

# SENATE BILL REPORT

## SJM 8014

---

As Reported by Senate Committee On:  
Agriculture, Water, Natural Resources & Parks, April 23, 2019

**Brief Description:** Concerning logging and mining in the upper Skagit watershed.

**Sponsors:** Senators McCoy and Salomon.

**Brief History:**

**Committee Activity:** Agriculture, Water, Natural Resources & Parks: 4/23/19, 4/23/19 [DP, DNP].

**Brief Summary of Joint Memorial**

- Requests that British Columbia work with the city of Seattle and the Skagit Environmental Endowment Commission to prevent logging and mining in the donut hole of the Upper Skagit watershed, in order to ensure the area's environmental and recreational resources are permanently protected.

---

### SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

**Majority Report:** Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

**Minority Report:** Do not pass.

Signed by Senators Warnick, Ranking Member; Honeyford and Short.

**Staff:** Karen Epps (786-7424)

**Background:** In 1984, the United States government and the government of Canada signed the High Ross Treaty, which was negotiated by officials from Seattle and British Columbia. The High Ross Treaty required the United States to limit the size of the reservoir for the Ross Dam's hydroelectric power generation to the boundary of the Canada-United States Border. The treaty also required Canada to provide electricity to the United States to offset the loss of electricity generation that could have been realized if the Ross Dam reservoir had extended across the border into Canada.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The treaty also created the Skagit Environmental Endowment Commission (Commission) to manage an endowment fund to preserve the area, pristine wilderness, and fish and wildlife habitat in the Upper Skagit watershed until 2065. The purposes of the Commission include:

- to conserve and protect wilderness and wildlife habitat;
- to enhance recreational opportunities in the Skagit Valley;
- to acquire mineral or timber rights consistent with conservation and recreational purposes;
- to conduct studies of need and feasibility of projects;
- to plan for and construct hiking trails, footbridges, and interpretive displays;
- to facilitate removing stumps and snags in Ross Lake and on the shoreline; and
- to connect, if feasible, Manning Provincial Park and the North Cascades National Park by a trail system.

The Commission consists of four members appointed by the premier of British Columbia and four members appointed by the mayor of Seattle. All are appointed to four-year terms on a staggered basis. Each delegation elects a chair from among their members to serve for the duration of their term.

**Summary of Joint Memorial:** The Joint Memorial recognizes that one of the purposes of the Commission is to seek the acquisition of mineral or timber rights consistent with conservation and recreational purposes, including the area referred to as the donut hole, lying between two parks created by the province to protect the upper watershed's conservation and recreational resources.

The Joint Memorial further recognizes that:

- logging operations have begun in the donut hole and more logging operations are being planned;
- the logging roads constructed into this area will also facilitate mining exploration on the mineral claims within this area;
- the company holding the claims has filed applications to begin exploratory operations; and
- the company holding the mineral claims has a record of noncompliance with mine discharge standards.

The Joint Memorial notes that numerous First Nations, tribes in the United States, the city of Seattle, and conservation organizations have opposed the threat to the upper watershed's conservation and recreational values posed by logging and mining in the donut hole.

The Joint Memorial requests that British Columbia work with the city of Seattle and the Commission to prevent logging and mining in the donut hole of the Upper Skagit watershed, in order to ensure the area's environmental and recreational resources are permanently protected.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Staff Summary of Public Testimony:** PRO: Washington is spending a lot time and money to protect salmon habitat. There is concern about mining operations in British Columbia impacting Washington salmon habitat. It is important to let the British Columbia government that Washington state is concerned about the logging and mining operations in the Upper Skagit watershed. Skagit river has the opportunity for a new catch and release steelhead fishery because steelhead numbers are good in the Skagit. Skagit river provides important habitat for all five species of salmon, including chinook, steelhead, and bull trout. Over 50 percent of chinook salmon rely on the Skagit river to spawn and chinook is the prime food source for the southern resident orcas. The proposed mining activities in the donut hole pose a significant risk to the health of fish and wildlife species and waste from mining activities can be toxic to juvenile salmon. This memorial asks the province to work with Seattle and the Commission to prevent logging and mining in the donut hole in order to protect the area's environmental and recreational resources.

**Persons Testifying:** PRO: Senator John McCoy, Prime Sponsor; Bill Clarke, Trout Unlimited; Dawn Vyvyan, Sauk-Suiattle Tribe; Jeff Parsons, Puget Sound Partnership.

**Persons Signed In To Testify But Not Testifying:** No one.