom Chief begins service.
- 1978 Lummi Island terminal is relocated.
- 1982 New lift mechanism installed on transfer span at Lummi Island.
Gooseberry Point pier refurbished
- 1987 Gooseberry Point Transfer span, wing walls and dolphins replaced
- 1997 Major refurbishment of Gooseberry point landing accomplished
- 2002 20-Year Plan Phase 1 Process and report completed.
- 2005 Major Status Report on Ferry System
- 2006 Lummi Island Dock preservation project (Bearing Seats Rebuild).
Major corrosion repair to vessel hull.

- Completed design package for a 35-car replacement vessel.
Completed design package for urgent electrical/structural terminal repairs.
First Rate Increase in 5 years.
- 2008 Rate Increase
 - 2009 Rate adjustment
 - 2009 Emergency wing wall replacement on Lummi Island
 - 2010 Emergency wing wall replacement on Lummi Island
 - 2011 Rate increase and long term lease with the Lummi Nation
 - 2012 Planning and design for the remote control installation at Lummi Island and the wing wall replacement at Gooseberry Point.
 - 2013 Gooseberry Point terminal wooden wingwalls replaced with modern steel-pile supported wingwalls.
 - 2013 Lummi Island terminal transfer span and apron remote control system installed.
 - 2014 Gooseberry Point terminal wooden dolphins replaced with modern steel-pile supported dolphins.
 - 2015 Rate adjustment
 - 2015 Dolphin Emergency Repair – Lummi Island Terminal
 - 2017 Gooseberry Point Electrical Upgrade

FERRY SYSTEM CURRENT AND REPLACEMENT VALUES - 2017

VESSELS

Current Statistics	M/V Whatcom Chief
LENGTH (ft)	94
BEAM (ft)	44
DISPLACEMENT (tons)	78
YEAR BUILT	1962
CAPACITY -- Passengers	100
CAPACITY -- Cars	20
CURRENT INSURED VALUE - 2017	\$910,000
TOTAL CURRENT VALUE - 2017⁽¹⁾	

\$910,000

Replacement Statistics	
YEAR	2015
CAPACITY -- Passengers	100
CAPACITY -- Cars	20
REPLACEMENT VALUE - 2017 ⁽²⁾	\$5,997,834
TOTAL - REPLACEMENT VALUE - 2015	

\$5,997,834

FACILITIES

LOCATION	YEAR BUILT	AMORTIZATION SCHEDULED REPLACEMENT YEAR	BOOK VALUE ⁽⁴⁾	IDP ADJUSTED REPLACEMENT VALUE 2016
Lummi Island Landing				
Transfer Span and Dock	1982	2022	\$195,000	\$990,000
Dolphins/Wingwall ⁽³⁾	1978	2018	\$938,069	\$3,561,000
Parking Lots	2005	2045	\$50,000	\$94,350
Passenger Waiting/Office	1978	2018	\$10,000	\$27,750
Subtotal - Lummi Island Landing			\$1,193,069	\$4,673,100
Gooseberry Point Landing				
Transfer Span and Dock	1987	2027	\$326,000	\$361,860
Dolphins/Wingwall ⁽³⁾	2013, 2014	2053, 2054	\$2,778,235	\$5,039,400
Subtotal - Gooseberry Point Landing			\$3,104,235	\$5,401,260
TOTAL FACILITIES VALUE			\$4,297,304	\$10,074,360
TOTAL VESSEL & FACILITIES VALUE			\$5,207,304	\$16,072,194

NOTES:

⁽¹⁾ Current Insured Value

⁽²⁾ Appreciated Columbia Sentinel Engineers (2014) Replacement Value + IDP Adjustment

⁽³⁾ Replace with Steel Pilings, estimation of replacement value due to recent replacement timeframe

⁽⁴⁾ Estimated using a 40-year life and straight-line depreciation (including depreciated improvements)

Lummi Island Ferry 14-Year Capital Program							
All \$ in 000's Revenues 2018-2024							
Category	2017	2018	2019	2020	2021	2022	2023
Punch Card Fares (3)	\$1,172	\$1,203	\$1,235	\$1,267	\$1,300	\$1,334	\$1,369
Cash Fares (4)	293	301	309	317	325	334	342
(Memo 55% of Operating Cost) (1)	1,465	1,504	1,544	1,584	1,626	1,668	1,712
MVFT Deficit Subsidy	275	275	275	275	275	275	275
County Road Fund Subsidy	1,281	1,311	1,342	1,374	1,407	1,441	1,475
	1,385	-	10	-	-	-	-
Total Revenues	4,406	3,090	3,171	3,233	3,308	3,384	3,462
Total Expenditures (2)	4,231	2,914	2,993	3,054	3,127	3,201	3,278
Net Unfunded	(175)	(177)	(178)	(179)	(181)	(182)	(184)

Lummi Island Ferry 14-Year Capital Program							
All \$ in 000's Revenues 2025-2031							
Category	2025	2026	2027	2028	2029	2030	2031
Punch Card Fares (3)	\$1,405	\$1,441	\$1,480	\$1,518	\$1,558	\$1,600	\$1,641
Cash Fares (4)	351	360	370	379	390	400	410
(Memo 55% of Operating Cost) (1)	1,756	1,802	1,850	1,897	1,948	2,001	2,051
MVFT Deficit Subsidy	275	275	275	275	275	275	275
County Road Fund Subsidy	1,510	1,546	1,584	1,622	1,662	1,703	1,743
	-	-	-	-	-	-	-
Total Revenues	3,542	3,623	3,709	3,794	3,885	3,979	4,069
Total Expenditures (2)	3,357	3,436	3,521	3,603	3,692	3,785	3,873
Net Unfunded	(185)	(187)	(189)	(190)	(192)	(194)	(196)
Note 1: After Subtracting the MVFT Deficit Subsidy. Budgeted for 57% fare recovery based on historical							
Note 2: As Shown On Table 2, including capital expenditures							
Note 3: Equal to 80% of Fares							
Note 4: Equal to 20% of Fares							

Lummi Island Ferry 14-Year Capital Program							
All in 000's Table 2 Expenditures 2018-2024 Page 1							
Category	2018	2019	2020	2021	2022	2023	2024
Operating Expenses							
Vessel Operations							
Personnel	1,332	1,359	1,386	1,414	1,442	1,471	1,500
Fuel & Operating Supplies	708	729	751	774	797	821	845
Insurance	60	62	64	66	68	70	72
Other Operating Expenses	132	137	143	148	154	161	167
Total Vessel Operations	2,232	2,287	2,343	2,401	2,461	2,522	2,584
Other Operations							
Administration	208	212	216	221	225	230	234
Parking Lots/Staging							
Lummi Island	37	38	38	39	40	41	42
Gooseberry Pt.	14	14	15	15	15	15	16
Docks							
Lummi Island	49	50	51	52	53	54	55
Gooseberry Pt.	306	312	318	325	331	338	345
Total Operating Expenses	2,846	2,913	2,982	3,053	3,125	3,199	3,276
Capital Expenditures							
Major Vessel Upgrades	5	-	10	-	-	-	-
Gooseberry Point							
Docks	630	-	-	-	-	-	-
Staging	-	-	-	-	-	-	--
Parking	-	-	-	-	-	-	-
Lummi Island							
Docks	750	-	-	-	-	-	-
Staging	-	-	-	-	-	-	-
Parking	-	-	-	-	-	-	-
Total Capital Program Costs	1,385	0	10	0	0	0	0
Total Costs	4,231	2,913	2,992	3,053	3,125	3,199	3,276

Lummi Island Ferry 14-Year Capital Program							
All in 000's Table 2 Expenditures 2024-2030 Page 2							
Category	2025	2026	2027	2028	2029	2030	2031
Operating Expenses							
Vessel Operations							
Personnel	1,530	1,561	1,592	1,624	1,656	1,689	1,723
Fuel & Operating Supplies	871	897	924	951	980	1,009	1,040
Insurance	74	76	78	81	83	86	88
Other Operating Expenses	174	181	188	195	203	209	216
Total Vessel Operations	2,648	2,714	2,782	2,851	2,922	2,994	3,067
Other Operations							
Administration	239	244	249	254	259	264	269
Parking Lots/Staging							
Lummi Island	43	43	44	45	46	48	49
Gooseberry Pt.	16	17	17	18	18	19	19
Docks							
Lummi Island	56	57	59	60	61	62	63
Gooseberry Pt.	351	359	366	373	380	388	396
Total Operating Expenses	3,354	3,433	3,517	3,599	3,688	3,775	3,863
Capital Expenditures							
Major Vessel Upgrades	-	-	-	-	-	-	-
Gooseberry Point							
Docks	-	-	-	-	-	-	-
Staging	-	-	-	-	-	-	-
Parking	-	-	-	-	-	-	-
Lummi Island							
Docks	-	-	-	-	-	-	-
Staging	-	-	-	-	-	-	-
Parking	-	-	-	-	-	-	-
Total Capital Program Costs	-	-	-	-	-	-	-
Total Costs	3,354	3,433	3,517	3,599	3,688	3,775	3,863

WHATCOM COUNTY COUNCIL AGENDA BILL**NO.** AB2016-256C

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:				9/12/2017	Introduction
Division Head:				9/26/2017	Public Hearing
Dept. Head:	WBS	8.9.17			
Prosecutor:	DAF	8/16/17			
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:*Interim ordinance imposing a moratorium on applications – Cherry Point***ATTACHMENTS:**

SEPA review required? () Yes () NO
 SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? (x) Yes () NO
 Requested Date: September 26, 2017

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This interim moratorium prohibits the filing, acceptance, and processing of new applications for conversion of land or water, new building or structure permits, or other County permits or authorizations in the Cherry Point Urban Growth Area for new or expanded facilities whose purpose is to facilitate the increased shipment of unrefined fossil fuels not to be processed at Cherry Point, unless the applications:

- 1. Were filed and complete prior to the effective date of this ordinance and vested pursuant to Washington statutes;*
- 2. Are for building permits for remodels, maintenance, or repairs of existing structures where no increased capacity for shipping unrefined fossil fuels not to be process at Cherry Point will result; or*
- 3. Are necessary to protect health and safety of the community.*

This interim ordinance shall be effective for not longer than six months following its effective date, but may be renewed for one or more six-month periods if subsequent public hearings are held and findings of fact are made prior to each renewal.

COMMITTEE ACTION:**COUNCIL ACTION:**

9/12/2017: Introduced 5-1, Brenner opposed, Weimer absent

Related County Contract #:**Related File Numbers:****Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: _____
INTRODUCTION DATE: SEPTEMBER 12, 2017

ORDINANCE NO. _____
(INTERIM ORDINANCE)

**IMPOSING AN INTERIM MORATORIUM ON THE ACCEPTANCE AND PROCESSING
OF APPLICATIONS AND PERMITS FOR NEW OR EXPANDED FACILITIES IN THE
CHERRY POINT URBAN GROWTH AREA, THE PRIMARY PURPOSE OF WHICH
WOULD BE THE SHIPMENT OF UNREFINED FOSSIL FUELS NOT TO BE
PROCESSED AT CHERRY POINT**

WHEREAS, on July 12, 2016, the county received a letter from Chairman Ballew of the Lummi Business Council which included the statement that they "hope that the amendments to the Comprehensive Plan not unfairly impact the current employers within Cherry Point."; and

WHEREAS, the County Council previously adopted Title 20-Zoning of Whatcom County Code which regulates land use within unincorporated areas of Whatcom County; and

WHEREAS, the County Council adopted the Whatcom County Comprehensive Plan on May 20, 1997, which contains goals, objectives and policies regarding land use compatibility and environmental considerations; and

WHEREAS, the Whatcom County Council recently updated the Whatcom County Comprehensive Plan as required by Revised Code of Washington 36.70A; and

WHEREAS, during the Comprehensive Plan review process the Whatcom County Council received many individual public comments on fossil fuel transshipment, transport, and transfer from Cherry Point related to the protection of the health of Whatcom County's environment, economy, and residents; and

WHEREAS, the County recognizes that the existing refineries have for decades been significant shippers of refined fossil fuels such as jet fuel and calcined coke used in manufacture of aluminum while providing substantial local employment; and

WHEREAS, the refining of fossil fuels at Cherry Point provides high wage jobs which could be lost if the existing refineries were converted to crude oil export facilities; and

WHEREAS, the Whatcom County Council has requested the Whatcom County Planning Commission review language that would discourage new development that would primarily facilitate the shipment of unrefined fossil fuels not to be processed or consumed at Cherry Point; and

WHEREAS, multiple trains carrying crude oil from the Bakken formation moving through the United States and Canada have derailed and exploded causing damage to property and the environment, one derailment caused significant fatalities, which is the reason regulations must be improved; and

WHEREAS, a unit train carrying Bakken crude traveling through Mosier, Oregon, on June 3, 2016, derailed and exploded causing damage to property and the Columbia River, demonstrating that recently adopted state and federal policies and corporate investment intended to reduce the risks associated with oil by rail have proven insufficient to protect communities along the rail corridor; and

WHEREAS, the Washington State Department of Natural Resources has designated waters adjacent to the Cherry Point Urban Growth Area as an aquatic reserve to ensure long-term protection of this unique aquatic environment; and

WHEREAS, the United States recently lifted a ban on the export of crude oil from the country, increasing pressure on deep water ports such as Cherry Point to develop into crude export terminals; and

WHEREAS, existing refineries at Cherry Point have recently increased their ability to accept crude oil by rail by constructing new rail offloading facilities to serve the refineries; and

WHEREAS, existing and proposed pipeline facilities have increased, or proposed to increase, their capacity to move crude oil, diluted bitumen, and natural gas to Cherry Point; and

WHEREAS, Title 20 currently does not explicitly prohibit transshipment, transport, and transfer of unrefined fossil fuels and construction of infrastructure to facilitate expanded shipment of unrefined fossil fuels not to be processed at Cherry Point; and

WHEREAS, according to the June 27, 2016 Land Capacity Analysis report produced by Planning and Development Services, Cherry Point contains only 1,072.6 acres of developable land that is zoned Heavy Impact Industrial (HII) for the purposes of "supplying a reasonable amount of land, commensurate with demand, for the location and grouping of heavy impact industrial uses" and to "minimize the scope of impacts generated within the HII District and to provide protection for nonindustrial districts situated outside thereof..." (WCC 20.68.010); and

WHEREAS, expansion of existing facilities for purposes of shipping unrefined fossil fuels not to be processed or consumed at Cherry Point will increase the transport of dangerous fuels through our community and increase the risk of possible derailment, spills, explosions, and the fallout will pose a serious threat to the community; and

WHEREAS, pursuant to the Washington State Constitution, the general police powers granted to counties empower and authorize Whatcom County to adopt land use controls to provide for the regulation of land uses within the County and to provide that such uses shall be consistent with applicable law; and

WHEREAS, on August 9, 2016, the Whatcom County Council adopted Ordinance 2016-031, an emergency ordinance imposing a sixty day moratorium on the filing, acceptance, and processing of new applications for conversion of land or water, new building or structure permits, or other County permits or authorizations in the Cherry Point Urban Growth Area for new or expanded facilities whose purpose is to facilitate the increased shipment of unrefined fossil fuels not to be processed or consumed at Cherry Point; and

WHEREAS, on September 27, 2016, and March 21, 2017, the Whatcom County Council adopted interim measures (Ordinance 2016-039 and Ordinance 2017-011) prohibiting the filing, acceptance, and processing of new applications for conversion of land or water, new building or structure permits, or other County permits or authorizations in the Cherry Point Urban Growth Area for new or expanded facilities whose purpose is to facilitate the increased shipment of unrefined fossil fuels not to be processed or consumed at Cherry Point, unless the applications:

1. Were filed and complete prior to the effective date of the ordinance and vested pursuant to Washington statutes;
2. Were for building permits for remodels, maintenance, or repairs of existing structures where no increased capacity for shipping unrefined fossil fuels not to be processed or consumed at Cherry Point would result; or
3. Were necessary to protect health and safety of the community.

WHEREAS, the County Council finds that extending the moratorium imposed by Ordinance 2017-011 is necessary for the protection of public health and safety; and

WHEREAS, RCW 36.70.790 and RCW 36.70.795 allow for adoption of interim official controls as long as a public hearing is held within sixty (60) days of adoption; and

WHEREAS, the Whatcom County Council is scheduled to hold a public hearing on this issue on September 26, 2017, or a later date; and

WHEREAS, the County Council fully recognizes the limits to its authority over transportation of certain goods imposed by federal statutes and the US Constitution, and finds that this action is within its authority;

NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council adopts the above "WHEREAS" recitals as findings of fact in support of its action as required by RCW 36.70A.390

BE IT FURTHER ORDAINED by the Whatcom County Council that an interim moratorium is hereby imposed prohibiting the filing, acceptance, and processing of new applications for conversion of land or water, new building or structure permits, or other County permits or authorizations in the Cherry Point Urban Growth Area for new or expanded facilities whose purpose is to facilitate the increased shipment of unrefined fossil fuels not to be processed or consumed at Cherry Point, unless the applications:

1. Were filed and complete prior to the effective date of this ordinance and vested pursuant to Washington statutes;
2. Are for building permits for remodels, maintenance, or repairs of existing structures where no increased capacity for shipping unrefined fossil fuels not to be processed or consumed at Cherry Point will result; or
3. Are necessary to protect health and safety of the community.

BE IT FURTHER ORDAINED by the Whatcom County Council that this interim ordinance shall be effective for not longer than six months following its effective date, but may be renewed for one or more six-month periods if subsequent public hearings are held and findings of fact are made prior to each renewal.

BE IT FURTHER ORDAINED that if a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance, and if the provisions of this ordinance are found to be inconsistent with other provisions of the Whatcom County Code, this ordinance shall control.

BE IT FURTHER ORDAINED that for the purpose of this ordinance the definition of "unrefined fossil fuel" includes but is not limited to all forms of crude oil whether stabilized or not; raw bitumen, diluted bitumen, or syncrude; coal; methane, propane, butane, and other "natural gas" in liquid or gaseous formats excluding those that are the byproduct of refinery processes in the Cherry Point UGA; and condensate.

BE IT FINALLY ORDAINED that for the purpose of this ordinance, the definition of "facility" includes but is not limited to piers, wharfs, buildings, tank farms, pipelines, rail loading and offloading facilities, road spurs, or any other such physical infrastructure intended to receive, transfer, or store unrefined fossil fuels;

APPROVED this _____ day of _____, 2017.

ATTEST:

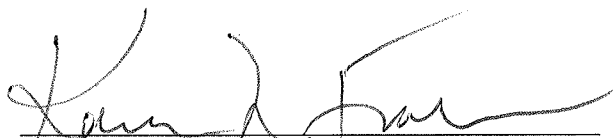
**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

**WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON**



Civil Deputy Prosecutor

Jack Louws, County Executive

() Approved () Denied

Date Signed: _____

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-284

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:			<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	9/26	Council
Division Head:					
Dept. Head:	RJD	9/15/17			
Prosecutor:					
Purchasing/Budget:					
Executive:	TKS	9.18.17			

TITLE OF DOCUMENT:**Behavioral Health Integration – Mid-Adopter Decision****ATTACHMENTS:****Behavioral Health Integration – Mid-Adopter Decision Memo**

SEPA review required? () Yes () NO
 SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes () NO
 Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

The Health Department requests that the Whatcom County Council take action on the mid-adopter recommendation from the County Authorities Executive Committee.

COMMITTEE ACTION:**COUNCIL ACTION:****Related County Contract #:****Related File Numbers:****Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.



Memorandum

RECEIVED

SEP 15 2017

TO: Jack Louws, County Executive
RAD
FROM: Regina A. Delahunt, Director
DATE: September 15, 2017
RE: Behavioral Health Integration – Mid-Adopter Decision

JACK LOUWS
COUNTY EXECUTIVE

The North Sound Behavioral Health Organization (NSBHO) County Authorities Executive Committee met on September 14, 2017, to formulate a recommendation for the county legislative authorities related to the decision to become a mid-adopter region for Behavioral Health integration. Information related to the mid-adopter decision has been presented to the Whatcom County Council, acting as the Health Board, on two occasions and to the Council in the Public Works, Health, and Safety Committee on September 12, 2017.

On September 14, 2017, the NSBHO Executive Committee passed a motion (7 to 2) to approve sending a recommendation to each of the five County Councils/Commissions that they authorize the County Authorities Executive Committee to send a binding letter of intent to Washington State Health Care Authority indicating that the North Sound Region wishes to become a mid-adopter of Fully Integrated Managed Care with the option for a transitional year beginning in 2019 with full integration by January 1, 2020. The motion included 3 conditions for agreeing to the binding letter of intent:

1. Allow Managed Care Organizations (MCO) to contract back with the Behavioral Health Administrative Services Organization (BH-ASO) for some of the services and functions the Behavioral Health Organization (BHO) now provides.
2. Adequately support the operation of the BH-ASO with dedicated funding, including the option of allowing the BHO to use unspent reserves to support the operation of the BH-ASO.
3. Formalization of the Inter-Local Leadership Structure in statute.

The financial incentive of \$11.7 million will be available to the North Sound Region if all 5 counties approve the transitional mid-adopter option recommended by the NSBHO County Authorities Executive Committee.

We request that the Whatcom County Council take action on the mid-adopter recommendation from the County Authorities Executive Committee.



CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	Council Cle	9/20/2017		9/26/2017	Council
Division Head:					
Dept. Head:		9/20/17			
Prosecutor:					
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:

Res establishing regular County Council meeting dates for 2018

ATTACHMENTS:

Resolution

SEPA review required?	() Yes	() NO	Should Clerk schedule a hearing ?	() Yes	(X) NO
SEPA review completed?	() Yes	() NO	Requested Date:		

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Resolution establishing the regular Whatcom County Council meeting dates for 2018.

COMMITTEE ACTION:**COUNCIL ACTION:**

Related County Contract #:

Related File Numbers:

Ordinance or Resolution
Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Council Clerk
INTRODUCTION DATE: September 26, 2017

RESOLUTION NO. _____

**ESTABLISHING REGULAR WHATCOM COUNTY COUNCIL
MEETING DATES FOR 2018**

WHEREAS, the Whatcom County Council has set every other Tuesday as its regular meeting schedule; and

WHEREAS, all departments should plan to schedule items in accordance with the Council's approved meeting schedule to avoid the need for special meetings; and

WHEREAS, it is the Council's policy to plan for breaks in its schedule in August and December and to avoid scheduling meetings on specific dates during the year.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that regular Council meetings shall be scheduled for the following dates in 2018:

January 16 and 30
February 13 and 27
March 13 and 27
April 10 and 24
May 8 and 22
June 5 and 19
July 10 and 24
August 7
September 11 and 25
October 9 and 23
November 7 (Wednesday) and 20
December 4

BE IT FURTHER RESOLVED that when members of the Council sit in an administrative or legislative capacity in situations such as, but not limited to, supervisors of special districts or members of the county health board, all business in these capacities shall be treated as regular items of business during council meetings and the council's agenda shall include a notation for any item being considered in one of more of these other capacities.

APPROVED this 26th day of September, 2017.

ATTEST:

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecutor

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:		8/31/2017		9/12/2017	Introduction
Division Head:				9/26/2017	Council
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:

Appointment to Lummi Island Ferry Advisory Committee

ATTACHMENTS:

Application

SEPA review required? () Yes () NO Should Clerk schedule a hearing ? () Yes (X) NO
 SEPA review completed? () Yes () NO Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Applicant for the Resident or property owner on Lummi Island is Beth Walukas Louis.
 The Committee provides review and recommendations to the County Council and Executive on issues that Affect the ongoing operations and infrastructure of ferry service to Lummi Island. Review includes: proposed changes to ferry operations and fares; an annual review of the ferry fund; demands of and improvements to ferry services; and ferry replacement options. Meets monthly.

COMMITTEE ACTION:**COUNCIL ACTION:**

9/12/2017: Introduced 6-0, Weimer absent

Related County Contract #:**Related File Numbers:****Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

NaDean Hanson

From: noreply@civicplus.com
Sent: Monday, August 28, 2017 12:22 PM
To: Ben Glassett; Jill Nixon; Suzanne Mildner; Kristi Felbinger; Dana Brown-Davis; Executive; NaDean Hanson
Subject: Online Form Submittal: Board and Commission Application

Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name Beth
Last Name Walukas Louis
Date 8/28/2017
Street Address 2558 Island View Lane
City Lummi Island
Zip 98262

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? Field not completed.

Primary Telephone 3607582158
Secondary Telephone 5104094624

Email Address bwlouise60@gmail.com

Step 2

1. Name of Board or Committee	Lummi Island Ferry Advisory Committee
Lummi Island Ferry Committee (Part 2)	Lummi Island resident and/or property owner
Lummi Island Ferry Advisory Committee	Yes
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?	Yes
3. Which Council district do you live in?	District 5
4. Are you a US citizen?	Yes
5. Are you registered to vote in Whatcom County?	Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?	No
7. Have you ever been a member of this Board/Commission?	No
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?	No
You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions	<u>Beth Walukas Louis LIFAC application qualifications.pdf</u>
9. Please describe your	See attached summary of qualifications. I have worked as a

occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

transportation planner and engineer for over 30 years.

10. Please describe why you're interested in serving on this board or commission

Whatcom County and Lummi Island are my and my husband's home. The ferry is the lifeline connection between the Island and mainland and, while operating well now, will need to be replaced in the coming decade. Planning and delivering large public infrastructure projects like the ferry takes many years to plan, design, and fund as well as to build consensus in the County. County Council and staff in coordination with LIFAC has made substantive progress in this regard. In addition to wanting to serve my community in the best possible way, I believe my transportation planning and engineering and community skills will be useful to the process as we move forward. Your consideration of my application is appreciated.

References (please include daytime telephone number):

Stu Clark, 425/231-3413 and Mary Ross 425/941-0087

Signature of applicant:

Beth Walukas Louis

Place Signed / Submitted

Lummi Island, WA

(Section Break)

Email not displaying correctly? [View it in your browser.](#)

WHATCOM COUNTY COUNCIL AGENDA BILLNO. **2017 - 277**

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:		9/18/2017		9/26/2017	Introduction
Division Head:					
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					
TITLE OF DOCUMENT: Appointment to Open Space Advisory Committee					
ATTACHMENTS: Application					
SEPA review required? () Yes () NO SEPA review completed? () Yes () NO			Should Clerk schedule a hearing ? () Yes (X) NO Requested Date:		
SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.) Applicant for Open Space Advisory Board, - Paul Stermer This committee serves in an advisory capacity to the county assessor in implementing assessment guidelines as established by the department of revenue for the assessment of open space, farms and agricultural lands, and timber lands					
COMMITTEE ACTION:			COUNCIL ACTION:		
Related County Contract #:		Related File Numbers:		Ordinance or Resolution Number:	
Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.					

NaDean Hanson

Open Space Advisory Committee

From: noreply@civicplus.com
Sent: Friday, September 15, 2017 6:00 PM
To: Ben Glassett; Jill Nixon; Suzanne Mildner; Kristi Felbinger; Dana Brown-Davis; Executive; NaDean Hanson
Subject: Online Form Submittal: Board and Commission Application

Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name Paul

Last Name Stermer

Date 9/15/2017

Street Address 2705 Lakeridge Lane

City Bellingham

Zip 98226

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? Field not completed.

Primary Telephone 3607701501

Secondary Telephone Field not completed.

Email Address pdstermer@gmail.com

Step 2

1. Name of Board or Committee Open Space Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 2

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions *Field not completed.*

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education I have been employed at the Phillips 66 refinery for 25 years and held a variety of assignments including chemist, energy metrics and for the last decade or more commercial economics. I have BS degrees in Chemistry, Biochemistry from UW, a BA degree in small business economics from WSU and an MBA from WWU. Currently serve on the Opportunity council board; where I am chair of the finance committee and board treasurer

as well as serving on the executive committee. I have a variety of skills and education that may be useful to this committee.

10. Please describe why you're interested in serving on this board or commission

I am an outdoor enthusiast, business person and have an interest in the future of Whatcom county land use.

References (please include daytime telephone number):

Field not completed.

Signature of applicant:

Paul D. Stermer

Place Signed / Submitted

2705 Lakeridge Lane, Bellingham, Washington

(Section Break)

Email not displaying correctly? [View it in your browser.](#)

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-285

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	AH	9-8-17	<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	9-26-17	Council Introduction
Division Head:	JH	9/13/17		10/10/17	Hearing
Dept. Head:	JH	9/13/17			
Prosecutor:	DL	09/15/17			
Purchasing/Budget:					
Executive:	PLS	9.18.17			

TITLE OF DOCUMENT: Resolution Approving the Sale of a Portion of Surplus Real Property

ATTACHMENTS: 1. Cover Memo
2. Resolution
3. Map of Site

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? (X) Yes () NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Per RCW and Whatcom County Code, the Whatcom County Property Management Committee has recommended the sale of a portion of Whatcom County real property known as Y Road Landfill, tax parcel number 380419 214168 0000, subject to the completion of a boundary line adjustment, as surplus property. The property is approximately 4.624 acres, and is to be sold by sealed bid with the minimum sale price of \$32,368 (thirty two thousand three hundred sixty eight 00/100 dollars)

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution
Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.



MEMORANDUM

To: The Honorable County Executive Jack Louws and Honorable Members of the County Council

Through: Jon Hutchings, Director

From: Andrew Hester, Real Estate Coordinator AH

Date: September 6, 2017

Re: Resolution Approving the Sale of a Portion of Surplus Real Property

Enclosed is a resolution requesting the approval of the sale of a 4.624 acre portion of surplus Whatcom County real property.

Requested Action

Public Works respectfully requests that the Whatcom County Council hold a public hearing and take action on the proposed resolution to approve the sale of surplus Whatcom County real property.

Background and Purpose

Per RCW and Whatcom County Code, the Whatcom County Property Management Committee has recommended the sale of a portion of Whatcom County real property known as Y Road Landfill, tax parcel number 380419 214168 0000, subject to the completion of a boundary line adjustment, as surplus property. The property is approximately 4.624 acres, and is to be sold by sealed bid with the minimum sale price of \$32,368 (thirty two thousand three hundred sixty eight 00/100 dollars).

Funding Amount and Source

The successful bidder is responsible for paying all costs associated with the sale of property.

Please contact me at extension 6216 if you have any questions or concerns regarding this resolution.

Encl.

SPONSORED BY: _____

PROPOSED BY: Public Works

INTRODUCTION DATE: _____

RESOLUTION NO. _____

APPROVING THE SALE OF A PORTION OF SURPLUS REAL PROPERTY

WHEREAS, RCW 36.34.005 authorizes counties to establish comprehensive procedures for the management of county property, including the sale of surplus real estate where it is found to be in the best interest of a county to sell same; and

WHEREAS, in Whatcom County Code (WCC), Chapter 1.10, Whatcom County has established those procedures; and

WHEREAS, the Whatcom County Property Management Committee has recommended the sale of a 4.624 acre portion of Whatcom County real property known as Y Road Landfill, tax parcel number 380419 214168 0000, subject to the conditions listed in Exhibit B, and subject to the completion of a boundary line adjustment to the highest bidder who could legally purchase the property, by sealed bid, for not less than the appraisal amount as listed below, plus costs; and

WHEREAS, WCC 1.10.310 authorizes the Council, after receipt of estimated market values from the Property Management Committee, to establish limitations and conditions upon sale of property, such as the minimum price for said property and whether or not a contract will be allowed, or if it will be a cash price; and

WHEREAS, WCC 1.10.310, as well as state law, allows the County to reserve from the sale oil, gas, timber, mineral aggregates and other resources if the Council finds that it is the best interest of the public to reserve these;

NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the County to sell a 4.624 acre portion of the Y Road Landfill, tax parcel number 380419 214168 0000, as depicted on Exhibit A, subject to the conditions listed in Exhibit B, and subject to the completion of a boundary line adjustment to the highest bidder who can legally purchase the property by sealed bid.

BE IT FURTHER RESOLVED that the minimum bid for the property listed above shall be no less than the appraised value of \$32,368.00 (thirty two thousand three hundred sixty eight 00/100 dollars) and that Buyer will pay all costs associated with the boundary line adjustment and any additional Buyer closing costs normally associated with such a real property transaction; and

BE IT FURTHER RESOLVED that transfer of said real property be by quitclaim deed and that Buyer will represent and warrant in writing to Seller Whatcom County, that Buyer has thoroughly inspected and evaluated the properties for sell, to Buyer's complete satisfaction and Buyer accepts the properties AS IS with full knowledge of potential liability the Buyer could incur for any environmental hazards or conditions affecting the properties. Buyer agrees that the purchase price of the properties reflects the agreed upon value of the properties AS IS, taking into account the aforementioned disclosures; and

1 BE IT FURTHER RESOLVED that said purchase of said real property shall not be allowed under contract
2 and shall be paid either in cash, certified check or money order to the Whatcom County Treasurer at the
3 completion of the boundary line adjustment process; and
4

5 BE IT FURTHER RESOLVED that the Whatcom County Treasurer is hereby directed to sell said property
6 at no less than the appraised value of \$32,368.00 (thirty two thousand three hundred sixty eight 00/100
7 dollars) and that said sale shall take place in accordance with the duties as established in WCC 1.10.290-
8 1.10.390. If the minimum bid is not reached, the properties shall not be sold.
9

10 BE IT FURTHER RESOLVED that the sale will not be completed until Buyer has completed the
11 boundary line adjustment process and paid all fees and costs associated with it and has paid the Whatcom
12 County Treasurer the bid award amount.
13
14
15

16 APPROVED this _____ day of _____, 2017

17
18 ATTEST:
19
20

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

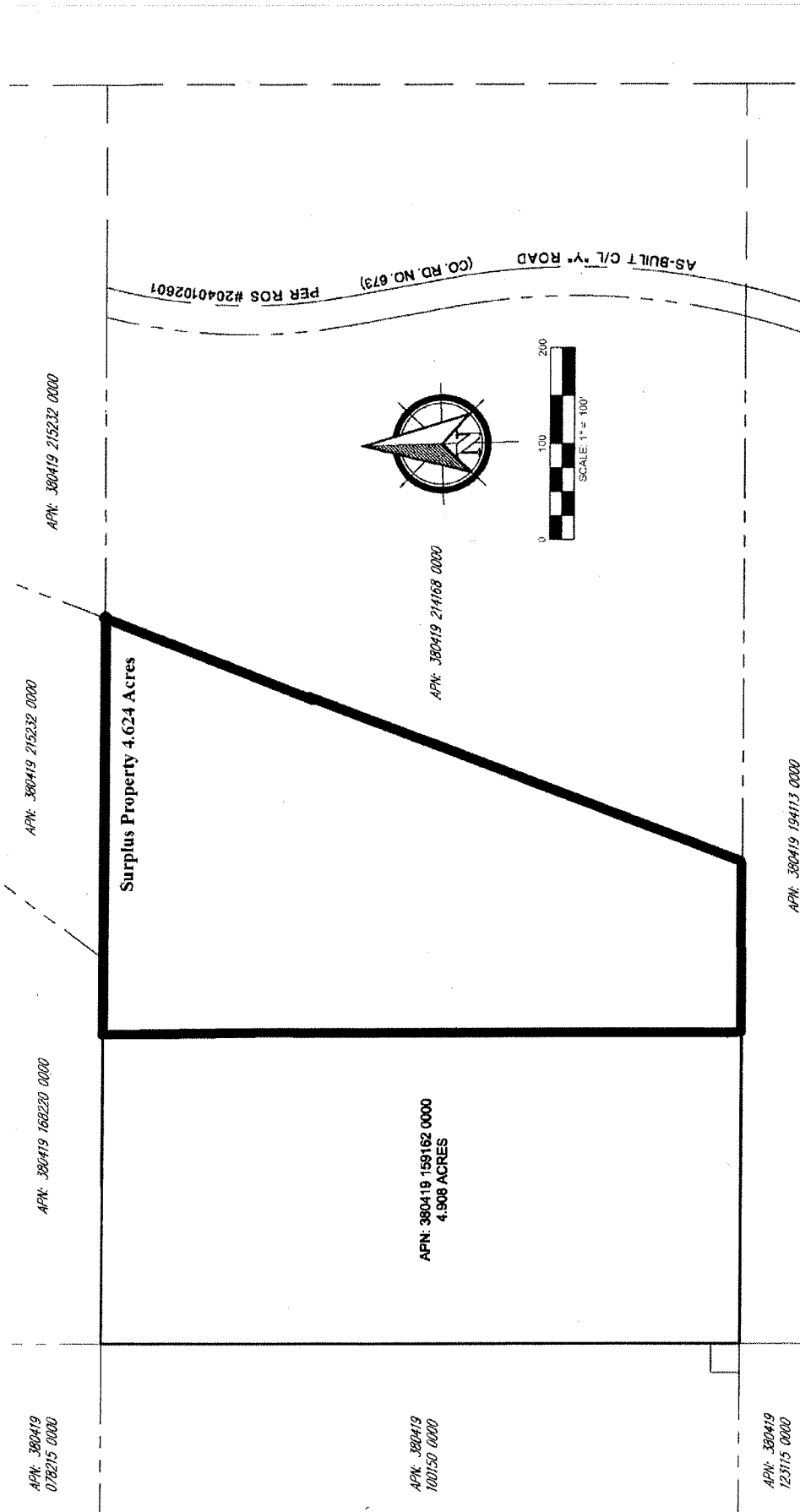
21 _____
22 Dana Brown-Davis, County Clerk

Barry Buchanan, Council Chair

23 APPROVED AS TO FORM:
24
25

26 *Daniel L. Gibson*
Chief Civil Deputy Prosecutor

Exhibit A



[illegible]

Exhibit B

Notice Language

Subject property is within or near a former landfill site on which a variety of activities may occur that are not compatible with residential development or other land uses. You may be subject to inconveniences or discomforts arising from such operations including but not limited to noise, odors, fumes, dust, smoke, and the operation of machinery. Whatcom County will not consider the continued or future use of the site to be a nuisance for those inconveniences or discomforts arising from operations, if such operations are consistent with commonly accepted good management practices and otherwise comply with local, state, and federal laws.

Hold Harmless Language

Grantee is purchasing the property on an "as-is with all faults" basis with any and all patent and latent defects, including those relating to the environmental condition of the property, and is not relying on any representation or warranties, express or implied, of any kind whatsoever from Grantor as to any matters concerning the property, including, but not limited to the physical condition of the property; zoning status; operating history or projections or valuation; compliance by the property with Environmental Laws (defined below) or other laws, statutes, ordinances, decrees, regulations and other requirements applicable to the property; the presence of any Hazardous Substances (defined below), wetlands, asbestos, lead, lead-based paint or other lead-containing structures, urea formaldehyde, or other environmentally sensitive building materials in, on, under, or in proximity to the property; the condition or existence of any of the above-ground or underground structures or improvements, including tanks and transformers in, on or under the property; the condition of title to the property, and the leases, easements, permits, orders, licenses, or other agreements, affecting the Property (collectively, the "**Condition of the Property**"). Grantee represents and warrants to Grantor that Grantee has not relied and will not rely on, and Grantor is not liable for or bound by, any warranties, guaranties, statements, representations or information pertaining to the property or relating thereto (including specifically, without limitation, property information packages distributed with respect to the property) made or furnished by Grantor, the manager of the property, or any real estate broker or agent representing or purporting to represent Grantor, to whomever made or given, directly or indirectly, orally or in writing. Grantee assumes the risk that Hazardous Substances or other adverse matters may affect the property that were not revealed by Grantee's inspection. The term "**Environmental Law**" means any federal, state or local statute, regulation, code, rule, ordinance, order, judgment, decree, injunction or common law relating in any way to human health, occupational safety, natural resources, plant or animal life or the environment, including without limitation, principles of common law and equity, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act, the Toxic Substances Control Act, and any similar or comparable state or local law. The term "**Hazardous Substance**" means any hazardous, toxic, radioactive or infectious substance, material or waste as defined, listed or regulated under any Environmental Law, and includes without limitation petroleum oil and any of its fractions.

The covenants and agreements set forth in the paragraphs above, shall be binding upon Grantee and Grantee's heirs, successors and assigns, and shall be covenants running with the land benefiting Grantor and its heirs, successors and assigns.

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2016-309G

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Gary Davis	GD	9/12/17	<div>RECEIVED</div> <div>SEP 19 2017</div> <div>WHATCOM COUNTY COUNCIL</div>	9/26/2017	Introduction
Division Head: Mark Personius	MP	9-12-17		10/10/2017	Council-Hearing
Dept. Head: Sam Ryan	SR	9-12-17			
Prosecutor: Karen Frakes	KNF	9/12/17			
Purchasing/Budget:					
Executive: Jack Louws	JS	9.18.17			

TITLE OF DOCUMENT:

Fourth Interim Ordinance adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 Buildings and Construction, Title 20 Zoning, Title 21 Land Division Regulations, and Title 24 Health Code, relating to water resources.

ATTACHMENTS:

Memorandum
Draft Ordinance

SEPA review required? (x) Yes () NO
SEPA review completed? (x) Yes () NO

Should Clerk schedule a hearing? (x) Yes () NO
Requested Date

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Fourth Interim Ordinance adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 Buildings and Construction, Title 20 Zoning, Title 21 Land Division Regulations, and Title 24 Health Code, relating to water resources.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-778-5900, TTY 800-833-6384
360-778-5901 Fax



J.E. "Sam" Ryan
Director

Memorandum

TO: The Honorable Jack Louws, Whatcom County Executive
The Honorable Whatcom County Council

FROM: Gary Davis, AICP, Senior Planner *GD*

THROUGH: Mark Personius, AICP, Assistant Director *MP*

DATE: September 12, 2017

SUBJECT: Fourth Interim Ordinance – Water Resources

A fourth interim ordinance relating to development permits and water resources is scheduled for introduction on September 26, 2017, and for public hearing on October 10. The third interim ordinance, adopted on April 18, will expire October 30, 2017. If adopted for the allowed maximum of six months, this fourth interim ordinance would be in effect until April 2018.

The code amendments in the proposed fourth interim ordinance are identical to those in the third. As with the third, this ordinance would require Whatcom County to verify the existence of adequate water supply in terms of water quality, quantity, and legal availability prior to accepting applications for project permits that require potable water, and applicants would be required to prove legal availability through one of several options, including a water right permit, letter from a public water purveyor stating the ability to provide water, documentation of an adequate rainwater catchment system, a study showing no impairment of senior water rights, a mitigation plan, or proof that the permit-exempt withdrawal would be in the Samish River watershed, or in Point Roberts, Eliza Island, or Lummi Island.

At the time the County Council adopted the third interim ordinance, they also adopted Resolution 2017-019, which urged the state legislature to amend the Growth Management Act to resolve issues posed by the *Hirst* decision and other recent Supreme Court rulings. That resolution stated in part:

The County is supportive of legislation that would allow counties to rely on state-adopted instream flow rules to determine legal water availability when such rules include a Department of Ecology mitigation program for permit exempt wells in

closed basins that provides an overall net ecological benefit within the same closed basin. Such mitigation plans may include:

- A fee-in-lieu of mitigation payment option for permit exempt wells in closed basins for affected permit applicants, which would allow permits to proceed while state and counties provide for the actual timely instream flow mitigation.
- Allow counties to condition permits to limit daily use of state permit exempt groundwater withdrawals to less than 5000 gallons per day and for specific purposes.
- Allow use of unexercised municipal water rights for mitigation purposes.
- Allow for an "out-of-kind" instream flow impairment mitigation option that provides an overall net ecological benefit within the same sub-basin.
- Provide financial assistance for developing public rural water supplies, mitigation projects and/or water banks.

The County is already taking actions to support delivery of water to affected rural areas. In and of themselves, they do not constitute a GMA compliance path for resolution of the *Hirst* case. But they are an important component of the County's overall compliance strategy. These actions include:

- Consider designating Economic Development Investment (EDI) Funds to help support rural water purveyors extension of service.
- Examine potential regulatory actions to allow transfer of development rights (TDRs) from areas outside public water system service areas to those within.
- Identify and support technical assistance outreach to public water systems that request it to improve service delivery and water use efficiency.
- Accelerate data collection and analysis to map existing public water system infrastructure assets and identify areas within existing retail water service areas that are likely to be able to provide "timely and reasonable" water service when requested.
- Continue coordinating with the PUD and other jurisdictions and water purveyors to research, evaluate and recommend long term water supply and water resource management solutions for Whatcom County.

To date, the legislature has not adopted any legislation addressing water availability issues, making adoption of another interim ordinance necessary in order for Whatcom County to continue to comply with the *Hirst* decision in the short term. Anticipating the expiration of the fourth interim ordinance in early 2018 – before the end of the next regular session of the legislature – the County must consider its options for a solution independent of a legislative "fix." There are at least two

options similar to those discussed in the legislature this year that the Council may wish to consider :

- (1) Individual on-site "net-zero" mitigation, whereby the consumptive portion of the water use is mitigated from a cistern that discharges to an infiltration structure. The cistern water would be supplied by rainwater catchment or trucked from an approved water purveyor.
- (2) A "fee-in-lieu" payment strategy, as outlined in Resolution 2017-019. However, lacking state enabling legislation, there are significant legal, fiscal, administrative and inter-governmental challenges to implementing this approach at the local level that would need to be addressed.

As for the longer-term course of action after adoption of the fourth interim ordinance, County staff has identified the following options for discussion and consideration:

Option 1 – Adopt the current interim water resources ordinance as a permanent ordinance.

- Would maintain and make permanent the strict hydro-geologic impairment analysis and mitigation requirements of the interim water resources ordinance.
- Should result in GMA compliance on water quantity issues in the *Hirst* case.

Option 2 – Continue to adopt interim water resources ordinances for another 6 or 12 months.

- Would maintain the stringent impairment review and hydro-geologic analysis and mitigation requirements of the existing interim water resources ordinance until a state legislative fix is adopted in 2018.
- County would stay engaged with the Legislature and the Governor's Office to spur legislative action.
- Would require requesting GMHB continuance of compliance hearing date until sometime in 2018.

Option 3 – Pursue settlement with the Hirst petitioners.

- Assumes there will be no permanent state legislative solution on *Hirst*. So Whatcom County –indeed all counties in the state—will be responsible for satisfying the Supreme Court's decision on their own.
- Would explore a Nooksack Basin-only solution to the *Hirst* case to be negotiated between the County and the petitioners and subject to the approval of the GMHB.

- Would require requesting GMHB continuance of compliance hearing date and adopting another interim water resources ordinance while negotiations occur.

Staff can discuss these options with the County Council on October 10. If you have questions regarding the proposed ordinance please contact Gary Davis at extension 5931.

Attachments:

Draft Ordinance, Proposed Amendments

PROPOSED BY: _____
INTRODUCTION DATE: _____

ORDINANCE NO. _____

**AN INTERIM ORDINANCE ADOPTING AMENDMENTS TO THE
WHATCOM COUNTY COMPREHENSIVE PLAN AND THE WHATCOM
COUNTY CODE TITLE 15 BUILDINGS AND CONSTRUCTION, TITLE 20
ZONING, TITLE 21 LAND DIVISION REGULATIONS, AND TITLE 24
HEALTH CODE, RELATING TO WATER RESOURCES**

WHEREAS, an October 6, 2016 Washington State Supreme Court decision (Whatcom County, Hirst vs. Western Washington Growth Management Hearings Board, No. 91475) has found that Whatcom County's Comprehensive Plan does not comply with the Growth Management Act (GMA) requirements for protecting water resources; and

WHEREAS, RCW 36.70A.070(1), requires that the land use element of a county comprehensive plan "shall provide for protection of the quality and quantity of groundwater used for public water supplies."; and

WHEREAS, RCW 36.70A.070(5)(c)(iv) requires that the rural element of a county comprehensive plan "shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by: ... protecting critical areas...and surface water and groundwater resources."; and

WHEREAS, RCW 19.27.097(1) states: "Each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building. Evidence may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form sufficient to verify the existence of an adequate water supply. In addition to other authorities, the county or city may impose conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency. An

application for a water right shall not be sufficient proof of an adequate water supply.”; and

WHEREAS, RCW 19.27.095(1) states: “A valid and fully complete building permit application for a structure, that is permitted under the zoning or other land use control ordinances in effect on the date of the application shall be considered under the building permit ordinance in effect at the time of application, and the zoning or other land use control ordinances in effect on the date of application.”; and

WHEREAS, RCW 58.17.110(2) requires that “A proposed subdivision and dedication shall not be approved unless the...county legislative body makes written findings that...appropriate provisions are made for...potable water supplies...”; and

WHEREAS, RCW 58.17.170(2) states that lots in a long subdivision “shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing if the date of filing is on or before December 31, 2014, and for a period of five years from the date of filing if the date of filing is on or after January 1, 2015,” and, “Any lots in a final plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of ten years from the date of filing if the project is not subject to requirements adopted under chapter 90.58 RCW and the date of filing is on or before December 31, 2007.”; and

WHEREAS, Whatcom County Code (WCC) Chapter 15.04 specifies information required for a complete building permit application; and

WHEREAS, WCC Chapter 20.97 provides definitions of terms used in the code; and

WHEREAS, WCC Chapters 21.04 and 21.05 contain requirements for water supply in short subdivisions and long subdivisions, respectively; and

WHEREAS, WCC Chapter 24.11 contains requirements for drinking water; and

WHEREAS, Whatcom County adopted Ordinance 2012-032, amending its Comprehensive Plan to adopt by reference existing development regulations regulating ground water withdrawals, adding Policy 2DD-2.C.3.6, which adopts by reference WCC 21.04.090 and 21.05.080, and Policy 2DD-

2.C.3.7, which adopts by reference WCC 24.11.050 and 24.11.060; and

WHEREAS, because Comprehensive Plan Policy 2DD-2.C.3.6 adopts by reference WCC 21.04.090 and 21.05.080, and Policy 2DD-2.C.3.7 adopts by reference WCC 24.11.050 and 24.11.060, any amendments to these WCC provisions are also amendments to the Comprehensive Plan; and

WHEREAS, the Growth Management Hearings Board (Board) found the amended Comprehensive Plan lacked the required measures to protect water resources (GMHB Case No. 12-2-0013); and

WHEREAS, on October 6, 2016, the State Supreme Court (Court), in reversing a Court of Appeals decision, upheld the Board's decision that the County's Comprehensive Plan does not satisfy the GMA requirements to protect water availability, and stated, "We hold that the Board properly concluded that the GMA requires counties to make determinations of water availability."; and

WHEREAS, the Court stated, "...the GMA places the burden on counties to protect groundwater resources, and requires counties to assure that water is both factually and legally available before issuing building permits."; and

WHEREAS, the Court stated, "...The county's policies incorporate WCC provisions that do not allow water to be withdrawn from 'an area where [the Department of Ecology] has determined by rule that water for development does not exist.' ...these ordinances further provide that an application for a permit-exempt appropriation will be approved without any analysis of that withdrawal's impact on instream flows. The Board found that these provisions result in water withdrawals from closed basins and senior instream flows—flows that the record indicated drop below the minimum levels 100 days out of the year. The Board properly held that this conflicts with the requirement placed on counties to protect water availability under the GMA..."; and

WHEREAS, Chapter 173-501 WAC Instream Resources Protection Program – Nooksack Water Resource Inventory Area (WRIA) 1 identifies water bodies in Whatcom County that are closed or partially closed to further appropriation, by listing their status as "closure," "partial year closure," "low flow," or "minimum flow,"; and

WHEREAS, on October 25, 2016 Whatcom County adopted Ordinance 2016-048, an emergency moratorium on the filing, acceptance, and processing of new applications for project permits for uses that rely on permit-exempt groundwater withdrawals within a closed or partially closed basin, to allow the County time to review its Comprehensive Plan and development regulations in light of the Supreme Court ruling, and to draft and enact the necessary amendments as soon as feasible; and

WHEREAS, RCW 36.70.790 and RCW 36.70.795 allow for adoption of interim official controls as long as a public hearing is held within 60 days of adoption; and

WHEREAS, on December 6, 2016 the County Council adopted Ordinance 2016-066, an interim ordinance adopting amendments to the Whatcom County Comprehensive Plan and WCC Title 15, Title 20, Title 21, and Title 24 relating to water resources, which is effective until March 18, 2017, and the County has applied the provisions of the ordinance to project permit applications relying on new permit-exempt groundwater withdrawals; and

WHEREAS, on March 7, 2017 the County Council adopted Ordinance 2017-008, a second interim ordinance; and

WHEREAS, on April 18, 2017 the County Council adopted Ordinance 2017-008, a third interim ordinance, which is effective until October 30, 2017; and

WHEREAS, a fourth interim ordinance is required to allow the County time to pursue a permanent legislative solution to the issues raised by the Court decision, and to provide clarity to project permit applicants in the meantime; and

WHEREAS, in accordance with RCW 36.70A.106 Whatcom County Planning and Development Services notified the Department of Commerce of the proposed interim amendment; and

WHEREAS, this ordinance shall be effective for not longer than six months following its effective date, but may be renewed for one or more six month periods if subsequent public hearings are held and findings of fact are made prior to each renewal.

WHEREAS, the County Council is scheduled to hold a public hearing on this issue on October 10, 2017;

NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council adopts the above "WHEREAS" recitals as findings of fact in support of it action as required by RCW 36.70A.390

BE IT FURTHER ORDAINED by the Whatcom County Council that the Whatcom County Comprehensive Plan and the Whatcom County Code are hereby amended, on an interim basis, as shown in Exhibit A; and

BE IT FURTHER ORDAINED that this ordinance shall be effective for not longer than six months following its effective date.

ADOPTED this _____ day of _____, 2017.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chairperson

APPROVED as to form:



Civil Deputy Prosecutor

Jack Louws, Executive

() Approved () Denied

Date: _____

EXHIBIT A

Whatcom County Code

AMENDMENTS

TITLE 15 BUILDINGS AND CONSTRUCTION

Chapter 15.04

BUILDING CODES

.....

15.04.020 Amendments to the International Building Code.

A. The IBC is amended as follows:

.....

4. Section 105.3, Application for Permit, is amended to include the following:

To obtain the permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 107.
5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant's authorized agent.
7. Include signature by the applicant or the applicant's authorized agent of a statement for guarantee of fee payment. The statement must be signed in the presence of County staff or staff will provide a statement which includes verification of signature by a licensed notary public.
8. Provide verification of approval to connect to a public sewer system or a septic system installation permit issued by the Whatcom County Environmental Health Department for any permit application that requires sewage disposal. The approval to connect or issued septic system permit shall be specific to the project application.
9. For a building necessitating potable water, provide evidence of an adequate water supply for the intended use of the building, as defined in 20.97.451 WCC.
10. Provide additional data and information in the designated sequence, as required by the Building Official.

.....

15.04.030 Amendments to the International Residential Code.

.....

C. Section R105.3, Application for permit, is amended to include the following:

To obtain the permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 107.
5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant's authorized agent.

7. Include signature by the applicant or the applicant's authorized agent of a statement for guarantee of fee payment. The statement must be signed in the presence of County staff or staff will provide a statement which includes verification of signature by a licensed notary public.

8. Provide verification of approval to connect to a public sewer system or a septic system installation permit issued by the Whatcom County Environmental Health Department for any permit application that requires sewage disposal. The approval to connect or issued system permit shall be specific to the project application.

9. For a building necessitating potable water, provide evidence of an adequate water supply for the intended use of the building, as defined in 20.97.451 WCC.

10. Provide additional data and information in the designated sequence, as required by the Building Official.

.....

TITLE 20 ZONING

.....

Chapter 20.84

VARIANCES, CONDITIONAL USES, ADMINISTRATIVE APPROVAL USES AND APPEALS

.....

20.84.200 Conditional uses.

.....

20.84.220 Criteria.

Before approving an application for a conditional use permit, the hearing examiner shall ensure that any specific standards of the use district defining the conditional use are fulfilled, and shall find adequate evidence showing that the proposed conditional use at the proposed location:

.....

(5) Will be serviced adequately by necessary public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, adequate water supply as defined in WCC 20.97.451, ~~and~~ sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

.....

Chapter 20.97

DEFINITIONS

.....

20.97.451 Water Supply, Adequate

"Adequate water supply" means a supply of potable water adequate to serve a land use associated with a project permit in terms of quality, quantity, and legal availability, as documented by a water availability notification signed by the director of the Whatcom County Health Department, per WCC 24.11.060.

.....

TITLE 21 LAND DIVISION REGULATIONS

.....

Chapter 21.04

SHORT SUBDIVISIONS

.....

21.04.090 Water supply.

(1) Water from a public water system(s) shall be provided to serve each lot in a short plat, except as specified in subsection (2) of this section.

(2) For a residential short subdivision, private water supplies may be utilized under the following circumstances:

(a) All lots served by the private water supplies are five acres or larger, unless smaller because of clustering. If the lots are smaller because of clustering, the gross density of the short subdivision shall not exceed one dwelling per five acres; and

(b) The withdrawal is not from a defined portion of an aquifer of known regional ground water contamination that exceeds state standards and that

has been identified by the director of the health department and confirmed by the board of health; and

(c) The water source is ground water ~~and not surface water~~; and

(d) The applicant demonstrates that adequate water supply exists to serve the subdivision, as defined in 20.97.451 WCC; and

(e) The short subdivision is not located within the designated water service area of a public water purveyor that is shown on the coordinated water system plan map or within one-half mile of an existing water purveyor's water line; or

(f) If the short subdivision is located within the designated water service area of a public water purveyor that is shown on the coordinated water system plan map or within one-half mile of an existing water purveyor's water lines and:

(i) The ~~purveyor water~~ cannot ~~be provided~~ water service to the applicant within 120 calendar days of submitting a written request and applicable fees to the purveyor unless specified otherwise by the hearing examiner or county council; or

(ii) The purveyor states in writing that it is unable or unwilling to provide the service; or

(iii) The purveyor and applicant are unable to achieve an agreement on the schedule and terms of provision of service within 120 calendar days.

(3) If a public water supply is required, all the requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to final plat approval.

.....

CHAPTER 21.05

PRELIMINARY LONG SUBDIVISIONS

.....

21.05.080 Water supply.

(1) Water from a public water system(s) shall be provided to serve each lot in a subdivision, except as specified in subsection (2) of this section.

(2) For a residential subdivision with six or fewer residences, private water supplies may be utilized under the following circumstances:

(a) All lots served by the private water supplies are five acres or larger, unless smaller because of clustering. If the lots are smaller because of clustering, the gross density of the subdivision shall not exceed one dwelling per five acres and the number of clustered lots shall not exceed four; and

(b) The withdrawal is not from a defined portion of an aquifer of known regional ground water contamination that exceeds state standards and that has been identified by the director of the health department and confirmed by the board of health; and

(c) The water source is ground water and not surface water; and

(d) If the subdivision is within the designated water service area of a public water purveyor that is shown on the coordinated water system plan map or within one-half mile of an existing water purveyor's water lines:

(i) The water cannot be provided to the applicant within 120 calendar days of submitting a written request and applicable fees to the purveyor unless specified otherwise by the hearing examiner or county council; or

(ii) The purveyor states in writing that it is unable or unwilling to provide the service; or

(iii) The purveyor and applicant are unable to achieve an agreement on the schedule and terms of provision of service within 120 calendar days.

(3) The applicant shall demonstrate that adequate water ~~right(s) supply exists to serve the subdivision, as defined in 20.97.451 WCC, except when water withdrawal is exempt from obtaining a water right permit under RCW 90.44.050.~~

(4) If a Group B public water system is created to serve the subdivision, the number of wells shall be limited to the minimum needed to serve the water needs of the subdivision as determined by the health department.

(5) If a public water supply is required, all the requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to final plat approval.

.....

TITLE 24 HEALTH CODE

.....

Chapter 24.11

DRINKING WATER

.....

24.11.050 General requirements.

A. Applicants must submit all required forms, letters and documents to the director.

B. The director will consider applications for water availability proposing to use groundwater, spring water, surface water, sea water or rainwater.

C. The director shall evaluate the availability of a public water system prior to approving the use of a private water system. If it is determined that a public water system is available and willing to provide water, the applicant must connect to that public water system when:

1. The applicant proposes to use surface water, spring water, rainwater, or contaminated groundwater; or
2. The applicant proposes to build on a lot located in a short subdivision or long subdivision that Whatcom County approved based on the availability of public water; or
3. The existing public water system has water lines adjacent to the property line of the applicant and connection is consistent with RCW 36.70A.110(4); or
4. The existing public water system has defined a "service area boundary" in accordance with the Whatcom County Coordinated Water System Plan which includes the property of the applicant.

D. The director will only approve a private or Non Group B 2 party well for proposed short subdivisions or long subdivisions when analytical results of untreated water samples for primary inorganic or organic contaminants do not exceed a maximum contaminate level (MCL) adopted by Washington State Department of Health.

E. Purveyors of public water systems and private water system applicants must comply with Washington State Department of Ecology water right requirements and must demonstrate that they have an adequate water supply for their proposed service per WCC 24.11.060. Compliance will include at a minimum, possession of a water right permit or certificate for:

1. All surface water sources excluding seawater.
2. All groundwater sources using more than 5,000 gallons per day.
3. Irrigating more than one-half acre of lawn or noncommercial garden.

24.11.060 Water availability required.

Prior to issuance of a building permit or other project permits, the applicant must provide Whatcom County planning and development services evidence of adequate water supply as documented by a water availability notification signed by the director, except as described in subsection B. evidence of an adequate water supply to Whatcom County planning and development services (PDS) except when: The water availability notification shall document a supply of potable water adequate to serve a land use associated with a project permit in terms of quality, quantity, and legal availability.

A. The applicant must provide evidence of legal availability in the form of:

1. A water right permit from the Department of Ecology, or

2. A letter from an approved public water purveyor with sufficient water rights, stating the ability to provide water, or
3. Documentation that water can be supplied by a rainwater catchment system approved by the Whatcom County Health Department, per Department of Ecology Policy 1017.

B. Notwithstanding the provisions of subsection A, for a new permit-exempt groundwater withdrawal per RCW 90.44.050 the applicant must provide evidence of legal availability in the form of:

1. Documentation that the well site is located in the Samish River watershed, or in Point Roberts, Eliza Island, or Lummi Island, as shown in Figure 24.11.060; or
2. A study prepared by a qualified hydrogeologist licensed in the State of Washington demonstrating a proposed groundwater withdrawal would not impair a senior water right, including instream flows established in Chapter 173-501 WAC where applicable, in accordance with current statutes and case law. Such documentation must be verified by the county either through consultation with the Department of Ecology, or a qualified technical review team appointed by the county. The county may require a third party review by an independent qualified hydrogeologist if the county determines additional technical expertise is needed. The cost of the third party review shall be borne by the County; or
3. A mitigation plan prepared by a qualified hydrogeologist licensed in the State of Washington, and approved by Whatcom County. The plan shall include:
 - a. Evidence that the proposed withdrawal with mitigation in place will not impair a senior water right, including instream flows established in Chapter 173-501 WAC where applicable, in accordance with current statutes and case law. Such documentation must be verified by the county either through consultation with the Department of Ecology, or a qualified technical review team appointed by the county. The county may require a third party review by an independent qualified hydrogeologist if the county determines additional technical expertise is needed. The cost of the third party review shall be borne by the County.
 - b. A monitoring and reporting plan, including a quality assurance/quality control plan.
 - c. Documentation adequate to demonstrate that the mitigation will remain in place for the duration of the impact, including, for

example, financial assurances or documentation of permanent dedication of water for mitigation purposes.

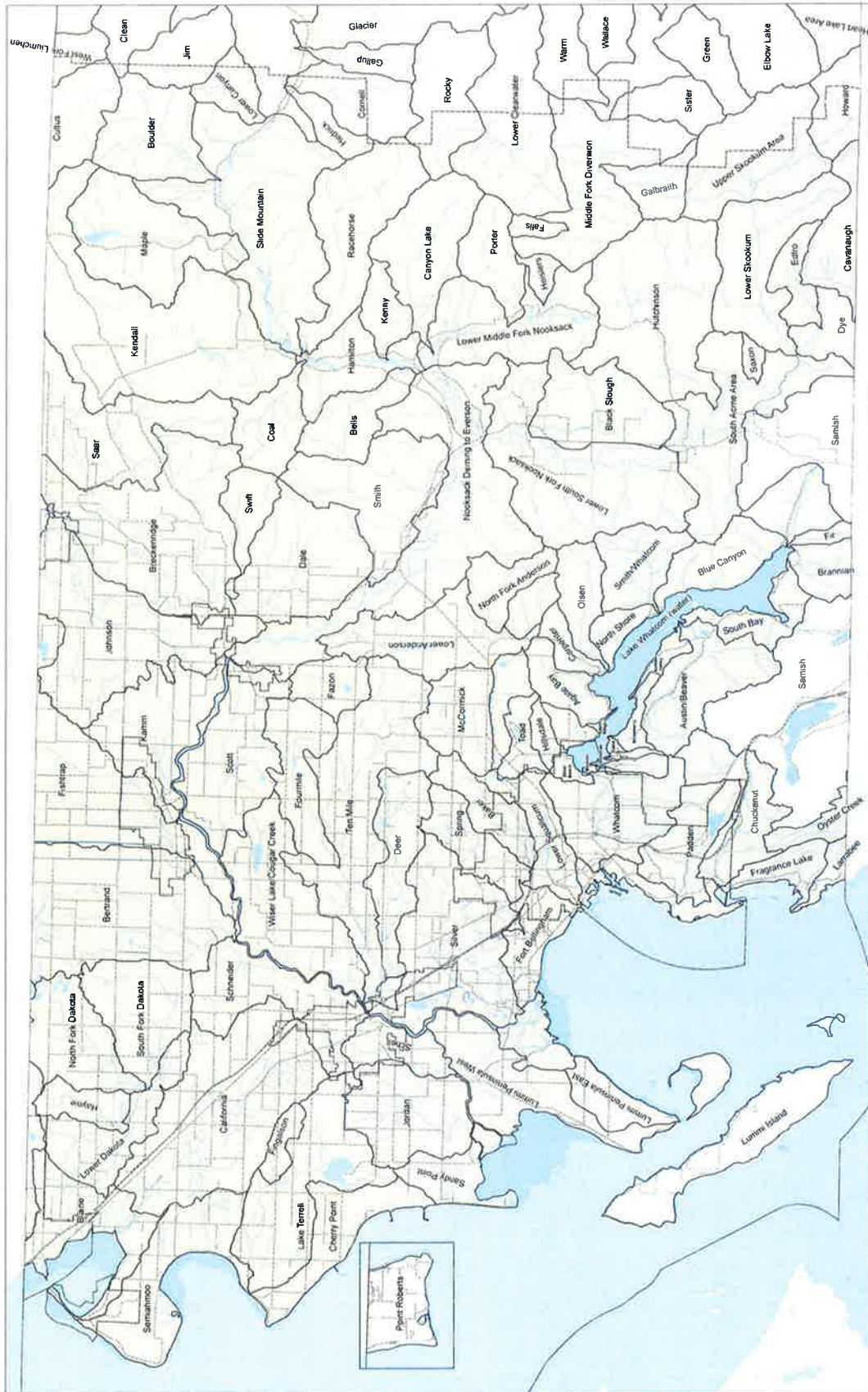
C. A water availability notification is not required for:

A. 1. A building-A project permit that does not require potable water.

B. 2. A project permit relying on a permit-exempt groundwater withdrawal per RCW 90.44.050, and proposing (a) a remodel of an existing building or (b) replacement of a demolished or removed building, but not proposing a change of use; however, such permits shall require current documentation of water quality and quantity, as approved by the director. A residential remodeling does not add additional bedrooms or result in an increase of floor space of more than 50 percent.

C. 3. A project permit relying on surface water withdrawal for potable water, and proposing (a) a remodel of an existing building or (b) replacement of a demolished or removed building, either of which would increase the floor area by no more than 50 percent over that of the existing building; however, such permits shall require current documentation of water quality and quantity, as approved by the director. PDS determines that the building will replace a demolished or removed building and the building will not have more bedrooms or more than 50 percent greater floor space than the previous building.

Figure 24.11.060



Legend

- Areas subject to permit-exempt well requirements, per WCC 24.11.060 A.5
- Areas not subject to permit-exempt well requirements, per WCC 24.11.060 A.4

WHATCOM COUNTY
Applicability of Permit-Exempt Well Requirements
 per WCC 24.11.060



OF WHATCOM COUNTY AND ALL PARTS OF THE STATE OF PENNSYLVANIA

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

THIS INFORMATION IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

THIS INFORMATION IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

THIS INFORMATION IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

THIS INFORMATION IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

THIS INFORMATION IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

THIS INFORMATION IS UNCLASSIFIED

DATE 09/26/2017 BY 60322 JLM/ML

0 0.5 1 2 3 4 Miles

24.11.070 Determining adequacy of water supply for building permit applications proposing to use an existing public water system.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to obtain water from an existing public water system the applicant must:

1. Submit to the director, an Availability Notification for Public Water form (as amended) signed by an authorized representative of the water system proposing to serve water to the building. The authorized representative:

- a. Must indicate on the form that the water system will provide water to the proposed building.

- b. Must sign a statement that they have reviewed the system records and ensures that the water system complies with Chapters 246-290 and 246-291 WAC and department requirements.

B. The director will review the completed Availability Notification For Public Water (form) for approval. The director will approve the completed form if:

1. The applicant and the authorized representative met all the criteria listed on the form.

2. The purveyor of the water system has the approval from DOH or the department to provide water to the building.

3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060.

24.11.080 Determining adequacy of water supply for of building permit applications proposing to create a new public water system.

Prior to director approval of evidence of an adequate water supply, an applicant proposing to create a new public water system must comply with:

A. Provisions of the Whatcom County Coordinated Water System Plan.

B. Chapters 246-290 and 246-291 WAC, and all other applicable local and state regulations for public water supplies.

C. The applicable sections of this chapter pertaining to public water supplies and water availability.

24.11.090 Determining adequacy of water supply for building permit applications proposing to use a well to serve one single-family dwelling or one single-family living unit.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a private well, the applicant must:

1. Notify the director of the intent to use a well.

2. Request that the director conduct a site inspection and approve the proposed well site.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.

C. If the director approves the well location the applicant shall submit a completed Water Availability Notification Private – 1 Home Well form (as amended) and all required documents to the director for approval.

~~A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a private well, the applicant must submit a completed Water Availability Notification Private—1 Home Well form (as amended) and all required documents to the director for approval.~~

BD. The director will review the completed form and required documents submitted by the applicant for approval. The director will approve the form if:

1. The applicant met all the criteria listed on the form.

2. The applicant submitted all of the required documents.

3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. ~~well site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.~~

.....

24.11.100 Determining adequacy of water supply for building permit applications proposing to use a well to serve two single-family dwellings or two single-family living units.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a well to serve two single-family dwellings or two single-family living units, the applicant must:

1. Notify the director of the intent to use a well or wells.

2. Request that the director conduct a site inspection and approve the proposed well sites.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.

C. If the director approves the well locations the applicant shall submit a completed Water Availability Notification Non-Group B – 2 Home Well form (as amended) and all required documents for each well to the director for approval.

D. The director will review the completed form and required documents submitted by the applicant for approval. The director will approve the form if:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.
3. ~~The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.~~

.....

24.11.110 Determining adequacy of water supply for building permit applications proposing to use a spring to serve one single-family dwelling unit or one single-family living unit.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a spring source, the applicant must:

1. Notify the director of the intent to use a spring.
2. Provide information to the director showing that they cannot drill an adequate well on their property.
3. Request that the director conduct a site inspection and approve the proposed location of the spring.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director does not approve the location the director will deny the application and give the reason for denial.

C. If the director approves the location of the spring the applicant must submit a completed Water Availability Notification Private – 1 Home Spring form (as amended) and all required documents for approval by the director.

D. The director will review the completed form and required documents for approval. The director will approve the application if:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.
3. ~~The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The spring site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.~~

.....

24.11.120 Determining adequacy of water supply for building permit applications proposing to use a spring to serve two single-family dwelling units or two single-family living units.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a spring source, the applicant must:

1. Notify the director of the intent to use a spring.
2. Provide information to the director showing that an adequate well cannot be drilled on their property.
3. Request that the director conduct a site inspection and approve the proposed location of the spring.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director does not approve the location, the director will deny the application and give the reasons for denial.

C. If the director approves the location of the spring the applicant must submit a completed Water Availability Notification – 2 Home Spring form (as amended) and all required documents for approval by the director.

D. The director will review the completed form and required documents for approval. The director will approve the application if:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.

~~3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The spring or spring sites proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.~~

.....

24.11.130 Determining adequacy of water supply for building permit applications proposing to use surface water, sea water or rainwater for one or two single-family dwelling units or two single-family living units.

A. The director shall not approve use of surface water, sea water, or rainwater as evidence of an adequate water source unless the applicant:

1. Cannot obtain water from an existing public water supply.
2. Cannot use an approved source of groundwater from a well.
3. Could only use contaminated groundwater.

B. Prior to director approval of evidence of adequate water supply the applicant must:

1. Meet all applicable requirements for surface water, sea water or rainwater treatment design, maintenance and operation contained in Whatcom County health and human services Water Availability ~~for a Private Surface Water Source (as amended)~~ Notification as determined by the director.

2. Provide evidence of legal availability of water for the proposed project per WCC 24.11.060. ~~The surface water site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.~~

3. Meet all other state and local regulations.

4. Sign and have recorded with the Whatcom County auditor's office the following documents:

a. A document stating which contaminate the untreated source water exceeded.

b. A document stating that the applicant has had a water treatment system designed that meets Whatcom County health and human services Water Availability Approval for a Surface Water Source (as amended), and secures a potable water supply for the building.

c. A document stating that the applicant has installed a treatment system according to the design reviewed by the director and treated water sample results that verify system performance.

d. A document stating that the applicant agrees to adhere to the operation, maintenance, and monitoring plan for the designed treatment system.

e. A document stating that the applicant understands that the obligation to comply with treatment system design, installation, operation and monitoring lies with the applicant and not Whatcom County.

f. When the public system is available, any person obtaining water from contaminated source must provide current test results showing water treatment is adequately maintaining water quality below maximum contaminant levels (MCL). If the quality does not meet the MCL, the applicant is required to hook up to a public system.

24.11.140 Determining adequacy of water supply for short subdivisions, long subdivisions or binding site plans proposing to use an existing public water system.

A. Prior to director approval of availability of an adequate water supply where the applicant proposes to obtain water from an existing public water supply to service lots of a short subdivision, long subdivision, or a binding site plan the applicant must:

1. Provide to the director an Availability Notification for Public Water (as amended) form or a letter signed by an authorized representative of the water system proposing to serve water to each lot. The authorized representative of the public water system:

- a. Must indicate that the water system will provide water to each proposed lot.
- b. Must sign a statement that they have reviewed the system records and ensures that the water system is in compliance with Chapters 246-290 and 246-291 WAC and department requirements.

B. The director will review the completed form or letter to determine the availability of adequate water. The director will make a determination of adequate water when:

1. The applicant and the authorized representative meet all the criteria listed on the form.
2. The purveyor of the water system has the approval from DOH or the department to provide water to the short subdivision, long subdivision or binding site plan, except for Group A water systems the following conditions also apply:
 - a. DOH has issued a green operating permit to the purveyor; or
 - b. DOH has determined that the purveyor significantly complies with Chapter 246-290 WAC

3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060.

24.11.150 Determining adequacy of water supply for short subdivisions, long subdivisions or binding site plans proposing to use a new public water system.

Prior to director approval of availability of an adequate water supply where the applicant proposes to create a new public water supply to service lots of a short subdivision, long subdivision, or a binding site plan the applicant must comply with:

- A. Provisions of the Whatcom County Coordinated Water System Plan.
- B. Chapters 246-290 and 246-291 WAC, and all other applicable local and state regulations for public water supplies.
- C. The applicable sections of this chapter pertaining to public water supplies and water availability.

24.11.160 Determining adequacy of water supply for short subdivisions or long subdivisions proposing to use a private well or private wells to serve one single-family dwelling or one single-family living unit.

A. Prior to director approval of availability of an adequate water supply where the applicant proposes to use a private well or private wells to service lots of a short subdivision or long subdivision the applicant must:

1. Notify the director of the intent to use a private well or wells.
2. Request that the director conduct a site inspection and approve the proposed well sites.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.

C. If the director approves the well locations the applicant shall submit a completed Subdivision Water Availability form (as amended) and all required documents for each well to the director for approval.

D. The director will review each completed form and required documents for approval. The director will approve the availability of adequate water when:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.

3. ~~The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site or well sites proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.~~

.....

24.11.170 Determining adequacy of water supply for short subdivisions or long subdivisions proposing to use a well to serve two single-family dwellings or two single-family living units.

A. The applicant shall create a Group B Public water supply as defined in Chapter 246-291 WAC when WCC Title 21 requires the applicant to provide public water service to each lot. This includes a water system where one well services two lots.

B. Prior to director approval of availability of an adequate water supply where the applicant proposes to use one well to service two lots of a short subdivision or long subdivision when public water is not required the applicant must:

1. Notify the director of the intent to use a well or wells.
2. Request that the director conduct a site inspection and approve the proposed well sites.

C. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.

D. If the director approves the well locations the applicant shall submit a completed Subdivision Water Availability form (as amended) and all required documents for each well to the director for approval.

E. The director will review each completed form and required documents for approval. The director will approve the availability of adequate water when:

1. The applicant met all the criteria listed on each of the forms.
2. The applicant submitted all of the required documents.
3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site or well sites proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.

.....

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-262B

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>KK</i>	9/11/17	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	9/26/17	Introduction
Division Head:				10/24/17	Hearing
Dept. Head: Jon Hutchings	<i>JH</i>	9/18/17			
Prosecutor: Dan Gibson	<i>DG</i>	09/18/17			
Purchasing/Budget: Brad Bennet	<i>KB</i>	9/18/17			
Executive: Jack Louws	<i>TL</i>	9.18.17			

TITLE OF DOCUMENT: Resolution confirming the assessment roll for the Emerald Lake Lighting District #7 and remanding the roll to the county treasurer for collection

ATTACHMENTS: Resolution and reassessed roll.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? (x) Yes () NO
Requested Date: 10/24/17

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Resolution 2017-038 set aside the current assessment roll for the Emerald Lake Lighting District #7, dated November 19th, 1987, and directed Public Works to complete a roll reassessment.

As the roll reassessment has been completed, the council, acting as the Board of Equilization, is requested to confirm the assessment as just and equitable after a public hearing on October 24th, 2017.

The Emerald Lake Lighting District pays the electrical bill for street lights within the district. Rising electrical costs have finally exceeded the annual assessment allowed under the 1987 rate cap. The re-assessment will establish a new rate cap allowing for continued full payment of the electrical bills in 2018 and beyond.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Public Works
INTRODUCTION DATE: 9/26/2017

RESOLUTION NO. _____

CONFIRMING THE ASSESSMENT ROLL FOR PROPERTY WITHIN THE BOUNDARIES OF WHATCOM COUNTY ROAD IMPROVEMENT DISTRICT NO. 7 (EMERALD LAKE LIGHTING DISTRICT) AND REMANDING ROLL TO THE COUNTY TREASURER FOR COLLECTION

WHEREAS, on September 12, 2017, the Whatcom County Council approved Resolution #2017-038, authorizing the preparation of a reassessment roll for property within the boundaries of Whatcom County Road Improvement District No. 7 (Emerald Lake Lighting District); and

WHEREAS, on September 26, 2017, the Whatcom County Council accepted said reassessment roll; and

WHEREAS, the Whatcom County Council did determine that the proposed assessment roll is equitable and just under the conditions prevailing.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council, acting as the County Board of Equalization, confirms the assessment roll as follows:

The first annual maintenance assessment shall be based upon a Whatcom County Department of Public Works fee of **\$2.00 per account per year and the rate of \$8.50 per parcel.**

The second and each succeeding annual assessments will be based on a Whatcom County Department of Public Works fee of \$2.00 per account per year and the actual cost of maintenance and power charges of Puget Sound Energy, but shall not exceed \$20.00 per parcel. Prior to the second and each succeeding annual maintenance assessment, a budget for Whatcom County Road Improvement District No. 7 shall be submitted to the Whatcom County Executive for approval.

BE IT FURTHER RESOLVED that the Whatcom County Council, acting as the County Board of Equalization, hereby certifies the reassessment roll, as outlined in Exhibit A to this

resolution, and remands same to the Treasurer for collection.

APPROVED this ____ day of _____, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:



Daniel L. Gibson, Chief Civil Deputy Prosecutor

EXHIBIT A

Road Improvement District No. 7 (Emerald Lake Lighting)**2017 Assessment Roll****As of September 18, 2017****(Basis= per lot)**

#	prop_id	geo_id	NAME	Dist_Class	Dist_Seq	Basis
1	56744	3803103691010000	EmeraldLake_Lighting	84	210	1.00
2	56746	3803103720680000	EmeraldLake_Lighting	84	210	1.00
3	56747	3803103730320000	EmeraldLake_Lighting	84	210	1.00
4	56750	3803103731220000	EmeraldLake_Lighting	84	210	1.00
5	56751	3803103740230000	EmeraldLake_Lighting	84	210	1.00
6	56752	3803103741080000	EmeraldLake_Lighting	84	210	1.00
7	56754	3803103750400000	EmeraldLake_Lighting	84	210	1.00
8	56755	3803103750860000	EmeraldLake_Lighting	84	210	1.00
9	56756	3803103760490000	EmeraldLake_Lighting	84	210	1.00
10	56757	3803103760570000	EmeraldLake_Lighting	84	210	1.00
11	56761	3803103800720000	EmeraldLake_Lighting	84	210	1.00
12	56763	3803103840280000	EmeraldLake_Lighting	84	210	1.00
13	56765	3803103851250000	EmeraldLake_Lighting	84	210	1.00
14	56768	3803103900160000	EmeraldLake_Lighting	84	210	1.00
15	56770	3803103900980000	EmeraldLake_Lighting	84	210	1.00
16	56773	3803103920370000	EmeraldLake_Lighting	84	210	1.00
17	174715	3803103920490000	EmeraldLake_Lighting	84	210	1.00
18	56774	3803103921250000	EmeraldLake_Lighting	84	210	1.00
19	56776	3803103940040000	EmeraldLake_Lighting	84	210	1.00
20	56778	3803103950880000	EmeraldLake_Lighting	84	210	1.00
21	56779	3803103980970000	EmeraldLake_Lighting	84	210	1.00
22	56781	3803103990440000	EmeraldLake_Lighting	84	210	1.00
23	56782	3803103990580000	EmeraldLake_Lighting	84	210	1.00
24	56783	3803103991250000	EmeraldLake_Lighting	84	210	1.00
25	56787	3803104010900000	EmeraldLake_Lighting	84	210	1.00
26	56788	3803104020680000	EmeraldLake_Lighting	84	210	1.00
27	56789	3803104030750000	EmeraldLake_Lighting	84	210	1.00
28	56790	3803104040520000	EmeraldLake_Lighting	84	210	1.00
29	56791	3803104060220000	EmeraldLake_Lighting	84	210	1.00
30	56793	3803104060600000	EmeraldLake_Lighting	84	210	1.00
31	56795	3803104080790000	EmeraldLake_Lighting	84	210	1.00
32	56797	3803104110940000	EmeraldLake_Lighting	84	210	1.00
33	56798	3803104111100000	EmeraldLake_Lighting	84	210	1.00
34	56800	3803104120670000	EmeraldLake_Lighting	84	210	1.00
35	56801	3803104130120000	EmeraldLake_Lighting	84	210	1.00
36	56802	3803104140870000	EmeraldLake_Lighting	84	210	1.00
37	56803	3803104151010000	EmeraldLake_Lighting	84	210	1.00
38	56804	3803104160360000	EmeraldLake_Lighting	84	210	1.00
39	56805	3803104160720000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

40	56808	3803104171400000	EmeraldLake_Lighting	84	210	1.00
41	56811	3803104190040000	EmeraldLake_Lighting	84	210	1.00
42	56813	3803104220230000	EmeraldLake_Lighting	84	210	1.00
43	56814	3803104220830000	EmeraldLake_Lighting	84	210	1.00
44	56821	3803104260350000	EmeraldLake_Lighting	84	210	1.00
45	56822	3803104280530000	EmeraldLake_Lighting	84	210	1.00
46	56823	3803104280660000	EmeraldLake_Lighting	84	210	1.00
47	56827	3803104350520000	EmeraldLake_Lighting	84	210	1.00
48	56828	3803104350860000	EmeraldLake_Lighting	84	210	1.00
49	56838	3803104380030000	EmeraldLake_Lighting	84	210	1.00
50	56839	3803104380210000	EmeraldLake_Lighting	84	210	1.00
51	56841	3803104400690000	EmeraldLake_Lighting	84	210	1.00
52	56848	3803104430460000	EmeraldLake_Lighting	84	210	1.00
53	56849	3803104430870000	EmeraldLake_Lighting	84	210	1.00
54	56851	3803104440080000	EmeraldLake_Lighting	84	210	1.00
55	56859	3803104470560000	EmeraldLake_Lighting	84	210	1.00
56	56862	3803104480420000	EmeraldLake_Lighting	84	210	1.00
57	56873	3803104500210000	EmeraldLake_Lighting	84	210	1.00
58	56876	3803104521010000	EmeraldLake_Lighting	84	210	1.00
59	56878	3803104540360000	EmeraldLake_Lighting	84	210	1.00
60	56882	3803104550540000	EmeraldLake_Lighting	84	210	1.00
61	56883	3803104550800000	EmeraldLake_Lighting	84	210	1.00
62	56885	3803104570100000	EmeraldLake_Lighting	84	210	1.00
63	56892	3803104600730000	EmeraldLake_Lighting	84	210	1.00
64	174716	3803104620300000	EmeraldLake_Lighting	84	210	1.00
65	56898	3803104620490000	EmeraldLake_Lighting	84	210	1.00
66	56907	3803104660660000	EmeraldLake_Lighting	84	210	1.00
67	56911	3803104670860000	EmeraldLake_Lighting	84	210	1.00
68	56912	3803104680450000	EmeraldLake_Lighting	84	210	1.00
69	56913	3803104681040000	EmeraldLake_Lighting	84	210	1.00
70	56920	3803104721160000	EmeraldLake_Lighting	84	210	1.00
71	56922	3803104730230000	EmeraldLake_Lighting	84	210	1.00
72	56923	3803104730620000	EmeraldLake_Lighting	84	210	1.00
73	56924	3803104730780000	EmeraldLake_Lighting	84	210	1.00
74	56925	3803104750060000	EmeraldLake_Lighting	84	210	1.00
75	56926	3803104750400000	EmeraldLake_Lighting	84	210	1.00
76	56927	3803104751020000	EmeraldLake_Lighting	84	210	1.00
77	56932	3803104780590000	EmeraldLake_Lighting	84	210	1.00
78	56935	3803104790740000	EmeraldLake_Lighting	84	210	1.00
79	56937	3803104801220000	EmeraldLake_Lighting	84	210	1.00
80	56941	3803104830210000	EmeraldLake_Lighting	84	210	1.00
81	56942	3803104830980000	EmeraldLake_Lighting	84	210	1.00
82	56943	3803104831400000	EmeraldLake_Lighting	84	210	1.00
83	56944	3803104850700000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

84	56946	3803104860540000	EmeraldLake_Lighting	84	210	1.00
85	56950	3803104870060000	EmeraldLake_Lighting	84	210	1.00
86	56952	3803104890320000	EmeraldLake_Lighting	84	210	1.00
87	56956	3803104911270000	EmeraldLake_Lighting	84	210	1.00
88	56957	3803104920650000	EmeraldLake_Lighting	84	210	1.00
89	56958	3803104921440000	EmeraldLake_Lighting	84	210	1.00
90	56962	3803104930530000	EmeraldLake_Lighting	84	210	1.00
91	56964	3803104940870000	EmeraldLake_Lighting	84	210	1.00
92	56966	3803104951540000	EmeraldLake_Lighting	84	210	1.00
93	56970	3803104990960000	EmeraldLake_Lighting	84	210	1.00
94	56972	3803105000610000	EmeraldLake_Lighting	84	210	1.00
95	56980	3803105050460000	EmeraldLake_Lighting	84	210	1.00
96	56981	3803105060100000	EmeraldLake_Lighting	84	210	1.00
97	56982	3803105060820000	EmeraldLake_Lighting	84	210	1.00
98	56983	3803105061030000	EmeraldLake_Lighting	84	210	1.00
99	56987	3803105080560000	EmeraldLake_Lighting	84	210	1.00
100	56989	3803105100250000	EmeraldLake_Lighting	84	210	1.00
101	56991	3803105120760000	EmeraldLake_Lighting	84	210	1.00
102	56992	3803105140520000	EmeraldLake_Lighting	84	210	1.00
103	56993	3803105140960000	EmeraldLake_Lighting	84	210	1.00
104	56994	3803105141050000	EmeraldLake_Lighting	84	210	1.00
105	56996	3803105150400000	EmeraldLake_Lighting	84	210	1.00
106	56998	3803105160180000	EmeraldLake_Lighting	84	210	1.00
107	56999	3803105171610000	EmeraldLake_Lighting	84	210	1.00
108	57000	3803105180720000	EmeraldLake_Lighting	84	210	1.00
109	57003	3803105190910000	EmeraldLake_Lighting	84	210	1.00
110	57007	3803105200490000	EmeraldLake_Lighting	84	210	1.00
111	57009	3803105220680000	EmeraldLake_Lighting	84	210	1.00
112	57010	3803105230370000	EmeraldLake_Lighting	84	210	1.00
113	57011	3803105230860000	EmeraldLake_Lighting	84	210	1.00
114	57015	3803105250150000	EmeraldLake_Lighting	84	210	1.00
115	57016	3803105261160000	EmeraldLake_Lighting	84	210	1.00
116	57018	3803105270440000	EmeraldLake_Lighting	84	210	1.00
117	57019	3803105271590000	EmeraldLake_Lighting	84	210	1.00
118	57021	3803105280630000	EmeraldLake_Lighting	84	210	1.00
119	57022	3803105291340000	EmeraldLake_Lighting	84	210	1.00
120	57023	3803105300800000	EmeraldLake_Lighting	84	210	1.00
121	57025	3803105311230000	EmeraldLake_Lighting	84	210	1.00
122	57026	3803105320190000	EmeraldLake_Lighting	84	210	1.00
123	57027	3803105321300000	EmeraldLake_Lighting	84	210	1.00
124	57034	3803105340580000	EmeraldLake_Lighting	84	210	1.00
125	57037	3803105360760000	EmeraldLake_Lighting	84	210	1.00
126	57038	3803105361030000	EmeraldLake_Lighting	84	210	1.00
127	57039	3803105361090000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

128	57040	3803105371560000	EmeraldLake_Lighting	84	210	1.00
129	57041	3803105381470000	EmeraldLake_Lighting	84	210	1.00
130	57042	3803105390220000	EmeraldLake_Lighting	84	210	1.00
131	57043	3803105390540000	EmeraldLake_Lighting	84	210	1.00
132	57045	3803105420710000	EmeraldLake_Lighting	84	210	1.00
133	57046	3803105430250000	EmeraldLake_Lighting	84	210	1.00
134	57047	3803105440500000	EmeraldLake_Lighting	84	210	1.00
135	57048	3803105440970000	EmeraldLake_Lighting	84	210	1.00
136	57049	3803105451460000	EmeraldLake_Lighting	84	210	1.00
137	57050	3803105480280000	EmeraldLake_Lighting	84	210	1.00
138	57051	3803105481170000	EmeraldLake_Lighting	84	210	1.00
139	57052	3803105491330000	EmeraldLake_Lighting	84	210	1.00
140	57053	3803105500690000	EmeraldLake_Lighting	84	210	1.00
141	57054	3803105501260000	EmeraldLake_Lighting	84	210	1.00
142	57055	3803105501390000	EmeraldLake_Lighting	84	210	1.00
143	57057	3803105511540000	EmeraldLake_Lighting	84	210	1.00
144	57059	3803105520310000	EmeraldLake_Lighting	84	210	1.00
145	57060	3803105521060000	EmeraldLake_Lighting	84	210	1.00
146	57061	3803105530970000	EmeraldLake_Lighting	84	210	1.00
147	57062	3803105570340000	EmeraldLake_Lighting	84	210	1.00
148	57063	3803105590420000	EmeraldLake_Lighting	84	210	1.00
149	57064	3803105591570000	EmeraldLake_Lighting	84	210	1.00
150	57066	3803105610480000	EmeraldLake_Lighting	84	210	1.00
151	57068	3803105620720000	EmeraldLake_Lighting	84	210	1.00
152	57070	3803110021230000	EmeraldLake_Lighting	84	210	1.00
153	57071	3803110031000000	EmeraldLake_Lighting	84	210	1.00
154	57075	3803110051540000	EmeraldLake_Lighting	84	210	1.00
155	57078	3803110061360000	EmeraldLake_Lighting	84	210	1.00
156	57080	3803110080470000	EmeraldLake_Lighting	84	210	1.00
157	57093	3803110111630000	EmeraldLake_Lighting	84	210	1.00
158	57094	3803110120500000	EmeraldLake_Lighting	84	210	1.00
159	173693	3803110120800000	EmeraldLake_Lighting	84	210	1.00
160	57098	3803110170530000	EmeraldLake_Lighting	84	210	1.00
161	57101	3803110181290000	EmeraldLake_Lighting	84	210	1.00
162	57102	3803110181600000	EmeraldLake_Lighting	84	210	1.00
163	57109	3803110220570000	EmeraldLake_Lighting	84	210	1.00
164	57110	3803110241000000	EmeraldLake_Lighting	84	210	1.00
165	57111	3803110241650000	EmeraldLake_Lighting	84	210	1.00
166	57117	3803110270590000	EmeraldLake_Lighting	84	210	1.00
167	57118	3803110270900000	EmeraldLake_Lighting	84	210	1.00
168	57120	3803110291180000	EmeraldLake_Lighting	84	210	1.00
169	57122	3803110320630000	EmeraldLake_Lighting	84	210	1.00
170	57123	3803110321040000	EmeraldLake_Lighting	84	210	1.00
171	57124	3803110321650000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

172	57128	3803110370660000	EmeraldLake_Lighting	84	210	1.00
173	57131	3803110391690000	EmeraldLake_Lighting	84	210	1.00
174	57132	3803110420690000	EmeraldLake_Lighting	84	210	1.00
175	57135	3803110441170000	EmeraldLake_Lighting	84	210	1.00
176	57136	3803110461670000	EmeraldLake_Lighting	84	210	1.00
177	57137	3803110470710000	EmeraldLake_Lighting	84	210	1.00
178	57140	3803110520760000	EmeraldLake_Lighting	84	210	1.00
179	57141	3803110531720000	EmeraldLake_Lighting	84	210	1.00
180	57142	3803110551140000	EmeraldLake_Lighting	84	210	1.00
181	57143	3803110580780000	EmeraldLake_Lighting	84	210	1.00
182	57146	3803110601650000	EmeraldLake_Lighting	84	210	1.00
183	57147	3803110621160000	EmeraldLake_Lighting	84	210	1.00
184	57148	3803110630820000	EmeraldLake_Lighting	84	210	1.00
185	57152	3803110671210000	EmeraldLake_Lighting	84	210	1.00
186	57154	3803110680840000	EmeraldLake_Lighting	84	210	1.00
187	57156	3803110730880000	EmeraldLake_Lighting	84	210	1.00
188	57157	3803110731390000	EmeraldLake_Lighting	84	210	1.00
189	57158	3803110731770000	EmeraldLake_Lighting	84	210	1.00
190	57161	3803110760940000	EmeraldLake_Lighting	84	210	1.00
191	57165	3803110820950000	EmeraldLake_Lighting	84	210	1.00
192	57166	3803110831300000	EmeraldLake_Lighting	84	210	1.00
193	57168	3803110851660000	EmeraldLake_Lighting	84	210	1.00
194	57170	3803110871000000	EmeraldLake_Lighting	84	210	1.00
195	57171	3803110881470000	EmeraldLake_Lighting	84	210	1.00
196	57172	3803110921030000	EmeraldLake_Lighting	84	210	1.00
197	57173	3803110940050000	EmeraldLake_Lighting	84	210	1.00
198	57174	3803110961290000	EmeraldLake_Lighting	84	210	1.00
199	57175	3803110981060000	EmeraldLake_Lighting	84	210	1.00
200	57178	3803111010080000	EmeraldLake_Lighting	84	210	1.00
201	57179	3803111021080000	EmeraldLake_Lighting	84	210	1.00
202	57182	3803111071370000	EmeraldLake_Lighting	84	210	1.00
203	57183	3803111081120000	EmeraldLake_Lighting	84	210	1.00
204	179279	3803111091100000	EmeraldLake_Lighting	84	210	1.00
205	57184	3803111101580000	EmeraldLake_Lighting	84	210	1.00
206	57187	3803111110200000	EmeraldLake_Lighting	84	210	1.00
207	57188	3803111131140000	EmeraldLake_Lighting	84	210	1.00
208	57190	3803111170150000	EmeraldLake_Lighting	84	210	1.00
209	57191	3803111181170000	EmeraldLake_Lighting	84	210	1.00
210	57192	3803111210200000	EmeraldLake_Lighting	84	210	1.00
211	57193	3803111221550000	EmeraldLake_Lighting	84	210	1.00
212	57194	3803111241200000	EmeraldLake_Lighting	84	210	1.00
213	57195	3803111260090000	EmeraldLake_Lighting	84	210	1.00
214	57196	3803111270200000	EmeraldLake_Lighting	84	210	1.00
215	57198	3803111291230000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

216	57199	3803111291570000	EmeraldLake_Lighting	84	210	1.00
217	57200	3803111320100000	EmeraldLake_Lighting	84	210	1.00
218	57201	3803111340230000	EmeraldLake_Lighting	84	210	1.00
219	57202	3803111351250000	EmeraldLake_Lighting	84	210	1.00
220	57203	3803111361590000	EmeraldLake_Lighting	84	210	1.00
221	57204	3803111380110000	EmeraldLake_Lighting	84	210	1.00
222	57205	3803111390250000	EmeraldLake_Lighting	84	210	1.00
223	57206	3803111401260000	EmeraldLake_Lighting	84	210	1.00
224	57207	3803111421620000	EmeraldLake_Lighting	84	210	1.00
225	57208	3803111430120000	EmeraldLake_Lighting	84	210	1.00
226	57209	3803111430270000	EmeraldLake_Lighting	84	210	1.00
227	57210	3803111441280000	EmeraldLake_Lighting	84	210	1.00
228	57212	3803111490140000	EmeraldLake_Lighting	84	210	1.00
229	57213	3803111490310000	EmeraldLake_Lighting	84	210	1.00
230	57214	3803111491290000	EmeraldLake_Lighting	84	210	1.00
231	57215	3803111491630000	EmeraldLake_Lighting	84	210	1.00
232	57216	3803111520350000	EmeraldLake_Lighting	84	210	1.00
233	57218	3803111551660000	EmeraldLake_Lighting	84	210	1.00
234	57219	3803111560170000	EmeraldLake_Lighting	84	210	1.00
235	57220	3803111561320000	EmeraldLake_Lighting	84	210	1.00
236	57221	3803111570380000	EmeraldLake_Lighting	84	210	1.00
237	57223	3803111601330000	EmeraldLake_Lighting	84	210	1.00
238	57227	3803111610420000	EmeraldLake_Lighting	84	210	1.00
239	57228	3803111620220000	EmeraldLake_Lighting	84	210	1.00
240	57229	3803111621670000	EmeraldLake_Lighting	84	210	1.00
241	57231	3803111640470000	EmeraldLake_Lighting	84	210	1.00
242	57232	3803111661350000	EmeraldLake_Lighting	84	210	1.00
243	57233	3803111670030000	EmeraldLake_Lighting	84	210	1.00
244	57234	3803111670370000	EmeraldLake_Lighting	84	210	1.00
245	57235	3803111670520000	EmeraldLake_Lighting	84	210	1.00
246	57236	3803111681700000	EmeraldLake_Lighting	84	210	1.00
247	57237	3803111700410000	EmeraldLake_Lighting	84	210	1.00
248	57238	3803111700550000	EmeraldLake_Lighting	84	210	1.00
249	57239	3803111721370000	EmeraldLake_Lighting	84	210	1.00
250	57241	3803111740060000	EmeraldLake_Lighting	84	210	1.00
251	57242	3803111740450000	EmeraldLake_Lighting	84	210	1.00
252	57243	3803111740610000	EmeraldLake_Lighting	84	210	1.00
253	57244	3803111751710000	EmeraldLake_Lighting	84	210	1.00
254	57245	3803111771390000	EmeraldLake_Lighting	84	210	1.00
255	57246	3803111780490000	EmeraldLake_Lighting	84	210	1.00
256	57247	3803111780650000	EmeraldLake_Lighting	84	210	1.00
257	57248	3803111800540000	EmeraldLake_Lighting	84	210	1.00
258	57250	3803111812120000	EmeraldLake_Lighting	84	210	1.00
259	57251	3803111821400000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

260	57252	3803111821740000	EmeraldLake_Lighting	84	210	1.00
261	57253	3803111850590000	EmeraldLake_Lighting	84	210	1.00
262	176716	3803111850680000	EmeraldLake_Lighting	84	210	1.00
263	57254	3803111860750000	EmeraldLake_Lighting	84	210	1.00
264	57255	3803111870060000	EmeraldLake_Lighting	84	210	1.00
265	57256	3803111881420000	EmeraldLake_Lighting	84	210	1.00
266	57257	3803111881750000	EmeraldLake_Lighting	84	210	1.00
267	57259	3803111900330000	EmeraldLake_Lighting	84	210	1.00
268	57260	3803111900790000	EmeraldLake_Lighting	84	210	1.00
269	57261	3803111930690000	EmeraldLake_Lighting	84	210	1.00
270	57262	3803111931440000	EmeraldLake_Lighting	84	210	1.00
271	57263	3803111940090000	EmeraldLake_Lighting	84	210	1.00
272	57264	3803111940840000	EmeraldLake_Lighting	84	210	1.00
273	57265	3803111950370000	EmeraldLake_Lighting	84	210	1.00
274	57266	3803111950910000	EmeraldLake_Lighting	84	210	1.00
275	57267	3803111951780000	EmeraldLake_Lighting	84	210	1.00
276	57269	3803111960730000	EmeraldLake_Lighting	84	210	1.00
277	57270	3803111990420000	EmeraldLake_Lighting	84	210	1.00
278	57271	3803111991460000	EmeraldLake_Lighting	84	210	1.00
279	57272	3803111991650000	EmeraldLake_Lighting	84	210	1.00
280	57277	3803112010140000	EmeraldLake_Lighting	84	210	1.00
281	57278	3803112010780000	EmeraldLake_Lighting	84	210	1.00
282	57281	3803112020980000	EmeraldLake_Lighting	84	210	1.00
283	57282	3803112040480000	EmeraldLake_Lighting	84	210	1.00
284	57283	3803112041470000	EmeraldLake_Lighting	84	210	1.00
285	57284	3803112041840000	EmeraldLake_Lighting	84	210	1.00
286	57286	3803112051660000	EmeraldLake_Lighting	84	210	1.00
287	176321	3803112070830000	EmeraldLake_Lighting	84	210	1.00
288	57287	3803112081040000	EmeraldLake_Lighting	84	210	1.00
289	57288	3803112090520000	EmeraldLake_Lighting	84	210	1.00
290	57292	3803112121480000	EmeraldLake_Lighting	84	210	1.00
291	57293	3803112121660000	EmeraldLake_Lighting	84	210	1.00
292	57294	3803112130580000	EmeraldLake_Lighting	84	210	1.00
293	176320	3803112130910000	EmeraldLake_Lighting	84	210	1.00
294	57296	3803112140110000	EmeraldLake_Lighting	84	210	1.00
295	57297	3803112141860000	EmeraldLake_Lighting	84	210	1.00
296	57298	3803112151110000	EmeraldLake_Lighting	84	210	1.00
297	57301	3803112170940000	EmeraldLake_Lighting	84	210	1.00
298	57305	3803112191190000	EmeraldLake_Lighting	84	210	1.00
299	57306	3803112191680000	EmeraldLake_Lighting	84	210	1.00
300	57307	3803112211000000	EmeraldLake_Lighting	84	210	1.00
301	57308	3803112211870000	EmeraldLake_Lighting	84	210	1.00
302	57309	3803112221470000	EmeraldLake_Lighting	84	210	1.00
303	57310	3803112230650000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

304	57311	3803112240110000	EmeraldLake_Lighting	84	210	1.00
305	57313	3803112241050000	EmeraldLake_Lighting	84	210	1.00
306	57314	3803112260740000	EmeraldLake_Lighting	84	210	1.00
307	57315	3803112261680000	EmeraldLake_Lighting	84	210	1.00
308	57316	3803112281240000	EmeraldLake_Lighting	84	210	1.00
309	57317	3803112291110000	EmeraldLake_Lighting	84	210	1.00
310	57319	3803112300160000	EmeraldLake_Lighting	84	210	1.00
311	57320	3803112300800000	EmeraldLake_Lighting	84	210	1.00
312	57321	3803112321430000	EmeraldLake_Lighting	84	210	1.00
313	57322	3803112330220000	EmeraldLake_Lighting	84	210	1.00
314	57323	3803112331680000	EmeraldLake_Lighting	84	210	1.00
315	57325	3803112341900000	EmeraldLake_Lighting	84	210	1.00
316	57326	3803112361210000	EmeraldLake_Lighting	84	210	1.00
317	57329	3803112370320000	EmeraldLake_Lighting	84	210	1.00
318	57331	3803112381340000	EmeraldLake_Lighting	84	210	1.00
319	57332	3803112400870000	EmeraldLake_Lighting	84	210	1.00
320	57333	3803112410980000	EmeraldLake_Lighting	84	210	1.00
321	57334	3803112421870000	EmeraldLake_Lighting	84	210	1.00
322	57338	3803112450490000	EmeraldLake_Lighting	84	210	1.00
323	57339	3803112451030000	EmeraldLake_Lighting	84	210	1.00
324	57340	3803112451670000	EmeraldLake_Lighting	84	210	1.00
325	57341	3803112460390000	EmeraldLake_Lighting	84	210	1.00
326	57342	3803112460570000	EmeraldLake_Lighting	84	210	1.00
327	57343	3803112470650000	EmeraldLake_Lighting	84	210	1.00
328	57344	3803112500720000	EmeraldLake_Lighting	84	210	1.00
329	57345	3803112501860000	EmeraldLake_Lighting	84	210	1.00
330	57346	3803112530790000	EmeraldLake_Lighting	84	210	1.00
331	57347	3803112531050000	EmeraldLake_Lighting	84	210	1.00
332	57348	3803112550860000	EmeraldLake_Lighting	84	210	1.00
333	57349	3803112570930000	EmeraldLake_Lighting	84	210	1.00
334	57350	3803112571130000	EmeraldLake_Lighting	84	210	1.00
335	57351	3803112571740000	EmeraldLake_Lighting	84	210	1.00
336	57352	3803112581260000	EmeraldLake_Lighting	84	210	1.00
337	57354	3803112591500000	EmeraldLake_Lighting	84	210	1.00
338	57607	3803140705220000	EmeraldLake_Lighting	84	210	1.00
339	57609	3803140765240000	EmeraldLake_Lighting	84	210	1.00
340	57613	3803140795240000	EmeraldLake_Lighting	84	210	1.00
341	57616	3803140805040000	EmeraldLake_Lighting	84	210	1.00
342	57621	3803140855260000	EmeraldLake_Lighting	84	210	1.00
343	57623	3803140905070000	EmeraldLake_Lighting	84	210	1.00
344	57624	3803140925340000	EmeraldLake_Lighting	84	210	1.00
345	57625	3803140975100000	EmeraldLake_Lighting	84	210	1.00
346	173694	3803141065130000	EmeraldLake_Lighting	84	210	1.00
347	57638	3803141165150000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

348	57640	3803141295190000	EmeraldLake_Lighting	84	210	1.00
349	57642	3803141335190000	EmeraldLake_Lighting	84	210	1.00
350	57644	3803141365210000	EmeraldLake_Lighting	84	210	1.00
351	57646	3803141475230000	EmeraldLake_Lighting	84	210	1.00
352	57651	3803141565280000	EmeraldLake_Lighting	84	210	1.00
353	57652	3803141635270000	EmeraldLake_Lighting	84	210	1.00
354	58873	3803153405260000	EmeraldLake_Lighting	84	210	1.00

EXHIBIT A

As of September 18, 2017, subject to any segregations, combinations, additions, deletions, corrections, or any other changes to parcels on the rolls; we, the undersigned, do hereby certify to the best of our knowledge, that the attached assessment roll for Road Improvement District #7 (Emerald Lake) has been prepared in accordance with RCW 36.88, and is a true and correct system of assessment that has been applied within the District to the best of our ability.

Signed _____ Date _____

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-263B

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Randy Rydel	RR <i>RR</i>	9/18/17	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 19 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	9/26/17	Introduction
Division Head:				10/24/17	Hearing
Dept. Head: Jon Hutchings	<i>JH</i>	9/18/17			
Prosecutor: Dan Gibson	<i>DG</i>	09/18/17			
Purchasing/Budget: Brad Bennet	<i>KB</i>	9/18/17			
Executive: Jack Louws	<i>TL</i>	9.18.17			

TITLE OF DOCUMENT: Resolution confirming the assessment roll for the Birch Bay Lighting District #1 and remanding the roll to the county treasurer for collection

ATTACHMENTS: Resolution and reassessed roll.

SEPA review required? () Yes (X) NO
SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? (x) Yes () NO
Requested Date: 10/24/17

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Resolution 2017-039 set aside the current assessment roll for the Birch Bay Lighting District #1, dated November 21st, 1985, and directed Public Works to complete a roll reassessment.

As the roll reassessment has been completed, the council, acting as the Board of Equalization, is requested to confirm the assessment as just and equitable after a public hearing on October 24th, 2017.

The Birch Bay Lighting District pays the electrical bill for street lights within the district. Rising electrical costs have finally exceeded the annual assessment allowed under the 1983 rate cap. The re-assessment will establish a new rate cap allowing for continued full payment of the electrical bills in 2018 and beyond.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Public Works
INTRODUCTION DATE: 9/26/2017

RESOLUTION NO. _____

CONFIRMING THE ASSESSMENT ROLL FOR PROPERTY WITHIN THE BOUNDARIES OF
WHATCOM COUNTY ROAD IMPROVEMENT DISTRICT NO. 1 (BIRCH BAY LIGHTING
DISTRICT) AND REMANDING ROLL TO THE COUNTY TREASURER FOR COLLECTION

WHEREAS, on September 12, 2017, the Whatcom County Council approved Resolution #2017-039, authorizing the preparation of a reassessment roll for property within the boundaries of Whatcom County Road Improvement District No. 1 (Birch Bay Lighting District); and

WHEREAS, on September 26, 2017, the Whatcom County Council accepted said reassessment roll; and

WHEREAS, the Whatcom County Council did determine that the proposed assessment roll is equitable and just under the conditions prevailing.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council, acting as the County Board of Equalization, confirms the assessment roll as follows:

The first annual maintenance assessment shall be based upon a Whatcom County Department of Public Works fee of **\$2.00 per account per year and the rate of \$0.45 per lineal front foot.**

The second and each succeeding annual assessment will be based on a Whatcom County Department of Public Works fee of \$2.00 per account per year and the actual cost of maintenance and power charges of Puget Sound Energy, but shall not exceed \$0.75 per lineal front foot. Prior to the second and each succeeding annual maintenance assessment, a budget for Whatcom County Road Improvement District No. 1 shall be submitted to the Whatcom County Executive for approval.

BE IT FURTHER RESOLVED that the Whatcom County Council, acting as the County Board of Equalization, hereby certifies the reassessment roll, as outlined in Exhibit A to this

resolution, and remands same to the Treasurer for collection.

APPROVED this ____ day of _____, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Daniel L. Gibson
Daniel L. Gibson, Chief Civil Deputy Prosecutor

EXHIBIT A

**Birch Bay Lighting District (RID No. 1)
2018 Assessment Roll
As of September 18, 2017**

(Basis= Road Front Footage)

#	prop_id	geo_id	District_Name	Class	Seq	Basis
1	119237	4001300094870000	Birch Bay Lighting	84	020	240.00
2	119238	4001300115260000	Birch Bay Lighting	84	020	165.00
3	119239	4001300124700000	Birch Bay Lighting	84	020	200.00
4	119241	4001300135080000	Birch Bay Lighting	84	020	170.00
5	119243	4001300164570000	Birch Bay Lighting	84	020	40.00
6	119249	4001300264530001	Birch Bay Lighting	84	020	12.00
7	119250	4001300264530002	Birch Bay Lighting	84	020	11.99
8	119251	4001300264530003	Birch Bay Lighting	84	020	11.99
9	119252	4001300264530004	Birch Bay Lighting	84	020	11.99
10	119253	4001300264530005	Birch Bay Lighting	84	020	11.99
11	119254	4001300264530006	Birch Bay Lighting	84	020	11.99
12	119255	4001300264530007	Birch Bay Lighting	84	020	11.99
13	119256	4001300264530008	Birch Bay Lighting	84	020	11.99
14	119257	4001300264530009	Birch Bay Lighting	84	020	11.99
15	119258	4001300264530010	Birch Bay Lighting	84	020	11.99
16	119259	4001300264530011	Birch Bay Lighting	84	020	11.99
17	119260	4001300264530012	Birch Bay Lighting	84	020	11.99
18	119261	4001300264530013	Birch Bay Lighting	84	020	11.99
19	119262	4001300264530014	Birch Bay Lighting	84	020	11.99
20	119263	4001300264530015	Birch Bay Lighting	84	020	11.99
21	119264	4001300264530016	Birch Bay Lighting	84	020	11.99
22	119265	4001300264530017	Birch Bay Lighting	84	020	11.99
23	119266	4001300264530018	Birch Bay Lighting	84	020	11.99
24	119267	4001300303580000	Birch Bay Lighting	84	020	172.60
25	119268	4001300304210000	Birch Bay Lighting	84	020	10.21
26	119269	4001300304210001	Birch Bay Lighting	84	020	10.21
27	119270	4001300304210002	Birch Bay Lighting	84	020	10.21
28	119271	4001300304210003	Birch Bay Lighting	84	020	10.21
29	119272	4001300304210004	Birch Bay Lighting	84	020	10.21
30	119273	4001300304210005	Birch Bay Lighting	84	020	10.21
31	119274	4001300304210006	Birch Bay Lighting	84	020	10.21
32	119275	4001300304210007	Birch Bay Lighting	84	020	10.21
33	119276	4001300304210008	Birch Bay Lighting	84	020	10.21
34	119277	4001300304210009	Birch Bay Lighting	84	020	10.21
35	119278	4001300304210010	Birch Bay Lighting	84	020	10.21
36	119279	4001300304210011	Birch Bay Lighting	84	020	10.21
37	119280	4001300304210012	Birch Bay Lighting	84	020	10.21
38	119281	4001300304210013	Birch Bay Lighting	84	020	10.21
39	119282	4001300304210014	Birch Bay Lighting	84	020	10.21

EXHIBIT A

40	119284	4001300404130001	Birch Bay Lighting	84	020	7.37
41	119285	4001300404130002	Birch Bay Lighting	84	020	7.37
42	119286	4001300404130003	Birch Bay Lighting	84	020	7.37
43	119287	4001300404130004	Birch Bay Lighting	84	020	7.37
44	119288	4001300404130005	Birch Bay Lighting	84	020	7.37
45	119289	4001300404130006	Birch Bay Lighting	84	020	7.37
46	119290	4001300404130007	Birch Bay Lighting	84	020	7.37
47	119291	4001300404130008	Birch Bay Lighting	84	020	7.37
48	119292	4001300404130009	Birch Bay Lighting	84	020	7.37
49	119293	4001300404130010	Birch Bay Lighting	84	020	7.37
50	119294	4001300404130011	Birch Bay Lighting	84	020	7.37
51	119295	4001300404130012	Birch Bay Lighting	84	020	7.38
52	119296	4001300404130013	Birch Bay Lighting	84	020	7.38
53	119297	4001300404130014	Birch Bay Lighting	84	020	7.38
54	119298	4001300404130015	Birch Bay Lighting	84	020	7.38
55	119299	4001300404130016	Birch Bay Lighting	84	020	7.38
56	119300	4001300404130017	Birch Bay Lighting	84	020	7.38
57	119301	4001300404130018	Birch Bay Lighting	84	020	7.38
58	119307	4001300543560000	Birch Bay Lighting	84	020	150.00
59	119308	4001300543860000	Birch Bay Lighting	84	020	433.00
60	119313	4001300663700000	Birch Bay Lighting	84	020	172.60
61	119449	4001300744920000	Birch Bay Lighting	84	020	957.50
62	119633	4001300841020000	Birch Bay Lighting	84	020	40.00
63	119634	4001300842310000	Birch Bay Lighting	84	020	190.90
64	119637	4001300850790000	Birch Bay Lighting	84	020	40.00
65	119640	4001300860690000	Birch Bay Lighting	84	020	40.00
66	119641	4001300860730000	Birch Bay Lighting	84	020	40.00
67	119642	4001300860820000	Birch Bay Lighting	84	020	21.00
68	119643	4001300860830000	Birch Bay Lighting	84	020	19.00
69	119647	4001300880990000	Birch Bay Lighting	84	020	40.00
70	119650	4001300882060001	Birch Bay Lighting	84	020	4.49
71	119651	4001300882060002	Birch Bay Lighting	84	020	4.49
72	119652	4001300882060003	Birch Bay Lighting	84	020	4.49
73	119653	4001300882060004	Birch Bay Lighting	84	020	4.49
74	119654	4001300882060005	Birch Bay Lighting	84	020	4.49
75	119655	4001300882060006	Birch Bay Lighting	84	020	4.49
76	119656	4001300882060007	Birch Bay Lighting	84	020	4.49
77	119657	4001300882060008	Birch Bay Lighting	84	020	4.49
78	119658	4001300882060009	Birch Bay Lighting	84	020	4.49
79	119659	4001300882060010	Birch Bay Lighting	84	020	4.49
80	119660	4001300882060011	Birch Bay Lighting	84	020	4.49
81	119661	4001300882060012	Birch Bay Lighting	84	020	4.49
82	119662	4001300882060013	Birch Bay Lighting	84	020	4.49
83	119663	4001300882060014	Birch Bay Lighting	84	020	4.49

EXHIBIT A

84	119664	4001300882060015	Birch Bay Lighting	84	020	4.49
85	119665	4001300882060016	Birch Bay Lighting	84	020	4.49
86	119666	4001300882060017	Birch Bay Lighting	84	020	4.49
87	119667	4001300882060018	Birch Bay Lighting	84	020	4.49
88	119668	4001300882060019	Birch Bay Lighting	84	020	4.49
89	119669	4001300882060020	Birch Bay Lighting	84	020	4.49
90	119670	4001300882060021	Birch Bay Lighting	84	020	4.49
91	119671	4001300882060022	Birch Bay Lighting	84	020	4.49
92	119672	4001300882060023	Birch Bay Lighting	84	020	4.49
93	119673	4001300882060024	Birch Bay Lighting	84	020	4.49
94	119674	4001300882060025	Birch Bay Lighting	84	020	4.49
95	119675	4001300882060026	Birch Bay Lighting	84	020	4.49
96	119676	4001300882060027	Birch Bay Lighting	84	020	4.49
97	119677	4001300882060028	Birch Bay Lighting	84	020	4.49
98	119678	4001300882060029	Birch Bay Lighting	84	020	4.49
99	119679	4001300882060030	Birch Bay Lighting	84	020	4.49
100	119680	4001300882060031	Birch Bay Lighting	84	020	4.49
101	119681	4001300882060032	Birch Bay Lighting	84	020	4.49
102	119682	4001300882060033	Birch Bay Lighting	84	020	4.49
103	119683	4001300882060034	Birch Bay Lighting	84	020	4.49
104	119684	4001300882060035	Birch Bay Lighting	84	020	4.49
105	119685	4001300882060036	Birch Bay Lighting	84	020	4.49
106	119686	4001300882060037	Birch Bay Lighting	84	020	4.49
107	119687	4001300882060038	Birch Bay Lighting	84	020	4.49
108	119688	4001300882060039	Birch Bay Lighting	84	020	4.49
109	119689	4001300882060040	Birch Bay Lighting	84	020	4.49
110	119690	4001300882060041	Birch Bay Lighting	84	020	4.49
111	119691	4001300882060042	Birch Bay Lighting	84	020	4.49
112	119692	4001300882060043	Birch Bay Lighting	84	020	4.49
113	119693	4001300882060044	Birch Bay Lighting	84	020	4.49
114	119694	4001300882060045	Birch Bay Lighting	84	020	4.49
115	119695	4001300882060046	Birch Bay Lighting	84	020	4.49
116	119696	4001300882060047	Birch Bay Lighting	84	020	4.49
117	119697	4001300882060048	Birch Bay Lighting	84	020	4.49
118	119698	4001300882060049	Birch Bay Lighting	84	020	4.49
119	119699	4001300882060050	Birch Bay Lighting	84	020	4.49
120	119700	4001300882060051	Birch Bay Lighting	84	020	4.49
121	119701	4001300882060052	Birch Bay Lighting	84	020	4.49
122	119702	4001300882060053	Birch Bay Lighting	84	020	4.49
123	119703	4001300882060054	Birch Bay Lighting	84	020	4.49
124	119704	4001300882060055	Birch Bay Lighting	84	020	4.49
125	119705	4001300882060056	Birch Bay Lighting	84	020	4.49
126	119706	4001300882060057	Birch Bay Lighting	84	020	4.49
127	119707	4001300882060058	Birch Bay Lighting	84	020	4.49

EXHIBIT A

128	119708	4001300882060059	Birch Bay Lighting	84	020	4.49
129	119710	4001300890490000	Birch Bay Lighting	84	020	40.00
130	119711	4001300890530000	Birch Bay Lighting	84	020	40.00
131	119712	4001300890880000	Birch Bay Lighting	84	020	40.00
132	119731	4001300892850000	Birch Bay Lighting	84	020	3.17
133	119732	4001300892850001	Birch Bay Lighting	84	020	3.17
134	119733	4001300892850002	Birch Bay Lighting	84	020	3.17
135	119734	4001300892850003	Birch Bay Lighting	84	020	3.17
136	119735	4001300892850004	Birch Bay Lighting	84	020	3.17
137	119736	4001300892850005	Birch Bay Lighting	84	020	3.17
138	119737	4001300892850006	Birch Bay Lighting	84	020	3.17
139	119738	4001300892850007	Birch Bay Lighting	84	020	3.17
140	119739	4001300892850008	Birch Bay Lighting	84	020	3.17
141	119740	4001300892850009	Birch Bay Lighting	84	020	3.17
142	119741	4001300892850010	Birch Bay Lighting	84	020	3.17
143	119742	4001300892850011	Birch Bay Lighting	84	020	3.17
144	119743	4001300892850012	Birch Bay Lighting	84	020	3.17
145	119744	4001300892850013	Birch Bay Lighting	84	020	3.17
146	119745	4001300892850014	Birch Bay Lighting	84	020	3.17
147	119746	4001300892850015	Birch Bay Lighting	84	020	3.17
148	119747	4001300892850016	Birch Bay Lighting	84	020	3.17
149	119748	4001300892850017	Birch Bay Lighting	84	020	3.17
150	119749	4001300892850018	Birch Bay Lighting	84	020	3.17
151	119750	4001300892850019	Birch Bay Lighting	84	020	3.17
152	119751	4001300892850020	Birch Bay Lighting	84	020	3.17
153	119752	4001300892850021	Birch Bay Lighting	84	020	3.17
154	119753	4001300892850022	Birch Bay Lighting	84	020	3.17
155	119754	4001300892850023	Birch Bay Lighting	84	020	3.17
156	119755	4001300892850024	Birch Bay Lighting	84	020	3.17
157	119756	4001300892850025	Birch Bay Lighting	84	020	3.17
158	119757	4001300892850026	Birch Bay Lighting	84	020	3.17
159	119758	4001300892850027	Birch Bay Lighting	84	020	3.17
160	119759	4001300892850028	Birch Bay Lighting	84	020	3.17
161	119760	4001300892850029	Birch Bay Lighting	84	020	3.17
162	119769	4001300900580000	Birch Bay Lighting	84	020	40.00
163	119770	4001300900620000	Birch Bay Lighting	84	020	40.00
164	119772	4001300900910000	Birch Bay Lighting	84	020	43.45
165	119790	4001300903260000	Birch Bay Lighting	84	020	431.40
166	119819	4001300920420000	Birch Bay Lighting	84	020	40.00
167	119884	4001301042460000	Birch Bay Lighting	84	020	369.10
168	119928	4001301071680027	Birch Bay Lighting	84	020	3.68
169	119929	4001301071680028	Birch Bay Lighting	84	020	3.68
170	119930	4001301071680029	Birch Bay Lighting	84	020	3.68
171	119931	4001301071680030	Birch Bay Lighting	84	020	3.68

EXHIBIT A

172	119932	4001301071680031	Birch Bay Lighting	84	020	3.68
173	119933	4001301071680032	Birch Bay Lighting	84	020	3.68
174	119934	4001301071680033	Birch Bay Lighting	84	020	3.68
175	119935	4001301071680034	Birch Bay Lighting	84	020	3.68
176	119936	4001301071680035	Birch Bay Lighting	84	020	3.68
177	119937	4001301071680036	Birch Bay Lighting	84	020	3.68
178	119938	4001301071680037	Birch Bay Lighting	84	020	3.68
179	119939	4001301071680038	Birch Bay Lighting	84	020	3.68
180	119940	4001301071680039	Birch Bay Lighting	84	020	3.68
181	119941	4001301071680040	Birch Bay Lighting	84	020	3.68
182	119942	4001301071680041	Birch Bay Lighting	84	020	3.68
183	119943	4001301071680042	Birch Bay Lighting	84	020	3.68
184	119944	4001301071680043	Birch Bay Lighting	84	020	3.68
185	119958	4001301071680057	Birch Bay Lighting	84	020	3.68
186	119959	4001301071680058	Birch Bay Lighting	84	020	3.68
187	119960	4001301071680059	Birch Bay Lighting	84	020	3.68
188	119961	4001301071680060	Birch Bay Lighting	84	020	3.68
189	119962	4001301071680061	Birch Bay Lighting	84	020	3.68
190	119963	4001301071680062	Birch Bay Lighting	84	020	3.68
191	119964	4001301071680063	Birch Bay Lighting	84	020	3.68
192	119965	4001301071680064	Birch Bay Lighting	84	020	3.68
193	119966	4001301071680065	Birch Bay Lighting	84	020	3.68
194	119967	4001301071680066	Birch Bay Lighting	84	020	3.68
195	119968	4001301071680067	Birch Bay Lighting	84	020	3.68
196	119969	4001301071680068	Birch Bay Lighting	84	020	3.68
197	119970	4001301071680069	Birch Bay Lighting	84	020	3.68
198	119971	4001301071680070	Birch Bay Lighting	84	020	3.68
199	119972	4001301071680071	Birch Bay Lighting	84	020	3.68
200	119973	4001301071680072	Birch Bay Lighting	84	020	3.68
201	119974	4001301071680073	Birch Bay Lighting	84	020	3.68
202	119988	4001301071680087	Birch Bay Lighting	84	020	3.68
203	119989	4001301071680088	Birch Bay Lighting	84	020	3.68
204	119990	4001301071680089	Birch Bay Lighting	84	020	3.68
205	119991	4001301071680090	Birch Bay Lighting	84	020	3.68
206	119992	4001301071680091	Birch Bay Lighting	84	020	3.68
207	119993	4001301071680092	Birch Bay Lighting	84	020	3.68
208	119994	4001301071680093	Birch Bay Lighting	84	020	3.68
209	119995	4001301071680094	Birch Bay Lighting	84	020	3.68
210	119996	4001301071680095	Birch Bay Lighting	84	020	3.68
211	119997	4001301071680096	Birch Bay Lighting	84	020	3.68
212	119998	4001301071680097	Birch Bay Lighting	84	020	3.68
213	119999	4001301071680098	Birch Bay Lighting	84	020	3.69
214	120000	4001301071680099	Birch Bay Lighting	84	020	3.69
215	120001	4001301071680100	Birch Bay Lighting	84	020	3.69

EXHIBIT A

216	120002	4001301071680101	Birch Bay Lighting	84	020	3.69
217	120003	4001301071680102	Birch Bay Lighting	84	020	3.69
218	120004	4001301071680103	Birch Bay Lighting	84	020	3.69
219	120005	4001301071680104	Birch Bay Lighting	84	020	3.69
220	120007	4001301071680106	Birch Bay Lighting	84	020	3.69
221	120008	4001301071680107	Birch Bay Lighting	84	020	3.69
222	120009	4001301071680108	Birch Bay Lighting	84	020	3.69
223	120010	4001301071680109	Birch Bay Lighting	84	020	3.69
224	173404	4001301080180036	Birch Bay Lighting	84	020	12.95
225	173405	4001301080180037	Birch Bay Lighting	84	020	12.95
226	173406	4001301080180038	Birch Bay Lighting	84	020	12.95
227	173407	4001301080180039	Birch Bay Lighting	84	020	12.95
228	173408	4001301080180040	Birch Bay Lighting	84	020	12.95
229	173409	4001301080180041	Birch Bay Lighting	84	020	12.95
230	173410	4001301080180042	Birch Bay Lighting	84	020	12.95
231	173411	4001301080180043	Birch Bay Lighting	84	020	12.95
232	173412	4001301080180044	Birch Bay Lighting	84	020	12.95
233	173413	4001301080180045	Birch Bay Lighting	84	020	12.95
234	173414	4001301080180046	Birch Bay Lighting	84	020	12.95
235	173415	4001301080180047	Birch Bay Lighting	84	020	12.95
236	173416	4001301080180048	Birch Bay Lighting	84	020	12.95
237	173417	4001301080180049	Birch Bay Lighting	84	020	12.95
238	173418	4001301080180050	Birch Bay Lighting	84	020	12.95
239	173419	4001301080180051	Birch Bay Lighting	84	020	12.95
240	173420	4001301080180052	Birch Bay Lighting	84	020	12.95
241	173421	4001301080180053	Birch Bay Lighting	84	020	12.95
242	173422	4001301080180054	Birch Bay Lighting	84	020	12.95
243	173423	4001301080180055	Birch Bay Lighting	84	020	12.95
244	120050	4001301080320000	Birch Bay Lighting	84	020	50.74
245	120052	4001301080370000	Birch Bay Lighting	84	020	50.74
246	120218	4001301261900000	Birch Bay Lighting	84	020	128.43
247	119713	4001301871460001	Birch Bay Lighting	84	020	5.60
248	119714	4001301871460002	Birch Bay Lighting	84	020	5.60
249	119715	4001301871460003	Birch Bay Lighting	84	020	5.60
250	119716	4001301871460004	Birch Bay Lighting	84	020	5.60
251	119717	4001301871460005	Birch Bay Lighting	84	020	5.60
252	119718	4001301871460006	Birch Bay Lighting	84	020	5.60
253	119719	4001301871460007	Birch Bay Lighting	84	020	5.60
254	119720	4001301871460008	Birch Bay Lighting	84	020	5.60
255	119721	4001301871460009	Birch Bay Lighting	84	020	5.60
256	179806	4001301871460000	Birch Bay Lighting	84	020	16.40
257	119722	4001301871460010	Birch Bay Lighting	84	020	5.60
258	119723	4001301871460011	Birch Bay Lighting	84	020	5.60
259	119724	4001301871460012	Birch Bay Lighting	84	020	5.60

EXHIBIT A

260	119725	4001301871460013	Birch Bay Lighting	84	020	5.60
261	119726	4001301871460014	Birch Bay Lighting	84	020	5.60
262	119727	4001301871460015	Birch Bay Lighting	84	020	5.60
263	119728	4001301871460016	Birch Bay Lighting	84	020	5.60
264	119774	4001301871460037	Birch Bay Lighting	84	020	6.25
265	119775	4001301871460038	Birch Bay Lighting	84	020	6.25
266	119776	4001301871460039	Birch Bay Lighting	84	020	6.25
267	119777	4001301871460040	Birch Bay Lighting	84	020	6.25
268	119778	4001301871460041	Birch Bay Lighting	84	020	6.25
269	119779	4001301871460042	Birch Bay Lighting	84	020	6.25
270	119780	4001301871460043	Birch Bay Lighting	84	020	6.25
271	119781	4001301871460044	Birch Bay Lighting	84	020	6.25
272	119782	4001301871460045	Birch Bay Lighting	84	020	6.25
273	119783	4001301871460046	Birch Bay Lighting	84	020	6.25
274	119784	4001301871460047	Birch Bay Lighting	84	020	6.25
275	119785	4001301871460048	Birch Bay Lighting	84	020	6.25
276	119786	4001301871460049	Birch Bay Lighting	84	020	6.25
277	119787	4001301871460050	Birch Bay Lighting	84	020	6.25
278	119788	4001301871460051	Birch Bay Lighting	84	020	6.25
279	119789	4001301871460052	Birch Bay Lighting	84	020	6.25
280	119829	4001301871460109	Birch Bay Lighting	84	020	8.00
281	119830	4001301871460110	Birch Bay Lighting	84	020	8.00
282	119831	4001301871460111	Birch Bay Lighting	84	020	8.00
283	119832	4001301871460112	Birch Bay Lighting	84	020	8.00
284	119833	4001301871460113	Birch Bay Lighting	84	020	8.00
285	119834	4001301871460114	Birch Bay Lighting	84	020	8.00
286	119835	4001301871460115	Birch Bay Lighting	84	020	8.00
287	119836	4001301871460116	Birch Bay Lighting	84	020	8.00
288	119837	4001301871460117	Birch Bay Lighting	84	020	8.00
289	119838	4001301871460118	Birch Bay Lighting	84	020	8.00
290	119839	4001301871460119	Birch Bay Lighting	84	020	8.00
291	119840	4001301871460120	Birch Bay Lighting	84	020	8.00
292	119841	4001301871460121	Birch Bay Lighting	84	020	8.00
293	119842	4001301871460122	Birch Bay Lighting	84	020	8.00
294	119843	4001301871460123	Birch Bay Lighting	84	020	8.00
295	119844	4001301871460124	Birch Bay Lighting	84	020	8.00
296	119845	4001301871460133	Birch Bay Lighting	84	020	8.00
297	119846	4001301871460134	Birch Bay Lighting	84	020	8.00
298	119847	4001301871460135	Birch Bay Lighting	84	020	8.00
299	119848	4001301871460136	Birch Bay Lighting	84	020	8.00
300	119849	4001301871460137	Birch Bay Lighting	84	020	8.00
301	119850	4001301871460138	Birch Bay Lighting	84	020	8.00
302	119851	4001301871460139	Birch Bay Lighting	84	020	8.00
303	119852	4001301871460140	Birch Bay Lighting	84	020	8.00

EXHIBIT A

304	119853	4001301871460141	Birch Bay Lighting	84	020	8.00
305	119854	4001301871460142	Birch Bay Lighting	84	020	8.00
306	119855	4001301871460143	Birch Bay Lighting	84	020	8.00
307	119856	4001301871460144	Birch Bay Lighting	84	020	8.00
308	119857	4001301871460145	Birch Bay Lighting	84	020	8.00
309	119858	4001301871460146	Birch Bay Lighting	84	020	8.00
310	119859	4001301871460147	Birch Bay Lighting	84	020	8.00
311	119860	4001301871460148	Birch Bay Lighting	84	020	8.00
312	120815	4001302720780000	Birch Bay Lighting	84	020	50.00
313	121517	4001310042330000	Birch Bay Lighting	84	020	50.10
314	121520	4001310052380000	Birch Bay Lighting	84	020	82.40
315	121521	4001310073050000	Birch Bay Lighting	84	020	50.80
316	121526	4001310081400000	Birch Bay Lighting	84	020	40.00
317	121527	4001310081450000	Birch Bay Lighting	84	020	50.00
318	121528	4001310081500000	Birch Bay Lighting	84	020	50.00
319	121529	4001310081550000	Birch Bay Lighting	84	020	58.30
320	121531	4001310082510000	Birch Bay Lighting	84	020	50.20
321	121532	4001310091590000	Birch Bay Lighting	84	020	50.00
322	121533	4001310092560000	Birch Bay Lighting	84	020	50.20
323	121535	4001310093080000	Birch Bay Lighting	84	020	40.00
324	121536	4001310101630000	Birch Bay Lighting	84	020	61.40
325	121537	4001310113120000	Birch Bay Lighting	84	020	39.60
326	121539	4001310122610000	Birch Bay Lighting	84	020	71.10
327	121540	4001310123150000	Birch Bay Lighting	84	020	40.40
328	121542	4001310131740000	Birch Bay Lighting	84	020	64.00
329	121543	4001310132220000	Birch Bay Lighting	84	020	50.00
330	121544	4001310132280000	Birch Bay Lighting	84	020	50.00
331	121545	4001310143190000	Birch Bay Lighting	84	020	40.10
332	121548	4001310151790000	Birch Bay Lighting	84	020	50.00
333	121550	4001310161400000	Birch Bay Lighting	84	020	40.00
334	121551	4001310161730000	Birch Bay Lighting	84	020	50.00
335	121552	4001310163230000	Birch Bay Lighting	84	020	39.90
336	121558	4001310171450000	Birch Bay Lighting	84	020	50.00
337	121559	4001310171500000	Birch Bay Lighting	84	020	50.00
338	121560	4001310171540000	Birch Bay Lighting	84	020	22.80
339	121561	4001310171580000	Birch Bay Lighting	84	020	50.00
340	121562	4001310172330000	Birch Bay Lighting	84	020	91.50
341	121563	4001310173260000	Birch Bay Lighting	84	020	40.00
342	121567	4001310191620000	Birch Bay Lighting	84	020	44.00
343	121568	4001310191890000	Birch Bay Lighting	84	020	50.00
344	121570	4001310203040000	Birch Bay Lighting	84	020	72.00
345	121572	4001310211710000	Birch Bay Lighting	84	020	49.40
346	121573	4001310211930000	Birch Bay Lighting	84	020	50.00
347	121576	4001310222450000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

348	121578	4001310223300000	Birch Bay Lighting	84	020	39.91
349	121582	4001310231970000	Birch Bay Lighting	84	020	50.00
350	121583	4001310232500000	Birch Bay Lighting	84	020	50.00
351	181994	4001310233440000	Birch Bay Lighting	84	020	139.96
352	181821	4001310233490000	Birch Bay Lighting	84	020	44.52
353	121584	4001310241760000	Birch Bay Lighting	84	020	50.00
354	121586	4001310243000000	Birch Bay Lighting	84	020	39.00
355	121587	4001310243090000	Birch Bay Lighting	84	020	36.00
356	181851	4001310243460000	Birch Bay Lighting	84	020	8.43
357	121588	4001310252020000	Birch Bay Lighting	84	020	47.70
358	121591	4001310261800000	Birch Bay Lighting	84	020	50.00
359	121592	4001310262550000	Birch Bay Lighting	84	020	50.00
360	121593	4001310263130000	Birch Bay Lighting	84	020	36.00
361	121594	4001310263510000	Birch Bay Lighting	84	020	40.10
362	121596	4001310281860000	Birch Bay Lighting	84	020	50.00
363	121598	4001310282610000	Birch Bay Lighting	84	020	55.50
364	121599	4001310283590000	Birch Bay Lighting	84	020	41.10
365	121600	4001310283720000	Birch Bay Lighting	84	020	39.80
366	121601	4001310291900000	Birch Bay Lighting	84	020	50.00
367	121602	4001310292100000	Birch Bay Lighting	84	020	53.50
368	121604	4001310293560000	Birch Bay Lighting	84	020	41.10
369	121605	4001310303680000	Birch Bay Lighting	84	020	39.20
370	121609	4001310311430000	Birch Bay Lighting	84	020	40.00
371	121612	4001310313260001	Birch Bay Lighting	84	020	14.70
372	121649	4001310313260038	Birch Bay Lighting	84	020	14.70
373	121662	4001310313260051	Birch Bay Lighting	84	020	14.70
374	121679	4001310313260068	Birch Bay Lighting	84	020	14.70
375	121680	4001310313260069	Birch Bay Lighting	84	020	14.70
376	121681	4001310313260070	Birch Bay Lighting	84	020	3.68
377	121696	4001310313260085	Birch Bay Lighting	84	020	3.68
378	121712	4001310313260101	Birch Bay Lighting	84	020	14.70
379	121713	4001310313260102	Birch Bay Lighting	84	020	14.70
380	121749	4001310313260138	Birch Bay Lighting	84	020	14.70
381	121750	4001310313260139	Birch Bay Lighting	84	020	14.70
382	121788	4001310313260177	Birch Bay Lighting	84	020	14.70
383	121803	4001310313260192	Birch Bay Lighting	84	020	14.70
384	121848	4001310313260237	Birch Bay Lighting	84	020	14.70
385	121853	4001310313260242	Birch Bay Lighting	84	020	14.70
386	121854	4001310313260243	Birch Bay Lighting	84	020	14.70
387	121866	4001310313260255	Birch Bay Lighting	84	020	14.70
388	121881	4001310313260270	Birch Bay Lighting	84	020	14.70
389	121893	4001310313260282	Birch Bay Lighting	84	020	14.70
390	121894	4001310313260283	Birch Bay Lighting	84	020	14.70
391	173447	4001310313260376	Birch Bay Lighting	84	020	3.68

EXHIBIT A

392	173448	4001310313260377	Birch Bay Lighting	84	020	3.67
393	173449	4001310313260378	Birch Bay Lighting	84	020	3.67
394	173455	4001310313260379	Birch Bay Lighting	84	020	3.68
395	173456	4001310313260380	Birch Bay Lighting	84	020	3.67
396	173457	4001310313260381	Birch Bay Lighting	84	020	3.67
397	121959	4001310313720000	Birch Bay Lighting	84	020	40.70
398	121963	4001310321440000	Birch Bay Lighting	84	020	50.00
399	121965	4001310321500000	Birch Bay Lighting	84	020	50.00
400	121967	4001310321540000	Birch Bay Lighting	84	020	55.00
401	121968	4001310321950000	Birch Bay Lighting	84	020	50.00
402	121969	4001310322140000	Birch Bay Lighting	84	020	50.00
403	121970	4001310323740000	Birch Bay Lighting	84	020	41.10
404	121974	4001310331590000	Birch Bay Lighting	84	020	51.60
405	121975	4001310331980000	Birch Bay Lighting	84	020	34.40
406	121981	4001310342180000	Birch Bay Lighting	84	020	50.00
407	121982	4001310343800000	Birch Bay Lighting	84	020	78.18
408	121984	4001310353880000	Birch Bay Lighting	84	020	47.17
409	121993	4001310371700000	Birch Bay Lighting	84	020	96.60
410	121994	4001310372070000	Birch Bay Lighting	84	020	46.50
411	121995	4001310372230000	Birch Bay Lighting	84	020	50.00
412	121999	4001310383450000	Birch Bay Lighting	84	020	39.00
413	122000	4001310393960000	Birch Bay Lighting	84	020	83.00
414	122002	4001310401820000	Birch Bay Lighting	84	020	50.00
415	122004	4001310402120000	Birch Bay Lighting	84	020	50.00
416	122006	4001310402290000	Birch Bay Lighting	84	020	69.10
417	122007	4001310411770000	Birch Bay Lighting	84	020	50.00
418	122008	4001310413520000	Birch Bay Lighting	84	020	39.00
419	122012	4001310432160000	Birch Bay Lighting	84	020	50.00
420	122013	4001310432360000	Birch Bay Lighting	84	020	70.90
421	122014	4001310433560000	Birch Bay Lighting	84	020	39.50
422	122019	4001310441960000	Birch Bay Lighting	84	020	50.00
423	122020	4001310443600000	Birch Bay Lighting	84	020	37.20
424	122022	4001310444130001	Birch Bay Lighting	84	020	29.50
425	122023	4001310444130002	Birch Bay Lighting	84	020	29.50
426	122024	4001310444130003	Birch Bay Lighting	84	020	29.50
427	122025	4001310444130004	Birch Bay Lighting	84	020	29.50
428	122026	4001310444130005	Birch Bay Lighting	84	020	29.50
429	122027	4001310444130006	Birch Bay Lighting	84	020	29.50
430	122028	4001310444130007	Birch Bay Lighting	84	020	29.50
431	122029	4001310444130008	Birch Bay Lighting	84	020	29.50
432	122030	4001310444130009	Birch Bay Lighting	84	020	29.50
433	122031	4001310444130010	Birch Bay Lighting	84	020	29.50
434	122034	4001310452200000	Birch Bay Lighting	84	020	50.00
435	122035	4001310453630000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

436	122043	4001310461900000	Birch Bay Lighting	84	020	50.00
437	122045	4001310463670000	Birch Bay Lighting	84	020	40.00
438	122049	4001310472400000	Birch Bay Lighting	84	020	50.00
439	122050	4001310473120000	Birch Bay Lighting	84	020	315.31
440	122051	4001310473700000	Birch Bay Lighting	84	020	42.50
441	122053	4001310481940000	Birch Bay Lighting	84	020	51.80
442	122054	4001310482240000	Birch Bay Lighting	84	020	70.90
443	122055	4001310483740000	Birch Bay Lighting	84	020	42.50
444	122062	4001310502490000	Birch Bay Lighting	84	020	56.20
445	122063	4001310503780000	Birch Bay Lighting	84	020	57.50
446	122066	4001310512020000	Birch Bay Lighting	84	020	65.20
447	122067	4001310512320000	Birch Bay Lighting	84	020	69.10
448	122068	4001310513060000	Birch Bay Lighting	84	020	70.50
449	122070	4001310522050000	Birch Bay Lighting	84	020	50.00
450	122071	4001310523860000	Birch Bay Lighting	84	020	55.00
451	122072	4001310523900000	Birch Bay Lighting	84	020	40.00
452	122074	4001310532370000	Birch Bay Lighting	84	020	50.00
453	180289	4001310532430000	Birch Bay Lighting	84	020	100.00
454	122075	4001310533080000	Birch Bay Lighting	84	020	40.00
455	122078	4001310542110000	Birch Bay Lighting	84	020	50.00
456	122080	4001310542550000	Birch Bay Lighting	84	020	100.00
457	122084	4001310554380001	Birch Bay Lighting	84	020	51.25
458	122085	4001310554380002	Birch Bay Lighting	84	020	51.25
459	122086	4001310554380003	Birch Bay Lighting	84	020	51.25
460	122087	4001310554380004	Birch Bay Lighting	84	020	51.25
461	122090	4001310563060000	Birch Bay Lighting	84	020	3.70
462	122095	4001310572150000	Birch Bay Lighting	84	020	50.00
463	122098	4001310574030001	Birch Bay Lighting	84	020	35.00
464	122099	4001310574030002	Birch Bay Lighting	84	020	35.00
465	122100	4001310574030003	Birch Bay Lighting	84	020	35.00
466	122101	4001310574030004	Birch Bay Lighting	84	020	35.00
467	122102	4001310574030005	Birch Bay Lighting	84	020	35.00
468	122103	4001310574030006	Birch Bay Lighting	84	020	35.00
469	122104	4001310574030007	Birch Bay Lighting	84	020	35.00
470	122105	4001310574030008	Birch Bay Lighting	84	020	35.00
471	122106	4001310582590000	Birch Bay Lighting	84	020	50.00
472	122107	4001310583290000	Birch Bay Lighting	84	020	56.00
473	122109	4001310583320000	Birch Bay Lighting	84	020	21.00
474	122110	4001310583350000	Birch Bay Lighting	84	020	29.00
475	122111	4001310583390000	Birch Bay Lighting	84	020	45.00
476	122112	4001310583430000	Birch Bay Lighting	84	020	40.00
477	122113	4001310592460000	Birch Bay Lighting	84	020	43.80
478	122114	4001310593090000	Birch Bay Lighting	84	020	40.00
479	122115	4001310593470000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

480	122116	4001310593510000	Birch Bay Lighting	84	020	40.00
481	122118	4001310602600000	Birch Bay Lighting	84	020	113.40
482	122119	4001310603550000	Birch Bay Lighting	84	020	40.00
483	122122	4001310612190000	Birch Bay Lighting	84	020	51.00
484	122123	4001310613590000	Birch Bay Lighting	84	020	40.00
485	122124	4001310614230000	Birch Bay Lighting	84	020	127.00
486	122128	4001310621630000	Birch Bay Lighting	84	020	38.63
487	122129	4001310623120000	Birch Bay Lighting	84	020	46.00
488	122130	4001310623620000	Birch Bay Lighting	84	020	40.00
489	122132	4001310633660000	Birch Bay Lighting	84	020	40.00
490	122133	4001310633700000	Birch Bay Lighting	84	020	40.00
491	122138	4001310652520000	Birch Bay Lighting	84	020	50.00
492	122139	4001310653750000	Birch Bay Lighting	84	020	55.00
493	122140	4001310654570000	Birch Bay Lighting	84	020	23.75
494	122141	4001310654570001	Birch Bay Lighting	84	020	23.75
495	122142	4001310654570002	Birch Bay Lighting	84	020	23.75
496	122143	4001310654570003	Birch Bay Lighting	84	020	23.75
497	122144	4001310654570004	Birch Bay Lighting	84	020	23.75
498	122145	4001310654570005	Birch Bay Lighting	84	020	23.75
499	122146	4001310654570006	Birch Bay Lighting	84	020	23.75
500	122147	4001310654570007	Birch Bay Lighting	84	020	23.75
501	122148	4001310654570008	Birch Bay Lighting	84	020	23.75
502	122149	4001310654570009	Birch Bay Lighting	84	020	23.75
503	122150	4001310654570010	Birch Bay Lighting	84	020	23.75
504	122151	4001310654570011	Birch Bay Lighting	84	020	23.75
505	122153	4001310662270000	Birch Bay Lighting	84	020	49.00
506	122155	4001310663820000	Birch Bay Lighting	84	020	65.00
507	122157	4001310673130000	Birch Bay Lighting	84	020	44.00
508	122160	4001310682310000	Birch Bay Lighting	84	020	50.00
509	122161	4001310682600000	Birch Bay Lighting	84	020	50.00
510	122162	4001310683290000	Birch Bay Lighting	84	020	51.20
511	122163	4001310683870000	Birch Bay Lighting	84	020	40.00
512	122164	4001310693390000	Birch Bay Lighting	84	020	163.20
513	122166	4001310693910000	Birch Bay Lighting	84	020	40.00
514	122169	4001310702350000	Birch Bay Lighting	84	020	50.00
515	122170	4001310703950000	Birch Bay Lighting	84	020	40.00
516	122172	4001310713110000	Birch Bay Lighting	84	020	44.00
517	122173	4001310713450000	Birch Bay Lighting	84	020	47.20
518	122175	4001310713990000	Birch Bay Lighting	84	020	40.00
519	122176	4001310714030000	Birch Bay Lighting	84	020	40.00
520	122178	4001310714070000	Birch Bay Lighting	84	020	40.00
521	122180	4001310722630000	Birch Bay Lighting	84	020	50.30
522	122181	4001310723320000	Birch Bay Lighting	84	020	52.00
523	122182	4001310724110000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

524	122183	4001310724150000	Birch Bay Lighting	84	020	40.00
525	122190	4001310742390000	Birch Bay Lighting	84	020	41.10
526	122192	4001310743660000	Birch Bay Lighting	84	020	40.00
527	122194	4001310752440000	Birch Bay Lighting	84	020	50.00
528	122195	4001310753490000	Birch Bay Lighting	84	020	81.50
529	122196	4001310753620000	Birch Bay Lighting	84	020	23.00
530	122197	4001310754220000	Birch Bay Lighting	84	020	137.31
531	122199	4001310763100000	Birch Bay Lighting	84	020	44.00
532	122200	4001310763210000	Birch Bay Lighting	84	020	70.00
533	122201	4001310763350000	Birch Bay Lighting	84	020	51.60
534	122202	4001310763700000	Birch Bay Lighting	84	020	40.00
535	122204	4001310773850000	Birch Bay Lighting	84	020	30.40
536	122207	4001310782490000	Birch Bay Lighting	84	020	50.00
537	122208	4001310783740000	Birch Bay Lighting	84	020	33.40
538	122212	4001310793390000	Birch Bay Lighting	84	020	50.00
539	122213	4001310793530000	Birch Bay Lighting	84	020	40.00
540	122214	4001310793670000	Birch Bay Lighting	84	020	60.00
541	122215	4001310803230000	Birch Bay Lighting	84	020	50.00
542	122216	4001310805070000	Birch Bay Lighting	84	020	205.00
543	122219	4001310813080000	Birch Bay Lighting	84	020	57.50
544	122220	4001310813850000	Birch Bay Lighting	84	020	40.00
545	122221	4001310813910000	Birch Bay Lighting	84	020	46.50
546	122222	4001310813950000	Birch Bay Lighting	84	020	40.00
547	122223	4001310815270000	Birch Bay Lighting	84	020	160.00
548	122225	4001310823360000	Birch Bay Lighting	84	020	40.00
549	122226	4001310823980000	Birch Bay Lighting	84	020	41.80
550	122229	4001310832550000	Birch Bay Lighting	84	020	100.00
551	122230	4001310833420000	Birch Bay Lighting	84	020	50.00
552	122231	4001310834060000	Birch Bay Lighting	84	020	40.00
553	122232	4001310834100000	Birch Bay Lighting	84	020	40.00
554	122240	4001310853160000	Birch Bay Lighting	84	020	32.00
555	122243	4001310853260000	Birch Bay Lighting	84	020	40.40
556	122244	4001310853580000	Birch Bay Lighting	84	020	40.00
557	122245	4001310853710000	Birch Bay Lighting	84	020	40.00
558	122247	4001310853840000	Birch Bay Lighting	84	020	40.00
559	122253	4001310863450000	Birch Bay Lighting	84	020	50.00
560	122254	4001310863730000	Birch Bay Lighting	84	020	44.00
561	122258	4001310873610000	Birch Bay Lighting	84	020	40.00
562	122259	4001310874170000	Birch Bay Lighting	84	020	82.50
563	122260	4001310874270000	Birch Bay Lighting	84	020	101.50
564	122261	4001310883960000	Birch Bay Lighting	84	020	40.00
565	122263	4001310892610000	Birch Bay Lighting	84	020	29.60
566	122264	4001310893170000	Birch Bay Lighting	84	020	45.00
567	122265	4001310893270000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

568	122266	4001310893490000	Birch Bay Lighting	84	020	50.00
569	122267	4001310893840000	Birch Bay Lighting	84	020	40.00
570	122273	4001310903350000	Birch Bay Lighting	84	020	50.00
571	122275	4001310913640000	Birch Bay Lighting	84	020	40.00
572	122276	4001310923960000	Birch Bay Lighting	84	020	40.00
573	122280	4001310933200000	Birch Bay Lighting	84	020	50.00
574	122281	4001310933530000	Birch Bay Lighting	84	020	50.00
575	122282	4001310933660000	Birch Bay Lighting	84	020	40.00
576	122283	4001310933840000	Birch Bay Lighting	84	020	40.00
577	122286	4001310953380000	Birch Bay Lighting	84	020	50.00
578	122289	4001310962390000	Birch Bay Lighting	84	020	38.63
579	122290	4001310963230000	Birch Bay Lighting	84	020	50.00
580	122291	4001310963570000	Birch Bay Lighting	84	020	50.00
581	122292	4001310963690000	Birch Bay Lighting	84	020	40.00
582	122293	4001310963960000	Birch Bay Lighting	84	020	40.00
583	122295	4001310973840000	Birch Bay Lighting	84	020	21.40
584	122297	4001310983070000	Birch Bay Lighting	84	020	113.30
585	122298	4001310983900000	Birch Bay Lighting	84	020	51.00
586	122299	4001310984850000	Birch Bay Lighting	84	020	21.66
587	122300	4001310984850001	Birch Bay Lighting	84	020	21.66
588	122301	4001310984850002	Birch Bay Lighting	84	020	21.66
589	122302	4001310984850003	Birch Bay Lighting	84	020	21.66
590	122303	4001310984850004	Birch Bay Lighting	84	020	21.66
591	122304	4001310984850005	Birch Bay Lighting	84	020	21.66
592	122305	4001310984850006	Birch Bay Lighting	84	020	21.66
593	122306	4001310984850007	Birch Bay Lighting	84	020	21.66
594	122312	4001310984970005	Birch Bay Lighting	84	020	13.46
595	122313	4001310984970006	Birch Bay Lighting	84	020	13.46
596	122314	4001310984970007	Birch Bay Lighting	84	020	13.46
597	122307	4001310984970000	Birch Bay Lighting	84	020	13.46
598	122308	4001310984970001	Birch Bay Lighting	84	020	13.46
599	122309	4001310984970002	Birch Bay Lighting	84	020	13.46
600	122310	4001310984970003	Birch Bay Lighting	84	020	13.46
601	122311	4001310984970004	Birch Bay Lighting	84	020	13.46
602	122321	4001310993260000	Birch Bay Lighting	84	020	48.00
603	122324	4001310993400000	Birch Bay Lighting	84	020	50.00
604	122325	4001310993610000	Birch Bay Lighting	84	020	50.00
605	122326	4001310993720000	Birch Bay Lighting	84	020	44.00
606	122327	4001310995470000	Birch Bay Lighting	84	020	45.00
607	122328	4001310995530000	Birch Bay Lighting	84	020	45.00
608	122330	4001311005570000	Birch Bay Lighting	84	020	45.00
609	122334	4001311015420000	Birch Bay Lighting	84	020	45.00
610	122336	4001311023670000	Birch Bay Lighting	84	020	40.20
611	122337	4001311023960000	Birch Bay Lighting	84	020	71.40

EXHIBIT A

612	122339	4001311024160001	Birch Bay Lighting	84	020	6.61
613	122340	4001311024160002	Birch Bay Lighting	84	020	6.61
614	122341	4001311024160003	Birch Bay Lighting	84	020	6.61
615	122342	4001311024160004	Birch Bay Lighting	84	020	6.61
616	122343	4001311024160005	Birch Bay Lighting	84	020	6.61
617	122344	4001311024160006	Birch Bay Lighting	84	020	6.61
618	122345	4001311024160007	Birch Bay Lighting	84	020	6.61
619	122346	4001311024160008	Birch Bay Lighting	84	020	6.61
620	122347	4001311024160009	Birch Bay Lighting	84	020	6.61
621	122348	4001311024160010	Birch Bay Lighting	84	020	6.61
622	122349	4001311024160011	Birch Bay Lighting	84	020	6.61
623	122350	4001311024160012	Birch Bay Lighting	84	020	6.61
624	122351	4001311024160013	Birch Bay Lighting	84	020	6.61
625	122352	4001311024160014	Birch Bay Lighting	84	020	6.61
626	122353	4001311024160015	Birch Bay Lighting	84	020	6.61
627	122354	4001311024160016	Birch Bay Lighting	84	020	6.61
628	122355	4001311024160017	Birch Bay Lighting	84	020	6.61
629	122356	4001311024160018	Birch Bay Lighting	84	020	6.61
630	122357	4001311024160019	Birch Bay Lighting	84	020	6.61
631	122358	4001311024160020	Birch Bay Lighting	84	020	6.61
632	122360	4001311033310000	Birch Bay Lighting	84	020	53.00
633	122361	4001311033440000	Birch Bay Lighting	84	020	50.00
634	122363	4001311043760000	Birch Bay Lighting	84	020	40.00
635	122366	4001311053110000	Birch Bay Lighting	84	020	50.00
636	122368	4001311053640000	Birch Bay Lighting	84	020	43.80
637	122370	4001311063340000	Birch Bay Lighting	84	020	50.00
638	122376	4001311073460000	Birch Bay Lighting	84	020	50.00
639	122377	4001311073820000	Birch Bay Lighting	84	020	80.00
640	122399	4001311093150000	Birch Bay Lighting	84	020	50.00
641	122400	4001311093860000	Birch Bay Lighting	84	020	40.00
642	122402	4001311103070000	Birch Bay Lighting	84	020	75.00
643	122403	4001311103370000	Birch Bay Lighting	84	020	50.00
644	122404	4001311103510000	Birch Bay Lighting	84	020	42.70
645	122405	4001311103720000	Birch Bay Lighting	84	020	83.70
646	122407	4001311105420000	Birch Bay Lighting	84	020	45.00
647	122408	4001311105470000	Birch Bay Lighting	84	020	45.00
648	122409	4001311105580000	Birch Bay Lighting	84	020	45.00
649	122417	4001311113190000	Birch Bay Lighting	84	020	23.20
650	122419	4001311115530000	Birch Bay Lighting	84	020	45.00
651	122420	4001311123900000	Birch Bay Lighting	84	020	40.00
652	122424	4001311143410000	Birch Bay Lighting	84	020	51.00
653	122426	4001311143930000	Birch Bay Lighting	84	020	40.00
654	122428	4001311144170000	Birch Bay Lighting	84	020	150.00
655	122430	4001311153560000	Birch Bay Lighting	84	020	41.40

EXHIBIT A

656	122431	4001311153770000	Birch Bay Lighting	84	020	52.30
657	122432	4001311154530000	Birch Bay Lighting	84	020	386.14
658	122433	4001311163080000	Birch Bay Lighting	84	020	50.00
659	122434	4001311163190000	Birch Bay Lighting	84	020	50.00
660	122436	4001311163830000	Birch Bay Lighting	84	020	51.70
661	122454	4001311173440000	Birch Bay Lighting	84	020	53.40
662	122455	4001311173970000	Birch Bay Lighting	84	020	16.00
663	122456	4001311183600000	Birch Bay Lighting	84	020	50.00
664	122459	4001311193290000	Birch Bay Lighting	84	020	33.00
665	122460	4001311193870000	Birch Bay Lighting	84	020	50.00
666	122461	4001311202360000	Birch Bay Lighting	84	020	38.62
667	122462	4001311203180000	Birch Bay Lighting	84	020	50.00
668	122463	4001311203930000	Birch Bay Lighting	84	020	139.00
669	122468	4001311205540000	Birch Bay Lighting	84	020	40.00
670	122471	4001311213090000	Birch Bay Lighting	84	020	79.00
671	122472	4001311213510000	Birch Bay Lighting	84	020	140.20
672	122473	4001311213640000	Birch Bay Lighting	84	020	50.00
673	122475	4001311215440001	Birch Bay Lighting	84	020	92.00
674	122476	4001311215440002	Birch Bay Lighting	84	020	23.00
675	122478	4001311223310000	Birch Bay Lighting	84	020	37.50
676	122479	4001311223700000	Birch Bay Lighting	84	020	92.00
677	122486	4001311243180000	Birch Bay Lighting	84	020	29.00
678	122488	4001311253360000	Birch Bay Lighting	84	020	60.00
679	122514	4001311305460000	Birch Bay Lighting	84	020	10.00
680	122520	4001311325420000	Birch Bay Lighting	84	020	60.00
681	122521	4001311335530000	Birch Bay Lighting	84	020	60.00
682	122528	4001311365470000	Birch Bay Lighting	84	020	50.00
683	122530	4001311385130000	Birch Bay Lighting	84	020	190.00
684	122532	4001311395300000	Birch Bay Lighting	84	020	189.00
685	122553	4001311453500000	Birch Bay Lighting	84	020	283.52
686	122559	4001311485530000	Birch Bay Lighting	84	020	60.00
687	122562	4001311495460000	Birch Bay Lighting	84	020	26.00
688	122568	4001311505380000	Birch Bay Lighting	84	020	44.00
689	122580	4001311535460000	Birch Bay Lighting	84	020	50.00
690	122581	4001311535530000	Birch Bay Lighting	84	020	60.00
691	122585	4001311543750000	Birch Bay Lighting	84	020	109.10
692	122586	4001311544440000	Birch Bay Lighting	84	020	128.00
693	122597	4001311593700000	Birch Bay Lighting	84	020	60.00
694	122600	4001311603880000	Birch Bay Lighting	84	020	100.00
695	122612	4001311623590000	Birch Bay Lighting	84	020	52.70
696	122620	4001311643460000	Birch Bay Lighting	84	020	60.00
697	122621	4001311643520000	Birch Bay Lighting	84	020	61.70
698	122622	4001311643660000	Birch Bay Lighting	84	020	70.70
699	122629	4001311654210000	Birch Bay Lighting	84	020	70.00

EXHIBIT A

700	122632	4001311663400000	Birch Bay Lighting	84	020	60.00
701	122633	4001311663850000	Birch Bay Lighting	84	020	70.00
702	122639	4001311673330000	Birch Bay Lighting	84	020	56.00
703	122651	4001311723280000	Birch Bay Lighting	84	020	55.00
704	122652	4001311723820000	Birch Bay Lighting	84	020	60.00
705	122653	4001311724210000	Birch Bay Lighting	84	020	70.00
706	122670	4001311773220000	Birch Bay Lighting	84	020	57.90
707	122671	4001311774210000	Birch Bay Lighting	84	020	70.00
708	122676	4001311783580000	Birch Bay Lighting	84	020	68.60
709	122677	4001311783790000	Birch Bay Lighting	84	020	60.00
710	122687	4001311804560000	Birch Bay Lighting	84	020	410.00
711	122688	4001311813430000	Birch Bay Lighting	84	020	159.70
712	122697	4001311823200000	Birch Bay Lighting	84	020	60.00
713	122700	4001311833540000	Birch Bay Lighting	84	020	60.00
714	122701	4001311833760000	Birch Bay Lighting	84	020	60.00
715	122702	4001311834240000	Birch Bay Lighting	84	020	67.00
716	122711	4001311864240000	Birch Bay Lighting	84	020	145.30
717	122714	4001311873160000	Birch Bay Lighting	84	020	60.00
718	122715	4001311873390000	Birch Bay Lighting	84	020	60.30
719	122716	4001311883510000	Birch Bay Lighting	84	020	60.00
720	122717	4001311883720000	Birch Bay Lighting	84	020	60.00
721	122725	4001311923130000	Birch Bay Lighting	84	020	60.00
722	122726	4001311923360000	Birch Bay Lighting	84	020	60.00
723	122727	4001311933480000	Birch Bay Lighting	84	020	60.00
724	122728	4001311933690000	Birch Bay Lighting	84	020	60.00
725	122735	4001311964590000	Birch Bay Lighting	84	020	60.00
726	122737	4001311973070000	Birch Bay Lighting	84	020	87.60
727	122738	4001311973330000	Birch Bay Lighting	84	020	60.00
728	122740	4001311983450000	Birch Bay Lighting	84	020	60.00
729	122741	4001311983660000	Birch Bay Lighting	84	020	60.00
730	122748	4001312003840000	Birch Bay Lighting	84	020	255.74
731	122751	4001312023300000	Birch Bay Lighting	84	020	60.00
732	122752	4001312024180000	Birch Bay Lighting	84	020	110.00
733	122755	4001312033420000	Birch Bay Lighting	84	020	60.00
734	122756	4001312033630000	Birch Bay Lighting	84	020	60.00
735	122777	4001312073260000	Birch Bay Lighting	84	020	66.60
736	122779	4001312083390000	Birch Bay Lighting	84	020	60.00
737	122780	4001312083600000	Birch Bay Lighting	84	020	60.00
738	122793	4001312102600000	Birch Bay Lighting	84	020	94.51
739	122794	4001312104080000	Birch Bay Lighting	84	020	50.00
740	122795	4001312104110000	Birch Bay Lighting	84	020	85.00
741	122798	4001312114270000	Birch Bay Lighting	84	020	90.00
742	122806	4001312143220000	Birch Bay Lighting	84	020	57.50
743	122807	4001312143350000	Birch Bay Lighting	84	020	60.00

EXHIBIT A

744	122808	4001312143560000	Birch Bay Lighting	84	020	60.00
745	122821	4001312183030000	Birch Bay Lighting	84	020	85.00
746	122824	4001312193320000	Birch Bay Lighting	84	020	60.00
747	122825	4001312193540000	Birch Bay Lighting	84	020	65.00
748	122826	4001312194110000	Birch Bay Lighting	84	020	75.00
749	122834	4001312204260000	Birch Bay Lighting	84	020	50.00
750	122839	4001312224040000	Birch Bay Lighting	84	020	90.00
751	122841	4001312233060000	Birch Bay Lighting	84	020	85.00
752	122843	4001312243280000	Birch Bay Lighting	84	020	175.60
753	122844	4001312244280000	Birch Bay Lighting	84	020	50.00
754	122850	4001312253500000	Birch Bay Lighting	84	020	75.00
755	122876	4001312304040000	Birch Bay Lighting	84	020	70.00
756	122878	4001312304270000	Birch Bay Lighting	84	020	50.00
757	122880	4001312304750000	Birch Bay Lighting	84	020	326.98
758	122892	4001312313460000	Birch Bay Lighting	84	020	60.00
759	122902	4001312344270000	Birch Bay Lighting	84	020	50.00
760	122923	4001312363090000	Birch Bay Lighting	84	020	60.00
761	122924	4001312364260000	Birch Bay Lighting	84	020	50.00
762	122926	4001312364420000	Birch Bay Lighting	84	020	273.55
763	122938	4001312374040000	Birch Bay Lighting	84	020	70.00
764	122941	4001312383400000	Birch Bay Lighting	84	020	50.00
765	122942	4001312393190000	Birch Bay Lighting	84	020	60.02
766	122950	4001312403340000	Birch Bay Lighting	84	020	54.90
767	122958	4001312413260000	Birch Bay Lighting	84	020	50.00
768	122959	4001312414040000	Birch Bay Lighting	84	020	70.00
769	122980	4001312444260000	Birch Bay Lighting	84	020	87.50
770	123002	4001312503120000	Birch Bay Lighting	84	020	47.38
771	123006	4001312504030000	Birch Bay Lighting	84	020	50.00
772	123010	4001312534260000	Birch Bay Lighting	84	020	62.50
773	123011	4001312544010000	Birch Bay Lighting	84	020	88.80
774	123013	4001312544120000	Birch Bay Lighting	84	020	55.20
775	123016	4001312544180000	Birch Bay Lighting	84	020	72.00
776	151176	4051234972580000	Birch Bay Lighting	84	020	60.00
777	151180	4051235052560000	Birch Bay Lighting	84	020	75.00
778	151186	4051235132550000	Birch Bay Lighting	84	020	90.00
779	151192	4051235212550000	Birch Bay Lighting	84	020	90.00
780	151204	4051235453020000	Birch Bay Lighting	84	020	285.33
781	151205	4051235572560000	Birch Bay Lighting	84	020	60.00
782	151207	4051240042520000	Birch Bay Lighting	84	020	60.00
783	151208	4051240043260000	Birch Bay Lighting	84	020	30.00
784	151209	4051240043410000	Birch Bay Lighting	84	020	34.01
785	151210	4051240053510000	Birch Bay Lighting	84	020	59.91
786	151211	4051240063580000	Birch Bay Lighting	84	020	73.31
787	151212	4051240063660000	Birch Bay Lighting	84	020	70.00

EXHIBIT A

788	151213	4051240063730000	Birch Bay Lighting	84	020	70.00
789	151214	4051240063790000	Birch Bay Lighting	84	020	70.00
790	151215	4051240063870000	Birch Bay Lighting	84	020	70.00
791	151216	4051240063940000	Birch Bay Lighting	84	020	70.00
792	151217	4051240064010000	Birch Bay Lighting	84	020	70.00
793	151218	4051240064080000	Birch Bay Lighting	84	020	70.00
794	151219	4051240064150000	Birch Bay Lighting	84	020	70.00
795	151220	4051240064210000	Birch Bay Lighting	84	020	70.00
796	151221	4051240064290000	Birch Bay Lighting	84	020	70.70
797	151222	4051240093380000	Birch Bay Lighting	84	020	27.90
798	151223	4051240102470000	Birch Bay Lighting	84	020	70.02
799	151225	4051240163410000	Birch Bay Lighting	84	020	35.90
800	151227	4051240182330000	Birch Bay Lighting	84	020	223.07
801	151228	4051240192460000	Birch Bay Lighting	84	020	90.25
802	151229	4051240223390000	Birch Bay Lighting	84	020	72.40
803	151230	4051240223560000	Birch Bay Lighting	84	020	69.59
804	151231	4051240233260000	Birch Bay Lighting	84	020	53.40
805	151232	4051240233640000	Birch Bay Lighting	84	020	79.33
806	151233	4051240234100000	Birch Bay Lighting	84	020	96.60
807	151234	4051240234260000	Birch Bay Lighting	84	020	84.60
808	151236	4051240253730000	Birch Bay Lighting	84	020	70.00
809	151237	4051240253790000	Birch Bay Lighting	84	020	70.00
810	151238	4051240253860000	Birch Bay Lighting	84	020	70.00
811	151239	4051240253930000	Birch Bay Lighting	84	020	70.00
812	151240	4051240254000000	Birch Bay Lighting	84	020	70.00
813	151242	4051240282440000	Birch Bay Lighting	84	020	90.32
814	151243	4051240293070000	Birch Bay Lighting	84	020	207.30
815	151245	4051240303390000	Birch Bay Lighting	84	020	72.12
816	151246	4051240314260000	Birch Bay Lighting	84	020	74.00
817	151247	4051240323290000	Birch Bay Lighting	84	020	54.90
818	151257	4051240332550000	Birch Bay Lighting	84	020	58.30
819	151260	4051240334100000	Birch Bay Lighting	84	020	92.30
820	151263	4051240373400000	Birch Bay Lighting	84	020	72.08
821	151264	4051240373600000	Birch Bay Lighting	84	020	155.06
822	151265	4051240384260000	Birch Bay Lighting	84	020	74.00
823	151266	4051240393920000	Birch Bay Lighting	84	020	70.00
824	151267	4051240394000000	Birch Bay Lighting	84	020	70.00
825	151268	4051240403710000	Birch Bay Lighting	84	020	62.50
826	151269	4051240403780000	Birch Bay Lighting	84	020	70.00
827	151270	4051240403850000	Birch Bay Lighting	84	020	85.00
828	151271	4051240413270000	Birch Bay Lighting	84	020	91.00
829	151272	4051240424100000	Birch Bay Lighting	84	020	96.60
830	151273	4051240432450000	Birch Bay Lighting	84	020	62.80
831	151274	4051240433390000	Birch Bay Lighting	84	020	72.50

EXHIBIT A

832	151275	4051240464270000	Birch Bay Lighting	84	020	45.00
833	151280	4051240492420000	Birch Bay Lighting	84	020	80.50
834	151281	4051240493190000	Birch Bay Lighting	84	020	91.61
835	151282	4051240502540000	Birch Bay Lighting	84	020	67.50
836	151283	4051240513390000	Birch Bay Lighting	84	020	76.30
837	151284	4051240533020000	Birch Bay Lighting	84	020	28.20
838	151285	4051240543290000	Birch Bay Lighting	84	020	120.30
839	151286	4051240554270000	Birch Bay Lighting	84	020	31.00
840	151287	4051240562400000	Birch Bay Lighting	84	020	54.50
841	151288	4051240572530000	Birch Bay Lighting	84	020	27.50
842	151289	4051240593400000	Birch Bay Lighting	84	020	110.80
843	151290	4051240594070000	Birch Bay Lighting	84	020	70.00
844	151292	4051240603580000	Birch Bay Lighting	84	020	76.30
845	151293	4051240603650000	Birch Bay Lighting	84	020	73.31
846	151294	4051240603720000	Birch Bay Lighting	84	020	70.00
847	151295	4051240603790000	Birch Bay Lighting	84	020	70.00
848	151296	4051240603860000	Birch Bay Lighting	84	020	70.00
849	151297	4051240603930000	Birch Bay Lighting	84	020	70.00
850	151298	4051240604000000	Birch Bay Lighting	84	020	70.00
851	151299	4051240604150000	Birch Bay Lighting	84	020	74.80
852	151300	4051240614220000	Birch Bay Lighting	84	020	31.00
853	151301	4051240622390000	Birch Bay Lighting	84	020	52.50
854	151303	4051240643040000	Birch Bay Lighting	84	020	47.10
855	151304	4051240662520000	Birch Bay Lighting	84	020	21.20
856	151305	4051240673080000	Birch Bay Lighting	84	020	49.80
857	151306	4051240682140000	Birch Bay Lighting	84	020	180.00
858	151307	4051240682370000	Birch Bay Lighting	84	020	62.50
859	151309	4051240703240000	Birch Bay Lighting	84	020	104.20
860	151310	4051240703800000	Birch Bay Lighting	84	020	30.01
861	151311	4051240713120000	Birch Bay Lighting	84	020	49.20
862	151312	4051240713580000	Birch Bay Lighting	84	020	30.50
863	151313	4051240713660000	Birch Bay Lighting	84	020	30.01
864	151314	4051240713730000	Birch Bay Lighting	84	020	30.01
865	151315	4051240723330000	Birch Bay Lighting	84	020	68.50
866	151316	4051240732490000	Birch Bay Lighting	84	020	27.40
867	151317	4051240733470000	Birch Bay Lighting	84	020	61.10
868	151319	4051240763150000	Birch Bay Lighting	84	020	67.90
869	151320	4051240773210000	Birch Bay Lighting	84	020	105.90
870	151321	4051240793290000	Birch Bay Lighting	84	020	159.50
871	151322	4051240793570000	Birch Bay Lighting	84	020	62.79
872	151323	4051240802540000	Birch Bay Lighting	84	020	46.30
873	151324	4051240803470000	Birch Bay Lighting	84	020	39.30
874	151325	4051240812120000	Birch Bay Lighting	84	020	138.90
875	151326	4051240823010000	Birch Bay Lighting	84	020	105.50

EXHIBIT A

876	151328	4051240863470000	Birch Bay Lighting	84	020	39.30
877	151329	4051240873750000	Birch Bay Lighting	84	020	130.54
878	151330	4051240883060000	Birch Bay Lighting	84	020	55.90
879	151331	4051240883980000	Birch Bay Lighting	84	020	39.60
880	151332	4051240892070000	Birch Bay Lighting	84	020	131.70
881	151333	4051240893590000	Birch Bay Lighting	84	020	127.97
882	151334	4051240893870000	Birch Bay Lighting	84	020	40.60
883	151335	4051240913120000	Birch Bay Lighting	84	020	68.10
884	151336	4051240913420000	Birch Bay Lighting	84	020	70.50
885	151337	4051240923210000	Birch Bay Lighting	84	020	74.90
886	151338	4051240923290000	Birch Bay Lighting	84	020	75.20
887	151340	4051240972100000	Birch Bay Lighting	84	020	131.70
888	151341	4051240973840000	Birch Bay Lighting	84	020	74.10
889	151342	4051240974030000	Birch Bay Lighting	84	020	50.00
890	151345	4051240983740000	Birch Bay Lighting	84	020	76.10
891	151347	4051241024280000	Birch Bay Lighting	84	020	31.57
892	151348	4051241034140000	Birch Bay Lighting	84	020	71.29
893	151349	4051241034210000	Birch Bay Lighting	84	020	27.40
894	151350	4051241042040000	Birch Bay Lighting	84	020	134.10
895	151351	4051241044090000	Birch Bay Lighting	84	020	54.50
896	151353	4051241053590000	Birch Bay Lighting	84	020	153.57
897	151354	4051241063840000	Birch Bay Lighting	84	020	77.30
898	151355	4051241064010000	Birch Bay Lighting	84	020	96.90
899	151356	4051241073740000	Birch Bay Lighting	84	020	167.88
900	151359	4051241122000000	Birch Bay Lighting	84	020	140.00
901	151361	4051241124280000	Birch Bay Lighting	84	020	40.96
902	151363	4051241152600000	Birch Bay Lighting	84	020	75.00
903	151364	4051241173330000	Birch Bay Lighting	84	020	70.00
904	151365	4051241173400000	Birch Bay Lighting	84	020	70.00
905	151366	4051241173470000	Birch Bay Lighting	84	020	70.00
906	151367	4051241181980000	Birch Bay Lighting	84	020	140.00
907	151368	4051241183120000	Birch Bay Lighting	84	020	70.00
908	151369	4051241183190000	Birch Bay Lighting	84	020	70.00
909	151370	4051241183260000	Birch Bay Lighting	84	020	70.00
910	151371	4051241193040000	Birch Bay Lighting	84	020	75.00
911	151373	4051241224290000	Birch Bay Lighting	84	020	28.38
912	151374	4051241233560000	Birch Bay Lighting	84	020	30.31
913	151375	4051241233640000	Birch Bay Lighting	84	020	30.01
914	151376	4051241233700000	Birch Bay Lighting	84	020	30.07
915	151377	4051241233770000	Birch Bay Lighting	84	020	63.18
916	151378	4051241233850000	Birch Bay Lighting	84	020	83.60
917	151379	4051241233990000	Birch Bay Lighting	84	020	85.60
918	151380	4051241244090000	Birch Bay Lighting	84	020	65.76
919	151381	4051241244160000	Birch Bay Lighting	84	020	72.99

EXHIBIT A

920	151382	4051241244220000	Birch Bay Lighting	84	020	36.28
921	151383	4051241252460000	Birch Bay Lighting	84	020	307.00
922	151384	4051241271890000	Birch Bay Lighting	84	020	100.00
923	151385	4051241361860000	Birch Bay Lighting	84	020	6.00
924	151387	4051241393050000	Birch Bay Lighting	84	020	100.00
925	151388	4051241393130000	Birch Bay Lighting	84	020	75.00
926	151389	4051241402200000	Birch Bay Lighting	84	020	43.00
927	151390	4051241402350000	Birch Bay Lighting	84	020	153.47
928	151391	4051241402470000	Birch Bay Lighting	84	020	72.20
929	151392	4051241402540000	Birch Bay Lighting	84	020	70.00
930	151393	4051241402600000	Birch Bay Lighting	84	020	69.90
931	151399	4051241492240000	Birch Bay Lighting	84	020	93.12
932	151400	4051241492340000	Birch Bay Lighting	84	020	88.20
933	151404	4051241492540000	Birch Bay Lighting	84	020	62.00
934	151405	4051241502130000	Birch Bay Lighting	84	020	100.00
935	151407	4051241502630000	Birch Bay Lighting	84	020	125.60
936	151408	4051241513130000	Birch Bay Lighting	84	020	95.50
937	151410	4051241542300000	Birch Bay Lighting	84	020	50.20
938	151411	4051241561790000	Birch Bay Lighting	84	020	50.00
939	151413	4051241601780000	Birch Bay Lighting	84	020	50.00
940	151414	4051241612270000	Birch Bay Lighting	84	020	50.00
941	151417	4051241622420000	Birch Bay Lighting	84	020	60.00
942	151418	4051241622500000	Birch Bay Lighting	84	020	60.00
943	151419	4051241622630000	Birch Bay Lighting	84	020	60.00
944	151421	4051241651760000	Birch Bay Lighting	84	020	50.00
945	151422	4051241653060000	Birch Bay Lighting	84	020	80.00
946	151423	4051241662260000	Birch Bay Lighting	84	020	70.00
947	151426	4051241672610000	Birch Bay Lighting	84	020	60.00
948	151428	4051241682400000	Birch Bay Lighting	84	020	60.00
949	151429	4051241682470000	Birch Bay Lighting	84	020	60.00
950	151430	4051241683040000	Birch Bay Lighting	84	020	50.00
951	151433	4051241701730000	Birch Bay Lighting	84	020	50.00
952	151436	4051241722230000	Birch Bay Lighting	84	020	50.00
953	151437	4051241722590000	Birch Bay Lighting	84	020	60.00
954	151438	4051241723030000	Birch Bay Lighting	84	020	50.00
955	151439	4051241732370000	Birch Bay Lighting	84	020	50.00
956	151440	4051241741710000	Birch Bay Lighting	84	020	50.00
957	151442	4051241742440000	Birch Bay Lighting	84	020	60.00
958	151445	4051241782210000	Birch Bay Lighting	84	020	85.00
959	151446	4051241782350000	Birch Bay Lighting	84	020	70.00
960	151447	4051241782430000	Birch Bay Lighting	84	020	60.00
961	151448	4051241782570000	Birch Bay Lighting	84	020	60.00
962	151449	4051241791690000	Birch Bay Lighting	84	020	50.00
963	151450	4051241792650000	Birch Bay Lighting	84	020	60.00

EXHIBIT A

964	151453	4051241841670000	Birch Bay Lighting	84	020	60.00
965	151454	4051241842330000	Birch Bay Lighting	84	020	45.00
966	151455	4051241842540000	Birch Bay Lighting	84	020	60.00
967	151456	4051241852170000	Birch Bay Lighting	84	020	45.00
968	151458	4051241852400000	Birch Bay Lighting	84	020	60.00
969	151459	4051241852610000	Birch Bay Lighting	84	020	90.00
970	151461	4051241872300000	Birch Bay Lighting	84	020	35.00
971	151462	4051241881650000	Birch Bay Lighting	84	020	40.00
972	151463	4051241882160000	Birch Bay Lighting	84	020	45.00
973	151465	4051241902510000	Birch Bay Lighting	84	020	60.00
974	151469	4051241912370000	Birch Bay Lighting	84	020	67.00
975	151470	4051241922290000	Birch Bay Lighting	84	020	50.00
976	151471	4051241931630000	Birch Bay Lighting	84	020	50.00
977	151472	4051241932150000	Birch Bay Lighting	84	020	45.00
978	151473	4051241942580000	Birch Bay Lighting	84	020	90.00
979	151475	4051241952490000	Birch Bay Lighting	84	020	60.00
980	151476	4051241962280000	Birch Bay Lighting	84	020	50.00
981	151478	4051241972360000	Birch Bay Lighting	84	020	67.00
982	151481	4051241992000000	Birch Bay Lighting	84	020	86.02
983	151483	4051242002470000	Birch Bay Lighting	84	020	55.00
984	151485	4051242012340000	Birch Bay Lighting	84	020	11.00
985	151486	4051242022250000	Birch Bay Lighting	84	020	65.00
986	151488	4051242022550000	Birch Bay Lighting	84	020	90.00
987	151490	4051242032320000	Birch Bay Lighting	84	020	30.00
988	151491	4051242051580000	Birch Bay Lighting	84	020	40.37
989	151492	4051242052100000	Birch Bay Lighting	84	020	25.00
990	151493	4051242052320000	Birch Bay Lighting	84	020	35.00
991	151494	4051242052450000	Birch Bay Lighting	84	020	50.00
992	151496	4051242071560000	Birch Bay Lighting	84	020	25.00
993	151497	4051242072230000	Birch Bay Lighting	84	020	65.00
994	151500	4051242082520000	Birch Bay Lighting	84	020	45.00
995	151501	4051242092080000	Birch Bay Lighting	84	020	50.00
996	151502	4051242092440000	Birch Bay Lighting	84	020	40.00
997	151503	4051242112290000	Birch Bay Lighting	84	020	90.00
998	151505	4051242121540000	Birch Bay Lighting	84	020	150.00
999	151506	4051242122140000	Birch Bay Lighting	84	020	100.00
1000	151507	4051242122430000	Birch Bay Lighting	84	020	35.00
1001	151508	4051242122510000	Birch Bay Lighting	84	020	45.00
1002	151509	4051242132070000	Birch Bay Lighting	84	020	50.00
1003	151510	4051242132210000	Birch Bay Lighting	84	020	50.00
1004	151511	4051242162410000	Birch Bay Lighting	84	020	30.00
1005	151512	4051242171890000	Birch Bay Lighting	84	020	25.00
1006	151513	4051242172490000	Birch Bay Lighting	84	020	44.90
1007	151514	4051242182180000	Birch Bay Lighting	84	020	56.10

EXHIBIT A

1008	151515	4051242182260000	Birch Bay Lighting	84	020	57.20
1009	151516	4051242192040000	Birch Bay Lighting	84	020	56.70
1010	151519	4051242201510000	Birch Bay Lighting	84	020	50.00
1011	151520	4051242202400000	Birch Bay Lighting	84	020	38.90
1012	151524	4051242242020000	Birch Bay Lighting	84	020	57.80
1013	151525	4051242242160000	Birch Bay Lighting	84	020	57.30
1014	151526	4051242242250000	Birch Bay Lighting	84	020	57.30
1015	151527	4051242242370000	Birch Bay Lighting	84	020	45.00
1016	151528	4051242242470000	Birch Bay Lighting	84	020	69.80
1017	151529	4051242251490000	Birch Bay Lighting	84	020	50.00
1018	151531	4051242272350000	Birch Bay Lighting	84	020	35.50
1019	151535	4051242291470000	Birch Bay Lighting	84	020	50.00
1020	151536	4051242291990000	Birch Bay Lighting	84	020	60.00
1021	151537	4051242292120000	Birch Bay Lighting	84	020	71.00
1022	151538	4051242292210000	Birch Bay Lighting	84	020	71.00
1023	151539	4051242292460000	Birch Bay Lighting	84	020	50.00
1024	151541	4051242331450000	Birch Bay Lighting	84	020	50.00
1025	151544	4051242342330000	Birch Bay Lighting	84	020	35.50
1026	151545	4051242351960000	Birch Bay Lighting	84	020	40.00
1027	151546	4051242352080000	Birch Bay Lighting	84	020	70.00
1028	151547	4051242352210000	Birch Bay Lighting	84	020	70.00
1029	151548	4051242352310000	Birch Bay Lighting	84	020	71.00
1030	151549	4051242352450000	Birch Bay Lighting	84	020	65.40
1031	151551	4051242381430000	Birch Bay Lighting	84	020	50.00
1032	151555	4051242402280000	Birch Bay Lighting	84	020	70.00
1033	151558	4051242412050000	Birch Bay Lighting	84	020	70.00
1034	151559	4051242412160000	Birch Bay Lighting	84	020	70.00
1035	151561	4051242421410000	Birch Bay Lighting	84	020	50.00
1036	151562	4051242421920000	Birch Bay Lighting	84	020	100.00
1037	151563	4051242422490000	Birch Bay Lighting	84	020	66.40
1038	151564	4051242442390000	Birch Bay Lighting	84	020	43.90
1039	151565	4051242461390000	Birch Bay Lighting	84	020	50.00
1040	151567	4051242471900000	Birch Bay Lighting	84	020	81.50
1041	151568	4051242472020000	Birch Bay Lighting	84	020	70.00
1042	151569	4051242472130000	Birch Bay Lighting	84	020	70.00
1043	151570	4051242472260000	Birch Bay Lighting	84	020	70.00
1044	151571	4051242482510000	Birch Bay Lighting	84	020	72.90
1045	151572	4051242501740000	Birch Bay Lighting	84	020	100.00
1046	151574	4051242552290000	Birch Bay Lighting	84	020	50.00
1047	151575	4051242562340000	Birch Bay Lighting	84	020	70.00
1048	151576	4051242562410000	Birch Bay Lighting	84	020	61.00
1049	151577	4051242562460000	Birch Bay Lighting	84	020	61.00
1050	151578	4051242562520000	Birch Bay Lighting	84	020	61.00
1051	151579	4051242562590000	Birch Bay Lighting	84	020	90.00

EXHIBIT A

1052	151580	4051242571950000	Birch Bay Lighting	84	020	50.00
1053	151581	4051242572150000	Birch Bay Lighting	84	020	100.00
1054	151584	4051242591830000	Birch Bay Lighting	84	020	75.00
1055	151586	4051242591890000	Birch Bay Lighting	84	020	50.00
1056	151587	4051242601310000	Birch Bay Lighting	84	020	100.00
1057	176752	4051242602040000	Birch Bay Lighting	84	020	150.00
1058	151593	4051243031770000	Birch Bay Lighting	84	020	23.10
1059	151594	4051243041610000	Birch Bay Lighting	84	020	46.30
1060	151595	4051243041940000	Birch Bay Lighting	84	020	49.20
1061	151596	4051243051760000	Birch Bay Lighting	84	020	23.20
1062	151597	4051243081380000	Birch Bay Lighting	84	020	330.00
1063	151598	4051243091580000	Birch Bay Lighting	84	020	46.30
1064	151599	4051243091730000	Birch Bay Lighting	84	020	46.30
1065	151600	4051243091920000	Birch Bay Lighting	84	020	49.20
1066	151602	4051243131560000	Birch Bay Lighting	84	020	46.30
1067	151603	4051243131710000	Birch Bay Lighting	84	020	46.30
1068	151604	4051243131900000	Birch Bay Lighting	84	020	57.80
1069	151605	4051243152030000	Birch Bay Lighting	84	020	220.00
1070	151608	4051243171540000	Birch Bay Lighting	84	020	46.30
1071	151609	4051243171690000	Birch Bay Lighting	84	020	46.30
1072	151611	4051243191890000	Birch Bay Lighting	84	020	57.80
1073	151612	4051243201670000	Birch Bay Lighting	84	020	46.30
1074	151613	4051243211510000	Birch Bay Lighting	84	020	46.30
1075	151615	4051243231120000	Birch Bay Lighting	84	020	90.00
1076	151616	4051243231850000	Birch Bay Lighting	84	020	57.80
1077	151617	4051243241620000	Birch Bay Lighting	84	020	0.00
1078	151618	4051243241690000	Birch Bay Lighting	84	020	46.30
1079	151619	4051243251490000	Birch Bay Lighting	84	020	46.30
1080	151624	4051243281610000	Birch Bay Lighting	84	020	0.00
1081	151625	4051243282490000	Birch Bay Lighting	84	020	565.00
1082	151626	4051243291470000	Birch Bay Lighting	84	020	46.30
1083	151627	4051243291660000	Birch Bay Lighting	84	020	46.30
1084	151628	4051243291840000	Birch Bay Lighting	84	020	57.80
1085	151630	4051243322080000	Birch Bay Lighting	84	020	150.00
1086	151631	4051243331250000	Birch Bay Lighting	84	020	100.00
1087	151632	4051243331450000	Birch Bay Lighting	84	020	46.30
1088	151633	4051243331600000	Birch Bay Lighting	84	020	46.30
1089	151635	4051243331940000	Birch Bay Lighting	84	020	50.00
1090	151638	4051243341820000	Birch Bay Lighting	84	020	67.80
1091	151639	4051243341990000	Birch Bay Lighting	84	020	50.00
1092	151640	4051243361430000	Birch Bay Lighting	84	020	0.00
1093	151641	4051243362030000	Birch Bay Lighting	84	020	50.00
1094	151643	4051243382290000	Birch Bay Lighting	84	020	55.00
1095	151644	4051243391550000	Birch Bay Lighting	84	020	46.30

EXHIBIT A

1096	151645	4051243391620000	Birch Bay Lighting	84	020	81.90
1097	151646	4051243391760000	Birch Bay Lighting	84	020	40.00
1098	151647	4051243391850000	Birch Bay Lighting	84	020	102.30
1099	151649	4051243411420000	Birch Bay Lighting	84	020	46.30
1100	151650	4051243431050000	Birch Bay Lighting	84	020	50.00
1101	151651	4051243442310000	Birch Bay Lighting	84	020	50.00
1102	151653	4051243451370000	Birch Bay Lighting	84	020	48.30
1103	151656	4051243451620000	Birch Bay Lighting	84	020	40.00
1104	151657	4051243471030000	Birch Bay Lighting	84	020	50.00
1105	151659	4051243481770000	Birch Bay Lighting	84	020	60.00
1106	151660	4051243481870000	Birch Bay Lighting	84	020	64.60
1107	151661	4051243481940000	Birch Bay Lighting	84	020	50.00
1108	151662	4051243482080000	Birch Bay Lighting	84	020	55.00
1109	151668	4051243492310000	Birch Bay Lighting	84	020	50.00
1110	151669	4051243492330000	Birch Bay Lighting	84	020	20.00
1111	174422	4051243501970000	Birch Bay Lighting	84	020	50.00
1112	174423	4051243502020000	Birch Bay Lighting	84	020	50.00
1113	151671	4051243511420000	Birch Bay Lighting	84	020	79.61
1114	151672	4051243521010000	Birch Bay Lighting	84	020	50.00
1115	151673	4051243531770000	Birch Bay Lighting	84	020	50.00
1116	151676	4051243532090000	Birch Bay Lighting	84	020	55.00
1117	151677	4051243541590000	Birch Bay Lighting	84	020	120.00
1118	151678	4051243542310000	Birch Bay Lighting	84	020	50.00
1119	151679	4051243542320000	Birch Bay Lighting	84	020	50.00
1120	151680	4051243542470000	Birch Bay Lighting	84	020	50.00
1121	151682	4051243542570000	Birch Bay Lighting	84	020	50.00
1122	151683	4051243560980000	Birch Bay Lighting	84	020	50.00
1123	151684	4051243561460000	Birch Bay Lighting	84	020	86.00
1124	151685	4051243581990000	Birch Bay Lighting	84	020	50.00
1125	151686	4051243591370000	Birch Bay Lighting	84	020	101.70
1126	151688	4051243591790000	Birch Bay Lighting	84	020	50.00
1127	151689	4051243592310000	Birch Bay Lighting	84	020	50.00
1128	151690	4051243592320000	Birch Bay Lighting	84	020	50.00
1129	151691	4051243592570000	Birch Bay Lighting	84	020	50.00
1130	151692	4051243600940000	Birch Bay Lighting	84	020	50.00
1131	151694	4051243601580000	Birch Bay Lighting	84	020	31.40
1132	151695	4051243602470000	Birch Bay Lighting	84	020	50.00
1133	151698	4051243631790000	Birch Bay Lighting	84	020	50.00
1134	151699	4051243631990000	Birch Bay Lighting	84	020	50.00
1135	151700	4051243642470000	Birch Bay Lighting	84	020	50.00
1136	151701	4051243642570000	Birch Bay Lighting	84	020	50.00
1137	151702	4051243650940000	Birch Bay Lighting	84	020	50.00
1138	151705	4051243651600000	Birch Bay Lighting	84	020	40.00
1139	151706	4051243652310000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1140	151707	4051243671790000	Birch Bay Lighting	84	020	25.00
1141	151708	4051243672330000	Birch Bay Lighting	84	020	100.00
1142	151709	4051243691630000	Birch Bay Lighting	84	020	56.90
1143	151710	4051243692000000	Birch Bay Lighting	84	020	50.00
1144	151712	4051243692310000	Birch Bay Lighting	84	020	50.00
1145	151714	4051243692470000	Birch Bay Lighting	84	020	50.00
1146	151715	4051243692570000	Birch Bay Lighting	84	020	50.00
1147	151716	4051243700920000	Birch Bay Lighting	84	020	50.00
1148	151718	4051243701790000	Birch Bay Lighting	84	020	25.00
1149	151719	4051243731790000	Birch Bay Lighting	84	020	50.00
1150	151720	4051243732310000	Birch Bay Lighting	84	020	50.00
1151	151721	4051243732470000	Birch Bay Lighting	84	020	50.00
1152	151722	4051243732570000	Birch Bay Lighting	84	020	50.00
1153	151726	4051243742320000	Birch Bay Lighting	84	020	50.00
1154	151727	4051243750860000	Birch Bay Lighting	84	020	100.00
1155	151730	4051243751400000	Birch Bay Lighting	84	020	156.20
1156	151731	4051243751510000	Birch Bay Lighting	84	020	115.00
1157	151732	4051243752000000	Birch Bay Lighting	84	020	75.00
1158	151734	4051243772310000	Birch Bay Lighting	84	020	50.00
1159	151736	4051243781800000	Birch Bay Lighting	84	020	89.60
1160	151738	4051243791550000	Birch Bay Lighting	84	020	60.00
1161	151740	4051243821400000	Birch Bay Lighting	84	020	46.20
1162	151741	4051243821880000	Birch Bay Lighting	84	020	40.00
1163	151742	4051243821940000	Birch Bay Lighting	84	020	40.00
1164	151743	4051243822010000	Birch Bay Lighting	84	020	40.00
1165	151744	4051243822050000	Birch Bay Lighting	84	020	40.00
1166	151745	4051243822100000	Birch Bay Lighting	84	020	65.00
1167	151746	4051243822290000	Birch Bay Lighting	84	020	55.00
1168	151747	4051243822350000	Birch Bay Lighting	84	020	100.00
1169	151748	4051243822600000	Birch Bay Lighting	84	020	100.00
1170	151750	4051243831830000	Birch Bay Lighting	84	020	101.40
1171	151751	4051243831970000	Birch Bay Lighting	84	020	40.00
1172	151752	4051243832180000	Birch Bay Lighting	84	020	0.00
1173	151753	4051243832230000	Birch Bay Lighting	84	020	50.00
1174	151754	4051243832450000	Birch Bay Lighting	84	020	100.00
1175	151755	4051243832500000	Birch Bay Lighting	84	020	54.40
1176	151757	4051243832540000	Birch Bay Lighting	84	020	27.20
1177	151758	4051243841600000	Birch Bay Lighting	84	020	60.00
1178	151759	4051243850850000	Birch Bay Lighting	84	020	100.00
1179	151760	4051243861410000	Birch Bay Lighting	84	020	46.20
1180	151762	4051243871650000	Birch Bay Lighting	84	020	60.00
1181	151763	4051243882560000	Birch Bay Lighting	84	020	27.20
1182	151764	4051243901720000	Birch Bay Lighting	84	020	60.00
1183	151765	4051243911430000	Birch Bay Lighting	84	020	46.20

EXHIBIT A

1184	151766	4051243920800000	Birch Bay Lighting	84	020	50.00
1185	151767	4051243921830000	Birch Bay Lighting	84	020	56.00
1186	151769	4051243942580000	Birch Bay Lighting	84	020	100.00
1187	151770	4051243951430000	Birch Bay Lighting	84	020	46.20
1188	151771	4051243951880000	Birch Bay Lighting	84	020	50.00
1189	151772	4051243952080000	Birch Bay Lighting	84	020	100.00
1190	151773	4051243960780000	Birch Bay Lighting	84	020	50.00
1191	151774	4051243961710000	Birch Bay Lighting	84	020	45.00
1192	151775	4051243961930000	Birch Bay Lighting	84	020	50.00
1193	151776	4051243961980000	Birch Bay Lighting	84	020	50.00
1194	151777	4051243962030000	Birch Bay Lighting	84	020	50.00
1195	151778	4051243962180000	Birch Bay Lighting	84	020	97.00
1196	151779	4051243962250000	Birch Bay Lighting	84	020	113.00
1197	151781	4051243962450000	Birch Bay Lighting	84	020	100.00
1198	151782	4051243962490000	Birch Bay Lighting	84	020	50.00
1199	151784	4051243972330000	Birch Bay Lighting	84	020	125.00
1200	151786	4051243981610000	Birch Bay Lighting	84	020	92.40
1201	151787	4051243981830000	Birch Bay Lighting	84	020	44.00
1202	151788	4051244001430000	Birch Bay Lighting	84	020	46.20
1203	151790	4051244011710000	Birch Bay Lighting	84	020	45.00
1204	151791	4051244022320000	Birch Bay Lighting	84	020	25.00
1205	151792	4051244022480000	Birch Bay Lighting	84	020	50.00
1206	151793	4051244030740000	Birch Bay Lighting	84	020	75.00
1207	151794	4051244031880000	Birch Bay Lighting	84	020	50.00
1208	151795	4051244032040000	Birch Bay Lighting	84	020	50.00
1209	151796	4051244032210000	Birch Bay Lighting	84	020	50.00
1210	151798	4051244032440000	Birch Bay Lighting	84	020	50.00
1211	151799	4051244032580000	Birch Bay Lighting	84	020	50.00
1212	151802	4051244051430000	Birch Bay Lighting	84	020	46.20
1213	151803	4051244051620000	Birch Bay Lighting	84	020	46.20
1214	151804	4051244051710000	Birch Bay Lighting	84	020	45.00
1215	151806	4051244080710000	Birch Bay Lighting	84	020	75.00
1216	151807	4051244081890000	Birch Bay Lighting	84	020	50.00
1217	151808	4051244082040000	Birch Bay Lighting	84	020	50.00
1218	151809	4051244082310000	Birch Bay Lighting	84	020	50.00
1219	151810	4051244082470000	Birch Bay Lighting	84	020	50.00
1220	151811	4051244082580000	Birch Bay Lighting	84	020	50.00
1221	151813	4051244091440000	Birch Bay Lighting	84	020	45.00
1222	151814	4051244091620000	Birch Bay Lighting	84	020	45.00
1223	151815	4051244091710000	Birch Bay Lighting	84	020	45.00
1224	151816	4051244092200000	Birch Bay Lighting	84	020	75.00
1225	151817	4051244102040000	Birch Bay Lighting	84	020	50.00
1226	151818	4051244122330000	Birch Bay Lighting	84	020	50.00
1227	151819	4051244122470000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1228	151820	4051244122580000	Birch Bay Lighting	84	020	50.00
1229	151821	4051244130670000	Birch Bay Lighting	84	020	50.00
1230	151822	4051244131720000	Birch Bay Lighting	84	020	45.00
1231	151823	4051244131900000	Birch Bay Lighting	84	020	50.00
1232	151824	4051244141440000	Birch Bay Lighting	84	020	45.00
1233	151825	4051244141620000	Birch Bay Lighting	84	020	45.00
1234	151827	4051244171900000	Birch Bay Lighting	84	020	50.00
1235	151828	4051244172210000	Birch Bay Lighting	84	020	75.00
1236	151829	4051244172330000	Birch Bay Lighting	84	020	50.00
1237	151831	4051244172470000	Birch Bay Lighting	84	020	50.00
1238	151832	4051244172580000	Birch Bay Lighting	84	020	50.00
1239	151834	4051244181440000	Birch Bay Lighting	84	020	45.00
1240	151835	4051244181620000	Birch Bay Lighting	84	020	45.00
1241	151836	4051244181710000	Birch Bay Lighting	84	020	45.00
1242	151837	4051244182040000	Birch Bay Lighting	84	020	50.00
1243	151839	4051244221440000	Birch Bay Lighting	84	020	45.00
1244	151840	4051244221620000	Birch Bay Lighting	84	020	45.00
1245	151841	4051244221710000	Birch Bay Lighting	84	020	45.00
1246	151843	4051244222000000	Birch Bay Lighting	84	020	50.00
1247	151845	4051244222220000	Birch Bay Lighting	84	020	69.95
1248	151846	4051244222300000	Birch Bay Lighting	84	020	69.42
1249	151847	4051244232470000	Birch Bay Lighting	84	020	67.50
1250	151848	4051244232580000	Birch Bay Lighting	84	020	50.00
1251	151849	4051244241850000	Birch Bay Lighting	84	020	95.00
1252	151851	4051244270830000	Birch Bay Lighting	84	020	50.00
1253	151853	4051244271480000	Birch Bay Lighting	84	020	45.00
1254	151854	4051244271620000	Birch Bay Lighting	84	020	45.00
1255	151855	4051244271710000	Birch Bay Lighting	84	020	45.00
1256	151860	4051244292000000	Birch Bay Lighting	84	020	90.00
1257	151862	4051244292580000	Birch Bay Lighting	84	020	87.50
1258	151864	4051244302200000	Birch Bay Lighting	84	020	69.95
1259	151865	4051244302330000	Birch Bay Lighting	84	020	69.42
1260	151866	4051244302470000	Birch Bay Lighting	84	020	72.50
1261	151868	4051244311420000	Birch Bay Lighting	84	020	45.00
1262	151870	4051244311620000	Birch Bay Lighting	84	020	45.00
1263	151871	4051244311680000	Birch Bay Lighting	84	020	45.00
1264	151872	4051244311850000	Birch Bay Lighting	84	020	45.00
1265	151879	4051244350960000	Birch Bay Lighting	84	020	13.60
1266	151880	4051244360760000	Birch Bay Lighting	84	020	42.33
1267	151883	4051244360830000	Birch Bay Lighting	84	020	37.00
1268	151885	4051244400740000	Birch Bay Lighting	84	020	50.00
1269	151886	4051244400950000	Birch Bay Lighting	84	020	21.60
1270	151887	4051244430700000	Birch Bay Lighting	84	020	50.00
1271	151889	4051244430920000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1272	151890	4051244450650000	Birch Bay Lighting	84	020	50.00
1273	151891	4051244460880000	Birch Bay Lighting	84	020	50.00
1274	151892	4051244490700000	Birch Bay Lighting	84	020	50.00
1275	151893	4051244490850000	Birch Bay Lighting	84	020	50.00
1276	151894	4051244500640000	Birch Bay Lighting	84	020	35.10
1277	151896	4051244530810000	Birch Bay Lighting	84	020	50.00
1278	151897	4051244541010000	Birch Bay Lighting	84	020	30.00
1279	151899	4051244560590000	Birch Bay Lighting	84	020	36.70
1280	151900	4051244570780000	Birch Bay Lighting	84	020	50.00
1281	151901	4051244570930000	Birch Bay Lighting	84	020	50.00
1282	151902	4051244580570000	Birch Bay Lighting	84	020	50.00
1283	151905	4051244600520000	Birch Bay Lighting	84	020	45.00
1284	151906	4051244600740000	Birch Bay Lighting	84	020	50.00
1285	151910	4051244610890000	Birch Bay Lighting	84	020	50.00
1286	151911	4051244621210000	Birch Bay Lighting	84	020	60.00
1287	151963	4051244650720000	Birch Bay Lighting	84	020	50.00
1288	151967	4051244660500000	Birch Bay Lighting	84	020	105.00
1289	151968	4051244670840000	Birch Bay Lighting	84	020	100.00
1290	151971	4051244711080000	Birch Bay Lighting	84	020	50.00
1291	151974	4051244720800000	Birch Bay Lighting	84	020	50.00
1292	151975	4051244740430000	Birch Bay Lighting	84	020	50.00
1293	151976	4051244741050000	Birch Bay Lighting	84	020	50.00
1294	151978	4051244750650001	Birch Bay Lighting	84	020	25.00
1295	151979	4051244750650002	Birch Bay Lighting	84	020	25.00
1296	151980	4051244750650003	Birch Bay Lighting	84	020	25.00
1297	151981	4051244750650004	Birch Bay Lighting	84	020	25.00
1298	151982	4051244750650005	Birch Bay Lighting	84	020	25.00
1299	151983	4051244750650006	Birch Bay Lighting	84	020	25.00
1300	151984	4051244750650007	Birch Bay Lighting	84	020	25.00
1301	151985	4051244750650008	Birch Bay Lighting	84	020	25.00
1302	151988	4051244770780000	Birch Bay Lighting	84	020	50.00
1303	151989	4051244781010000	Birch Bay Lighting	84	020	50.00
1304	151991	4051244800740000	Birch Bay Lighting	84	020	50.00
1305	151992	4051244820530000	Birch Bay Lighting	84	020	50.00
1306	151993	4051244820980000	Birch Bay Lighting	84	020	50.00
1307	151997	4051244840700000	Birch Bay Lighting	84	020	50.00
1308	151998	4051244850950000	Birch Bay Lighting	84	020	50.00
1309	151999	4051244851090000	Birch Bay Lighting	84	020	50.00
1310	152000	4051244860570000	Birch Bay Lighting	84	020	58.00
1311	152001	4051244881050000	Birch Bay Lighting	84	020	50.00
1312	152003	4051244890910000	Birch Bay Lighting	84	020	50.00
1313	152004	4051244900650000	Birch Bay Lighting	84	020	75.40
1314	152010	4051244911030000	Birch Bay Lighting	84	020	50.00
1315	152016	4051244930880000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1316	152019	4051244960470000	Birch Bay Lighting	84	020	71.00
1317	152020	4051244960850000	Birch Bay Lighting	84	020	50.00
1318	152021	4051244960990000	Birch Bay Lighting	84	020	50.00
1319	152022	4051244961230000	Birch Bay Lighting	84	020	47.00
1320	152025	4051244970280001	Birch Bay Lighting	84	020	8.00
1321	152026	4051244970280002	Birch Bay Lighting	84	020	8.00
1322	152027	4051244970280003	Birch Bay Lighting	84	020	8.00
1323	152028	4051244970280004	Birch Bay Lighting	84	020	8.00
1324	152029	4051244970280005	Birch Bay Lighting	84	020	8.00
1325	152030	4051244970280006	Birch Bay Lighting	84	020	8.00
1326	152031	4051244970280007	Birch Bay Lighting	84	020	8.00
1327	152032	4051244970280008	Birch Bay Lighting	84	020	8.00
1328	152033	4051244970280009	Birch Bay Lighting	84	020	8.00
1329	152034	4051244970280010	Birch Bay Lighting	84	020	8.00
1330	152035	4051244970280011	Birch Bay Lighting	84	020	8.00
1331	152036	4051244970280012	Birch Bay Lighting	84	020	8.00
1332	152037	4051244970280013	Birch Bay Lighting	84	020	8.00
1333	152038	4051244970280014	Birch Bay Lighting	84	020	8.00
1334	152039	4051244970280015	Birch Bay Lighting	84	020	8.00
1335	152040	4051244970280016	Birch Bay Lighting	84	020	8.00
1336	152041	4051244970280017	Birch Bay Lighting	84	020	8.00
1337	152042	4051244970280018	Birch Bay Lighting	84	020	8.00
1338	152043	4051244970280019	Birch Bay Lighting	84	020	8.00
1339	152044	4051244970280020	Birch Bay Lighting	84	020	8.00
1340	152045	4051244970280021	Birch Bay Lighting	84	020	8.00
1341	152046	4051244970280022	Birch Bay Lighting	84	020	8.00
1342	152047	4051244970280023	Birch Bay Lighting	84	020	8.00
1343	152048	4051244970280024	Birch Bay Lighting	84	020	8.00
1344	152049	4051244970280025	Birch Bay Lighting	84	020	8.00
1345	152050	4051244970280026	Birch Bay Lighting	84	020	8.00
1346	152053	4051244990960000	Birch Bay Lighting	84	020	50.00
1347	152054	4051244991150000	Birch Bay Lighting	84	020	50.00
1348	152055	4051245000810000	Birch Bay Lighting	84	020	50.00
1349	152058	4051245020540000	Birch Bay Lighting	84	020	27.40
1350	152059	4051245021110000	Birch Bay Lighting	84	020	50.00
1351	152061	4051245030920000	Birch Bay Lighting	84	020	50.00
1352	152062	4051245050150000	Birch Bay Lighting	84	020	50.00
1353	152063	4051245060500000	Birch Bay Lighting	84	020	50.00
1354	152065	4051245070750000	Birch Bay Lighting	84	020	89.20
1355	152066	4051245070880000	Birch Bay Lighting	84	020	50.00
1356	152067	4051245071060000	Birch Bay Lighting	84	020	50.00
1357	152069	4051245100110000	Birch Bay Lighting	84	020	25.00
1358	152070	4051245100470000	Birch Bay Lighting	84	020	58.70
1359	152071	4051245101080000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1360	152077	4051245120840000	Birch Bay Lighting	84	020	90.00
1361	152078	4051245130430000	Birch Bay Lighting	84	020	50.00
1362	152079	4051245130690000	Birch Bay Lighting	84	020	139.00
1363	152080	4051245131120000	Birch Bay Lighting	84	020	50.00
1364	152094	4051245161160000	Birch Bay Lighting	84	020	50.00
1365	152095	4051245170390000	Birch Bay Lighting	84	020	50.00
1366	152099	4051245190800000	Birch Bay Lighting	84	020	93.50
1367	152100	4051245200170000	Birch Bay Lighting	84	020	25.00
1368	152101	4051245200950000	Birch Bay Lighting	84	020	50.20
1369	152102	4051245201190000	Birch Bay Lighting	84	020	50.00
1370	152103	4051245210350000	Birch Bay Lighting	84	020	50.00
1371	152104	4051245210620000	Birch Bay Lighting	84	020	50.00
1372	152105	4051245220600000	Birch Bay Lighting	84	020	10.00
1373	152108	4051245230090000	Birch Bay Lighting	84	020	33.33
1374	152109	4051245230990000	Birch Bay Lighting	84	020	50.20
1375	152110	4051245231230000	Birch Bay Lighting	84	020	50.00
1376	152112	4051245240320000	Birch Bay Lighting	84	020	50.00
1377	152114	4051245250740000	Birch Bay Lighting	84	020	50.00
1378	152117	4051245261020000	Birch Bay Lighting	84	020	50.20
1379	152118	4051245271260000	Birch Bay Lighting	84	020	50.00
1380	152120	4051245280280000	Birch Bay Lighting	84	020	50.00
1381	152121	4051245280560000	Birch Bay Lighting	84	020	60.00
1382	152122	4051245280680000	Birch Bay Lighting	84	020	50.00
1383	152123	4051245280860000	Birch Bay Lighting	84	020	50.00
1384	152124	4051245290020000	Birch Bay Lighting	84	020	16.67
1385	152126	4051245300910000	Birch Bay Lighting	84	020	50.00
1386	152127	4051245301060000	Birch Bay Lighting	84	020	50.20
1387	152128	4051245310250000	Birch Bay Lighting	84	020	50.00
1388	152129	4051245310710000	Birch Bay Lighting	84	020	50.00
1389	152130	4051245311290000	Birch Bay Lighting	84	020	84.50
1390	152131	4051245320510000	Birch Bay Lighting	84	020	50.00
1391	152132	4051245331100000	Birch Bay Lighting	84	020	50.20
1392	152134	4051245340210000	Birch Bay Lighting	84	020	60.00
1393	152135	4051245340940000	Birch Bay Lighting	84	020	50.00
1394	152136	4051245360480000	Birch Bay Lighting	84	020	50.00
1395	152137	4051245360630000	Birch Bay Lighting	84	020	61.50
1396	152138	4051245361140000	Birch Bay Lighting	84	020	50.20
1397	152139	4051245370180000	Birch Bay Lighting	84	020	50.00
1398	152140	4051245380780000	Birch Bay Lighting	84	020	95.20
1399	152141	4051245381190000	Birch Bay Lighting	84	020	50.20
1400	152142	4051245390970000	Birch Bay Lighting	84	020	50.00
1401	152143	4051245400140000	Birch Bay Lighting	84	020	50.00
1402	152144	4051245400460000	Birch Bay Lighting	84	020	50.00
1403	152146	4051245400590000	Birch Bay Lighting	84	020	50.00

EXHIBIT A

1404	152147	4051245401230000	Birch Bay Lighting	84	020	25.20
1405	152149	4051245421000000	Birch Bay Lighting	84	020	50.00
1406	152150	4051245430410000	Birch Bay Lighting	84	020	50.00
1407	152154	4051245441050000	Birch Bay Lighting	84	020	50.00
1408	152155	4051245450550000	Birch Bay Lighting	84	020	91.00
1409	152156	4051245460060000	Birch Bay Lighting	84	020	25.00
1410	152157	4051245460380000	Birch Bay Lighting	84	020	49.10
1411	152158	4051245470710000	Birch Bay Lighting	84	020	49.30
1412	152159	4051245471230000	Birch Bay Lighting	84	020	82.30
1413	152161	4051245480750000	Birch Bay Lighting	84	020	50.00
1414	152162	4051245480800000	Birch Bay Lighting	84	020	50.00
1415	152163	4051245480850000	Birch Bay Lighting	84	020	45.60
1416	152164	4051245480900000	Birch Bay Lighting	84	020	136.30
1417	152165	4051245481080000	Birch Bay Lighting	84	020	50.00
1418	152168	4051245490140000	Birch Bay Lighting	84	020	30.00
1419	152169	4051245490640000	Birch Bay Lighting	84	020	139.90
1420	152170	4051245500340000	Birch Bay Lighting	84	020	49.10
1421	152171	4051245500480000	Birch Bay Lighting	84	020	59.00
1422	152172	4051245521120000	Birch Bay Lighting	84	020	50.00
1423	152174	4051245530090000	Birch Bay Lighting	84	020	45.00
1424	152175	4051245530300000	Birch Bay Lighting	84	020	50.00
1425	152176	4051245530440000	Birch Bay Lighting	84	020	53.10
1426	152177	4051245531250000	Birch Bay Lighting	84	020	65.00
1427	152183	4051245541160000	Birch Bay Lighting	84	020	50.00
1428	152191	4051245580400000	Birch Bay Lighting	84	020	17.00
1429	152192	4051245580550000	Birch Bay Lighting	84	020	85.40
1430	152193	4051245580600000	Birch Bay Lighting	84	020	50.00
1431	152194	4051245580660000	Birch Bay Lighting	84	020	50.00
1432	152195	4051245580700000	Birch Bay Lighting	84	020	50.00
1433	152196	4051245580750000	Birch Bay Lighting	84	020	50.00
1434	152197	4051245580800000	Birch Bay Lighting	84	020	50.00
1435	152198	4051245580850000	Birch Bay Lighting	84	020	50.00
1436	152199	4051245580900000	Birch Bay Lighting	84	020	50.00
1437	152200	4051245581250000	Birch Bay Lighting	84	020	15.70
1438	174846	4051245590230000	Birch Bay Lighting	84	020	188.58
1439	152202	4051245590950000	Birch Bay Lighting	84	020	50.00
1440	152203	4051245591000000	Birch Bay Lighting	84	020	85.30
1441	152204	4051245591210000	Birch Bay Lighting	84	020	70.80
1442	152208	4051245610350000	Birch Bay Lighting	84	020	138.20
1443	152209	4051245611160000	Birch Bay Lighting	84	020	65.00
1444	152214	4051255415740000	Birch Bay Lighting	84	020	270.00
1445	152229	4051255425420000	Birch Bay Lighting	84	020	40.00
1446	152230	4051255435460000	Birch Bay Lighting	84	020	40.10
1447	152231	4051255445600000	Birch Bay Lighting	84	020	40.00

EXHIBIT A

1448	152232	4051255555630000	Birch Bay Lighting	84	020	40.00
1449	152233	4051255565480000	Birch Bay Lighting	84	020	30.10
1450	152234	4051255575590000	Birch Bay Lighting	84	020	40.00
1451	152235	4051255585450000	Birch Bay Lighting	84	020	40.10
1452	152238	4051255625570000	Birch Bay Lighting	84	020	10.00
1453	152243	4051255685470000	Birch Bay Lighting	84	020	40.00
1454	152244	4051255695430000	Birch Bay Lighting	84	020	40.00
1455	152247	4051255705700000	Birch Bay Lighting	84	020	119.80
1456	152252	4051255725380001	Birch Bay Lighting	84	020	10.08
1457	152253	4051255725380002	Birch Bay Lighting	84	020	10.08
1458	152254	4051255725380003	Birch Bay Lighting	84	020	10.08
1459	152255	4051255725380004	Birch Bay Lighting	84	020	10.08
1460	152256	4051255725380005	Birch Bay Lighting	84	020	10.08
1461	152257	4051255725380006	Birch Bay Lighting	84	020	10.08
1462	152258	4051255725380007	Birch Bay Lighting	84	020	10.08
1463	152259	4051255725380008	Birch Bay Lighting	84	020	10.08
1464	152260	4051255725380009	Birch Bay Lighting	84	020	10.08
1465	152261	4051255725380010	Birch Bay Lighting	84	020	10.08
1466	152262	4051255725380011	Birch Bay Lighting	84	020	10.08
1467	152263	4051255725380012	Birch Bay Lighting	84	020	10.08
1468	152264	4051255725380013	Birch Bay Lighting	84	020	10.08
1469	152265	4051255725380014	Birch Bay Lighting	84	020	10.08
1470	152266	4051255725380015	Birch Bay Lighting	84	020	10.08
1471	152267	4051255725380016	Birch Bay Lighting	84	020	10.07
1472	152268	4051255725380017	Birch Bay Lighting	84	020	10.07
1473	152269	4051255725380018	Birch Bay Lighting	84	020	10.07
1474	152270	4051255765060000	Birch Bay Lighting	84	020	120.00
1475	152631	4051364050900000	Birch Bay Lighting	84	020	27.00
1476	152634	4051364530930000	Birch Bay Lighting	84	020	57.00
1477	152635	4051364540420000	Birch Bay Lighting	84	020	80.00
1478	152636	4051364550700000	Birch Bay Lighting	84	020	46.30
1479	152637	4051364560170000	Birch Bay Lighting	84	020	60.00
1480	152639	4051364580960000	Birch Bay Lighting	84	020	40.00
1481	152640	4051364590770000	Birch Bay Lighting	84	020	40.00
1482	152641	4051364600450000	Birch Bay Lighting	84	020	80.00
1483	152643	4051364610990000	Birch Bay Lighting	84	020	50.00
1484	152644	4051364620090000	Birch Bay Lighting	84	020	40.00
1485	152645	4051364620800000	Birch Bay Lighting	84	020	40.00
1486	152646	4051364630210000	Birch Bay Lighting	84	020	75.00
1487	152647	4051364650820000	Birch Bay Lighting	84	020	40.00
1488	152648	4051364660480000	Birch Bay Lighting	84	020	80.00
1489	152649	4051364661030000	Birch Bay Lighting	84	020	70.00
1490	152650	4051364701060000	Birch Bay Lighting	84	020	40.00
1491	152651	4051364710240000	Birch Bay Lighting	84	020	75.00

EXHIBIT A

1492	152652	4051364710500000	Birch Bay Lighting	84	020	80.00
1493	152653	4051364710870000	Birch Bay Lighting	84	020	80.00
1494	152654	4051364720110000	Birch Bay Lighting	84	020	80.00
1495	152655	4051364741080000	Birch Bay Lighting	84	020	48.00
1496	152656	4051364750890000	Birch Bay Lighting	84	020	40.00
1497	152658	4051364771110000	Birch Bay Lighting	84	020	40.00
1498	152659	4051364780270000	Birch Bay Lighting	84	020	75.00
1499	152661	4051364780530000	Birch Bay Lighting	84	020	150.00
1500	152662	4051364780930000	Birch Bay Lighting	84	020	40.00
1501	152663	4051364801130000	Birch Bay Lighting	84	020	40.00
1502	152664	4051364810110000	Birch Bay Lighting	84	020	80.00
1503	152666	4051364820940000	Birch Bay Lighting	84	020	40.00
1504	152667	4051364841150000	Birch Bay Lighting	84	020	40.00
1505	152668	4051364850970000	Birch Bay Lighting	84	020	40.00
1506	152669	4051364860300000	Birch Bay Lighting	84	020	75.00
1507	152670	4051364860610000	Birch Bay Lighting	84	020	70.00
1508	152672	4051364871170000	Birch Bay Lighting	84	020	40.00
1509	152673	4051364880990000	Birch Bay Lighting	84	020	40.00
1510	152674	4051364890120000	Birch Bay Lighting	84	020	80.00
1511	152675	4051364901200000	Birch Bay Lighting	84	020	40.00
1512	152677	4051364910650000	Birch Bay Lighting	84	020	70.00
1513	152678	4051364911020000	Birch Bay Lighting	84	020	40.00
1514	152679	4051364930330000	Birch Bay Lighting	84	020	75.00
1515	152680	4051364931230000	Birch Bay Lighting	84	020	40.00
1516	152682	4051364951040000	Birch Bay Lighting	84	020	40.00
1517	152684	4051364970110000	Birch Bay Lighting	84	020	80.00
1518	152686	4051364970670000	Birch Bay Lighting	84	020	78.40
1519	152687	4051364971260000	Birch Bay Lighting	84	020	40.00
1520	152688	4051364981060000	Birch Bay Lighting	84	020	40.00
1521	152689	4051365000360000	Birch Bay Lighting	84	020	75.00
1522	152690	4051365011080000	Birch Bay Lighting	84	020	40.00
1523	152691	4051365011270000	Birch Bay Lighting	84	020	53.20
1524	152694	4051365030730000	Birch Bay Lighting	84	020	69.00
1525	152695	4051365041100000	Birch Bay Lighting	84	020	40.00
1526	152696	4051365041310000	Birch Bay Lighting	84	020	103.10
1527	152697	4051365050110000	Birch Bay Lighting	84	020	80.00
1528	152698	4051365060240000	Birch Bay Lighting	84	020	123.69
1529	152699	4051365070390000	Birch Bay Lighting	84	020	98.80
1530	152700	4051365080770000	Birch Bay Lighting	84	020	70.00
1531	152701	4051365081130000	Birch Bay Lighting	84	020	40.00
1532	152702	4051365101160000	Birch Bay Lighting	84	020	40.00
1533	152703	4051365130820000	Birch Bay Lighting	84	020	70.00
1534	152704	4051365141180000	Birch Bay Lighting	84	020	40.00
1535	152705	4051365180070000	Birch Bay Lighting	84	020	80.20

EXHIBIT A

1536	152706	4051365180870000	Birch Bay Lighting	84	020	70.00
1537	152707	4051365181550000	Birch Bay Lighting	84	020	85.20
1538	152710	4051365220220000	Birch Bay Lighting	84	020	75.00
1539	152711	4051365220930000	Birch Bay Lighting	84	020	70.00
1540	152712	4051365221210000	Birch Bay Lighting	84	020	38.80
1541	152714	4051365230290000	Birch Bay Lighting	84	020	75.00
1542	152715	4051365230370000	Birch Bay Lighting	84	020	75.00
1543	152716	4051365240110000	Birch Bay Lighting	84	020	40.00
1544	152717	4051365240440000	Birch Bay Lighting	84	020	75.00
1545	152722	4051365260560000	Birch Bay Lighting	84	020	93.10
1546	152723	4051365261310000	Birch Bay Lighting	84	020	10.00
1547	152724	4051365261310001	Birch Bay Lighting	84	020	10.00
1548	152725	4051365261310002	Birch Bay Lighting	84	020	10.00
1549	152726	4051365261310003	Birch Bay Lighting	84	020	10.00
1550	152727	4051365261310004	Birch Bay Lighting	84	020	10.00
1551	152728	4051365261310005	Birch Bay Lighting	84	020	10.00
1552	152729	4051365261310006	Birch Bay Lighting	84	020	10.00
1553	152730	4051365261310007	Birch Bay Lighting	84	020	10.00
1554	152731	4051365261310008	Birch Bay Lighting	84	020	10.00
1555	152732	4051365261310009	Birch Bay Lighting	84	020	10.00
1556	152733	4051365261630000	Birch Bay Lighting	84	020	50.00
1557	152734	4051365270970000	Birch Bay Lighting	84	020	75.00
1558	152737	4051365290630000	Birch Bay Lighting	84	020	93.10
1559	152738	4051365291670000	Birch Bay Lighting	84	020	50.00
1560	152740	4051365311550000	Birch Bay Lighting	84	020	10.00
1561	152741	4051365311710000	Birch Bay Lighting	84	020	50.00
1562	152742	4051365321020000	Birch Bay Lighting	84	020	80.00
1563	152743	4051365341580000	Birch Bay Lighting	84	020	50.00
1564	152744	4051365341750000	Birch Bay Lighting	84	020	50.00
1565	152745	4051365370700000	Birch Bay Lighting	84	020	75.00
1566	152746	4051365371070000	Birch Bay Lighting	84	020	70.00
1567	152747	4051365371620000	Birch Bay Lighting	84	020	50.00
1568	152748	4051365371790000	Birch Bay Lighting	84	020	50.00
1569	152749	4051365380630000	Birch Bay Lighting	84	020	75.00
1570	152750	4051365390070000	Birch Bay Lighting	84	020	77.80
1571	152751	4051365390150000	Birch Bay Lighting	84	020	75.00
1572	152752	4051365390220000	Birch Bay Lighting	84	020	75.00
1573	152753	4051365390290000	Birch Bay Lighting	84	020	75.00
1574	152755	4051365390410000	Birch Bay Lighting	84	020	150.00
1575	152757	4051365390550000	Birch Bay Lighting	84	020	75.00
1576	152758	4051365401650000	Birch Bay Lighting	84	020	50.00
1577	152759	4051365410800000	Birch Bay Lighting	84	020	184.00
1578	152760	4051365421860000	Birch Bay Lighting	84	020	50.00
1579	152761	4051365431540000	Birch Bay Lighting	84	020	41.70

EXHIBIT A

1580	152762	4051365431700000	Birch Bay Lighting	84	020	50.00
1581	152763	4051365451900000	Birch Bay Lighting	84	020	50.00
1582	152764	4051365461730000	Birch Bay Lighting	84	020	50.00
1583	152765	4051365471550000	Birch Bay Lighting	84	020	50.00
1584	152767	4051365481950000	Birch Bay Lighting	84	020	58.10
1585	172317	4051365491580000	Birch Bay Lighting	84	020	50.00
1586	152768	4051365501810000	Birch Bay Lighting	84	020	50.00
1587	172318	4051365521600000	Birch Bay Lighting	84	020	100.00
1588	152770	4051365521990000	Birch Bay Lighting	84	020	50.10
1589	152771	4051365531850000	Birch Bay Lighting	84	020	50.00
1590	152773	4051365542030000	Birch Bay Lighting	84	020	50.00
1591	152774	4051365562060000	Birch Bay Lighting	84	020	30.00
1592	152776	4051365571890000	Birch Bay Lighting	84	020	59.90
1593	152778	4051365580070000	Birch Bay Lighting	84	020	77.50
1594	152779	4051365580630000	Birch Bay Lighting	84	020	150.00
1595	152780	4051365580780000	Birch Bay Lighting	84	020	75.00
1596	152781	4051365582090000	Birch Bay Lighting	84	020	46.90
1597	152782	4051365590150000	Birch Bay Lighting	84	020	75.00
1598	152783	4051365590220000	Birch Bay Lighting	84	020	75.00
1599	152786	4051365590850000	Birch Bay Lighting	84	020	75.00
1600	152787	4051365590920000	Birch Bay Lighting	84	020	75.00
1601	152788	4051365600290000	Birch Bay Lighting	84	020	75.00
1602	152789	4051365600370000	Birch Bay Lighting	84	020	75.00
1603	152790	4051365600440000	Birch Bay Lighting	84	020	75.00
1604	152791	4051365601760000	Birch Bay Lighting	84	020	61.70
1605	152793	4051365601950000	Birch Bay Lighting	84	020	50.00
1606	152794	4051365631990000	Birch Bay Lighting	84	020	50.00
1607	152795	4051365632170000	Birch Bay Lighting	84	020	42.00
1608	152796	4051365641790000	Birch Bay Lighting	84	020	50.00
1609	152797	4051365642030000	Birch Bay Lighting	84	020	65.30
1610	152798	4051365651250000	Birch Bay Lighting	84	020	60.00
1611	152799	4051365651310000	Birch Bay Lighting	84	020	60.00
1612	152800	4051365661840000	Birch Bay Lighting	84	020	50.00
1613	152801	4051365662210000	Birch Bay Lighting	84	020	50.00
1614	152803	4051365681670000	Birch Bay Lighting	84	020	30.00
1615	152804	4051365692250000	Birch Bay Lighting	84	020	50.00
1616	152805	4051365711890000	Birch Bay Lighting	84	020	50.00
1617	152806	4051365730570000	Birch Bay Lighting	84	020	100.00
1618	152807	4051365730650000	Birch Bay Lighting	84	020	50.00
1619	152808	4051365730700000	Birch Bay Lighting	84	020	50.00
1620	152809	4051365732290000	Birch Bay Lighting	84	020	50.00
1621	152812	4051365740060000	Birch Bay Lighting	84	020	50.15
1622	152813	4051365740100000	Birch Bay Lighting	84	020	50.00
1623	152814	4051365740330000	Birch Bay Lighting	84	020	150.00

EXHIBIT A

1624	152815	4051365740460000	Birch Bay Lighting	84	020	50.00
1625	152816	4051365740750000	Birch Bay Lighting	84	020	50.00
1626	152817	4051365740820000	Birch Bay Lighting	84	020	70.00
1627	152819	4051365740870000	Birch Bay Lighting	84	020	70.00
1628	152821	4051365740950000	Birch Bay Lighting	84	020	140.00
1629	152823	4051365741520000	Birch Bay Lighting	84	020	55.00
1630	152824	4051365741930000	Birch Bay Lighting	84	020	50.00
1631	152826	4051365750160000	Birch Bay Lighting	84	020	50.00
1632	152827	4051365750230000	Birch Bay Lighting	84	020	100.00
1633	152828	4051365751120000	Birch Bay Lighting	84	020	409.10
1634	152843	4051365762320000	Birch Bay Lighting	84	020	50.00
1635	152845	4051365772050000	Birch Bay Lighting	84	020	94.50
1636	152846	4051365781600000	Birch Bay Lighting	84	020	100.00
1637	152847	4051365781980000	Birch Bay Lighting	84	020	39.20
1638	152848	4051365782110000	Birch Bay Lighting	84	020	91.90
1639	152849	4051365810950000	Birch Bay Lighting	84	020	10.00
1640	152850	4051365811680000	Birch Bay Lighting	84	020	50.00
1641	152851	4051365812410000	Birch Bay Lighting	84	020	56.20
1642	152852	4051365821730000	Birch Bay Lighting	84	020	47.50
1643	152853	4051365822170000	Birch Bay Lighting	84	020	72.00
1644	152854	4051365832240000	Birch Bay Lighting	84	020	92.40
1645	152855	4051365832450000	Birch Bay Lighting	84	020	50.10
1646	152858	4051365851830000	Birch Bay Lighting	84	020	188.00

EXHIBIT A

As of September 18, 2017, subject to any segregations, combinations, additions, deletions, corrections, or any other changes to parcels on the rolls; the undersigned, does hereby certify to the best of my knowledge, that the attached assessment roll for **Birch Bay Lighting District** has been prepared in accordance with RCW 36.88, and is a true and correct system of assessment that has been applied within the District to the best of our ability.

Signed _____ Date _____

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-280

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	DMP	08/31/17	<div style="text-align: center;"> RECEIVED SEP 19 2017 WHATCOM COUNTY COUNCIL </div>	9/26/17	Introduction
Division Head:				10/10/17	Hearing
Dept. Head:	<i>EJR</i>	8/31/2017			
Prosecutor:	<i>CDR</i>	9/6/2017			
Purchasing/Budget:	<i>BD</i>	9/7/17			
Executive:	<i>TLB</i>	9.18.17			

TITLE OF DOCUMENT:

*Interlocal Agreement between the City of Bellingham and County of Whatcom
2017 Byrne Justice Assistance Grant (JAG) Program Award*

ATTACHMENTS:

*Interlocal Agreement between the City of Bellingham and County of Whatcom
2017 Byrne Justice Assistance Grant (JAG) Program Award*

SEPA review required?	() Yes	(X) NO	Should Clerk schedule a hearing?	(X) Yes	() NO
SEPA review completed?	() Yes	(X) NO	Requested Date:		

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

As required by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017 Local Solicitation is made available to the Whatcom County Council for its review and comment and to citizens for public review and comment.

Total Whatcom County Jurisdiction allocation is \$35,941 (with \$22,828 for the City of Bellingham and \$13,113 for Whatcom County). The City of Bellingham will administer the grant and provide \$13,113 to Whatcom County Sheriff's Office to purchase ballistic vests.

COMMITTEE ACTION:**COUNCIL ACTION:**

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

WHATCOM COUNTY
SHERIFF'S OFFICE

BILL ELFO
SHERIFF

PUBLIC SAFETY BUILDING
311 Grand Avenue
Bellingham, WA 98225-4078
(360) 676-6650



JEFF PARKS

UNDERSHERIFF

ART EDGE

CHIEF DEPUTY

DOUG CHADWICK

CHIEF DEPUTY

STEVE COOLEY

CHIEF INSPECTOR

WENDY JONES

CHIEF OF CORRECTIONS

RECEIVED

SEP 7 - 2017

MEMORANDUM

JACK LOUWS
COUNTY EXECUTIVE

TO: Jack Louws, County Executive

FROM: Bill Elfo, Sheriff *Bill Elfo*

DATE: August 31, 2017

RE: Interlocal Agreement Between the City of Bellingham and Whatcom County
Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017

Enclosed for review and signature are two (2) originals of the Interlocal Agreement between the City of Bellingham and Whatcom County for Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017.

Total Whatcom County Jurisdiction allocation is \$35,941 (with \$22,828 for the City of Bellingham and \$13,113 for Whatcom County). The City of Bellingham will administer the grant and provide \$13,113 to the Whatcom County Sheriff's Office to purchase ballistic vests.

Please contact Undersheriff Parks at extension 6610 if you have any questions regarding the terms of this agreement.

Thank you.

enclosure

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

201709001

Originating Department:	Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	SWAT
Contract or Grant Administrator:	Jeff Parks, Undersheriff
Contractor's / Agency Name:	City of Bellingham
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____	
Does contract require Council Approval? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If No, include WCC: <u>WCC 3.06.010</u> *COUNCIL REVIEW IS REQUIRED (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: <u>16.738</u>	
Is this contract grant funded? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, RFP and Bid number(s): _____ Contract Cost Center: <u>1003517001-</u>	
Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>13,113.00</u> This Amendment Amount: \$ _____ Total Amended Amount: \$ <u>13,113.00</u>	Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies or equipment included approved in the budget. 4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.
Summary of Scope: Interlocal Agreement between City of Bellingham and Whatcom County for U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017. Total Whatcom County jurisdiction allocation is \$35,941 (with \$22,828 for the City of Bellingham and \$13,113 for Whatcom County). The City of Bellingham will administer the grant and provide \$13,113 to Whatcom County Sheriff's Office to purchase ballistic vests.	
Term of Contract:	08/28/17 Expiration Date:

Contract Routing:	1. Prepared by: <u>D. Pierce</u> <i>DMP</i>	Date: <u>08/31/17</u>
	2. Attorney signoff: <u>C. QUINN</u> <i>CQR</i>	Date: <u>9/6/17</u>
	3. AS Finance reviewed: <u>[Signature]</u>	Date: <u>9/7/17</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: <u>9/7/17</u>
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____

COUNTY ORIGINAL

CITY SECRETARY
CONTRACT NO. _____

THE STATE OF WASHINGTON

COUNTY OF WHATCOM

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF BELLINGHAM, AND COUNTY OF WHATCOM
2017 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this 28th day of August, 2017, by and between The COUNTY of Whatcom, acting by and through its governing body, the County Council, hereinafter referred to as COUNTY, and the CITY of Bellingham, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Whatcom County, State of Washington, witnesseth:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, per the grant, Whatcom County Jurisdiction is allocated \$35,941 in grant funding, \$22,828 for the City and \$13,113 for Whatcom County: and

WHEREAS, the CITY agrees to provide the COUNTY \$13,113 from the JAG award for the purchase of Ballistic vests: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of \$13,113 of JAG funds.

Section 2.

COUNTY agrees to use \$13,113 for the purchase of Enhanced Ballistic Protection until 2018.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against the "CITY" or "COUNTY"

Section 4.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF Bellingham, WA

COUNTY OF Whatcom, WA

Kelli Linville, Mayor




Sheriff

ATTEST:

APPROVED AS TO FORM:

Brian Henshaw, Finance Department



Prosecuting Attorney

C. QUINN

APPROVED AS TO FORM:

City Attorney

Jack Louws, Whatcom County Executive

Chief of Police

Whatcom County Sheriff's Office
Program Abstract

Abstract

Enhanced officer safety and ballistic protection for first responders/tactical personnel – In response to continued violent critical incidents at schools and public venues, the Whatcom County Sheriff's Office has developed enhanced training for incidents involving active violence against vulnerable populations. The most recent tragedy in Orlando, FL which resulted in 49 killed and 53 injured, highlights the threats that face citizens and law enforcement on a daily basis. In an effort to better prepare for and provide an enhanced response to critical violent incidents, the Whatcom County Sheriff's Office conducts ongoing training to deal with these threats and unusual situations that require a tactical response in order to save lives.

In addition to training, law enforcement must be prepared and equipped to deal with armed suspects in order to effectively mitigate the threat posed to the public. In the face of such violence and destruction, law enforcement must be adequately equipped to respond in an effective manner. It is essential that all members of the Sheriff's Office have sufficient ballistic resistant vests and to protect them from gunfire. Sheriff's Office uniformed personnel are required to wear ballistic vests. We are required to provide ballistic protective equipment to personnel who are subject to occupational hazards that include gunfire/ballistic threats. The Sheriff's Office currently issues ballistic vests and helmets to all deputy sheriffs. SWAT has a current need for specialized vests that are designed for their assignment and operational needs. The SWAT vests need to be replaced as they are outside the recommended manufacturer's warranty. The Sheriff's Office objective is to utilize allocated funds to purchase and replace current ballistic vests and improve officer safety.

Project identifiers – Equipment – Tactical, Body Armor – Ballistic Resistant, Counter Terrorism and Officer Safety.

Whatcom County Sheriff's Office
2016 Byrne JAG grant
Program Narrative

The continued trend of violent attacks on innocent citizens at schools and public venues has reaffirmed why it is imperative that responders be trained and prepared to respond to incidents of active violence in an efficient and effective manner. The Sheriff's Office is uniquely positioned on the international border between the US and Canada, and is subject to both domestic and international threats. This includes not only schools and public venues, but multiple federal facilities and critical infrastructure that may be the targets of violent attacks and/or terrorism. The Sheriff's Office continues to train all deputies to deal with critical incidents, to include terrorist attacks and active shooter scenarios.

In addition to training, law enforcement officers must be provided necessary equipment that enhances their officer safety and increases the likelihood that they will be able to carry out their duties without serious injury or loss of life. The recent tragedy in Orlando, FL highlighted the need for ballistic protection for first responder and tactical units. Ballistic protection worn by law enforcement officers saves lives each year and is an essential piece of personal protective equipment.

Sheriff's Office uniformed personnel are required to wear ballistic vests. We are required to provide ballistic protective equipment to personnel who are subject to occupational hazards that include gunfire/ballistic threats. The Sheriff's Office currently issues ballistic vests and helmets to all deputy sheriffs. SWAT has a current need for specialized ballistic vests that are specifically designed for their assignment and operational needs. The SWAT ballistic vests need to be replaced, as at least half are currently passed the 5 year recommended manufacturer's warranty period.

The Sheriff's Office intends to utilize JAG funding to purchase and replace ballistic vests that have exceeded the standard operational life. These vests are NIJ certified and met the current .06 Level IIIA standards of protection.

Whatcom County Sheriff's Office

2017 Bryne JAG program

Budget and Budget Narrative

BUDGET

E. Supplies

Ballistic entry vests	\$13,113
Total	\$13,113
Total project costs	\$13,113

BUDGET NARRATIVE

EQUIPMENT: In order to provide enhanced ballistic protection and increase officer safety, the Whatcom County Sheriff's Office intends to purchase ballistic vests. Ballistic vests are essential personal protective equipment that is utilized by members of the Whatcom County Sheriff's Office. The use by deputies allows them to carry out their duties while protecting them from sudden violent attacks from gunfire.

Ballistic entry vests - The intent is to equip deputies with NIJ certified ballistic entry vests that are rated to stop handgun rounds, as well as some shotgun and rifle rounds. The Whatcom County Sheriff's Office is looking to purchase ballistic vests, which are made in America. These vests are worn by all tactical personnel when responding to incidents where weapons are known to be present or the use of firearms is suspected. The use of ballistic vests by tactical personnel allow them to respond quickly to critical incidents, while providing ballistic protection and improving officer safety. The recent mass shooting in Orlando, FL highlights the use and role ballistic personal protective equipment play in protecting those who protect others. The use of ballistic vests serves to increase the likelihood that they can carry out their duties and save lives, while improving the chances that they go home at the end of the day.

E. **Supplies** – List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

To View an Example, [Click Here](#)

SUPPLIES (FEDERAL)

Supply Items	Computation		Cost
	Quantity/Duration	Cost	
PPE - Ballistic vests	5	\$2,622.50	\$13,113
FEDERAL TOTAL			\$13,113

SUPPLIES NARRATIVE (FEDERAL)

Ballistic vests to be worn by deputies/SWAT members when responding to critical incidents, to include Active shooter events, Barricaded/armed subjects and Hostage situations.

Budget Summary – When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	\$0	\$0	\$0
B. Fringe Benefits	\$0	\$0	\$0
C. Travel	\$0	\$0	\$0
D. Equipment	\$0	\$0	\$0
E. Supplies	\$13,113	\$0	\$13,113
F. Construction	\$0	\$0	\$0
G. Consultants/Contracts	\$0	\$0	\$0
H. Other	\$0	\$0	\$0
Total Direct Costs	\$13,113	\$0	\$13,113
I. Indirect Costs	\$0	\$0	\$0
TOTAL PROJECT COSTS	\$13,113	\$0	\$13,113

Federal Request	\$13,113
Non-Federal Amount	\$0
Total Project Cost	\$13,113

Public Reporting Burden

Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project, 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Whatcom County Sheriff's Office
2017 Edward Bryne Memorial JAG Program
FY2017 Local Solicitation

Review Narrative

The Whatcom County Sheriff's Office intends to make its Fiscal Year 2017 JAG application available to the Whatcom County Council for introduction on September 26, 2017.

The application has not yet been made available for public review and comment. The Whatcom County Sheriff's Office will make its Fiscal Year 2017 JAG application available to citizens for comment at the Whatcom County Council meeting on October 10, 2017.

Whatcom County Sheriff's Office
2017 Edward Bryne Memorial JAG Program
FY 2017 Local Solicitation

Applicant Disclosure of Pending Applications

The Whatcom County Sheriff's Office does have a pending application within the last 12 months for federal funding to cover some costs of the proposed program under this solicitation.

The Whatcom County Sheriff's Office has applied for the 2017 DOJ Bulletproof Vest Partnership grant.

Federal Funding Agency	Solicitation Name	Name/Phone/Email for Point of Contact
USDOJ	Bulletproof Vest Partnership	1-877-758-3787/owner-bvp-list@ojp.usdoj.gov

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Justice Assistance Grant (JAG) Program

Body Armor Mandatory Wear Policy Certification

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Body Armor Certification" in the program announcement for the grant program identified above. I certify that our agency currently has a written "mandatory wear" policy in effect.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).

Fiscal Year of JAG Award: 2017


Signature of Certifying Official

Doug Chadwick

Printed Name of Certifying Official

Chief Criminal Deputy

Title of Certifying Official

Whatcom County Sheriff's Office

Full Name of Applicant Entity

8/28/17

Date