


Memorandum of Understanding
Between
Birch Bay Water & Sewer District
&
City of Blaine

This memorandum of understanding (MOU) is entered into by the Birch Bay Water and Sewer District and the City of Blaine. The purpose of the MOU is to set forth the conditions and understandings agreed to by both parties in order for them to jointly pursue funding for a regional wastewater project.

The parties agree to the following conditions and understandings:

1. Both parties agree that the project described in the Northwest Whatcom County Regional Wastewater Management Program draft feasibility study will be the basis upon which funding is sought. Discussions to date have been preliminary and designed to determine if it is in the parties' best interests to cooperate in using the regional consolidation concept in seeking federal funding.
2. Both parties understand that entering into this MOU does not eliminate any responsibility under SEPA that the City may have to evaluate wastewater options in addition to the regional alternative. Likewise, the City may in fact select an alternative that does not involve Birch Bay Water & Sewer District's system.
3. The project described in the draft feasibility study may be modified significantly as a result of additional analysis, public input and environmental review.
4. The City of Blaine and the District agree that any grant funding given for the purpose of improving the District's facilities and operations will be awarded directly to the District and that project will be managed and accounted for by the District including compliance with all terms, conditions and regulations that might be required as a condition of the grant.
5. The City and District agree with the terms and conditions as set for in the August 23, 2000 Resolution 601 adopted by the Birch Bay Water District. Resolution 601 generally sets forth the roles of the cooperating entities. The City of Blaine understands that it will be a wholesale customer to Birch Bay Water & Sewer District who shall act as the provider of wastewater treatment services to the City. The terms and conditions which outline the treatment capacity in the Birch Bay System reserved for Blaine; the rate setting methodology; the performance standards and other general contract items shall be negotiable between the parties.
6. The parties agree to conduct an extensive public involvement program.
7. To the extent that they desire to participate, the District and the City encourage the involvement of the Lummi Nation in the effort to secure funding for the regional wastewater treatment project and the restoration and preservation of the Si'ke burial site.
8. The City agrees to pay the direct costs incurred in lobbying for federal funds for the regional wastewater program. The District agrees to contribute staff support in developing a lobby strategy; preparing materials and participating in meetings. The City's direct expenses will be credited to its share of the total project costs should the project move forward to completion.

Entered into this 14 day of May, 2001


City of Blaine


Birch Bay Water & Sewer District