RESOLUTION 31430

A RESOLUTION approving the proposed budget of the Skagit Environmental Endowment Commission for fiscal year 2013.

WHEREAS, on March 30, 1984, The City of Seattle and the Province of British Columbia signed an agreement settling their long-standing dispute over the proposed construction of the High Ross Dam; and

WHEREAS, Appendix D to that agreement provided for the establishment of the Skagit Environmental Endowment Commission to administer the Skagit Environmental Endowment Fund established by the City of Seattle and the Province of British Columbia; and

WHEREAS, in 1985, the Skagit Environmental Endowment Commission was duly constituted with four members appointed by the Mayor of Seattle and four members appointed by the Premier of British Columbia; and

WHEREAS, Article II of Appendix D establishing the Skagit Environmental Endowment Commission provided that the annual budget of the Commission shall be subject to review and approval by the City of Seattle and British Columbia; and

WHEREAS, the Commission has agreed upon a budget for fiscal year 2013; and

WHEREAS, the budget of the Commission for fiscal year 2013 has been duly reviewed by the City Council and the Mayor; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. The budget for the Skagit Environmental Endowment Commission (SEEC) fiscal year 2013 (April 1, 2013-March 31, 2014) as set forth in documents attached to this Resolution, is hereby approved by the City of Seattle.

Section 2. Projected expenditures detailed in the attached budget may be carried forward into fiscal year 2014, until such time as they are incorporated into a fiscal year 2014 budget approved by the City of Seattle. The fiscal year 2013 budget of the Commission needs to be resubmitted to the City Council only if the aggregate budget amounts for projects or

administrative expenditures are expected to be exceeded before approval of an annual budget for fiscal year 2014. The Commission may amend individual contract accounts and the contingency account, provided the cumulative changes do not exceed the total capital budget. Individual project funds shall be available for authorized reimbursements to contractors until projects are completed and contracts closed out within the times specified in the contracts.

Section 3. Any act pursuant to the authority and prior to the effective date of this resolution is hereby ratified and confirmed.

Adopted by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its adoption this_____ day of _____, 2013.

_____

President _____of the City Council

THE MAYOR CONCURRING:

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____

Monica Martinez Simmons, City Clerk

(Seal)

List of attachments to the Resolution:

Attachment 1: 2013 Skagit Environmental Endowment Commission Budget

2013 Skagit Environmental Endowment Commission Budget

SKAGIT ENVIRONMENTAL ENDOWMENT COMMISSION

For the period April 1, 2013 to March 31, 2014

(All amounts in U.S. Dollars)

SUMMARY

I.	**ADMINISTRATION (6.3%)**		$98,982
II.	**WORKPLAN / ANNUAL PROGRAM**		$469,103
	A. Partnership Workplan Support	**$218,367**	
	B. Partnership Joint Projects	**$185,069**	
	C. Workplan Contingency*	**$65,667**	
III.	**LAND MANAGEMENT CONTINGENCY****		$1,000,000
		TOTAL BUDGET	$1,568,085

* See discussion, page 3

** Set aside to cover costs of converting unprotected land in BC portion of watershed to protected status and/or to fund specific activities in support of grizzly bear recovery.

SKAGIT ENVIRONMENTAL ENDOWMENT COMMISSION
2013 ADMINISTRATIVE BUDGET for the period April 1, 2013 to March 31, 2014
(All amounts in U.S. Dollars)

	U.S. SECTION	CANADIAN SECTION	COMBINED EXPENDITURES
I. Administrative Expenditures			
A. Meetings	**$ 15,000**	**$ 15,000**	**$ 30,000**
Includes scheduled Commission meetings and other meetings to conduct specific business; e.g., commissioner orientation, meetings to discuss grant proposals; meeting with resource managers to discuss cross boundary issues			
B. Office and Project Operating Expense	**$ 3,300**	**$ 1,500**	**$ 4,800**
1. Insurance	1,800		
2. Miscellaneous	1,500	1,500	
C. Financial Services	**$ 0**	**$ 64,182**	**$ 64,182**
1. Audit		10,820	
2. Endowment management		53,362	
GRAND TOTAL ADMINISTRATIVE BUDGET	**$ 18,300**	**$ 80,682**	**$ 98,982**

SEEC INITIATIVES
FISCAL YEAR 2013-14
(All amounts in U.S. Dollars)

Partnership Workplan Support

	TITLE	(US $)
12-P1	**National Park Service—North Cascades** *International Interpretive Program; Youth involvement.*	$40,000
12-P2	**BC Ministry of Environment:** *International Interpretive Program; Youth involvement.*	$39,367
12-P3	**North Cascades Institute** *Mountain School*	$80,000
12-P4	**Hope Mountain Centre for Outdoor Learning**: *Capacity building; Education programs; Fraser Cascade School programs*	$59,020
TOTAL PARTNERSHIP WORKPLAN SUPPORT		**$218,367**

Partnership Joint Projects

	TITLE	(US $)
	Ecosystem Management & Monitoring • BC Water Quality $19,673 • Bear Sighting Phone Line $ 4,918 • Ecosystem Monitoring $65,804	$90,395
	Recreation Projects • Student Conservation Association $40,000 • Campground Projects $20,000	$60,000
	Communication and Land Management Projects	$34,673
TOTAL PARTNERSHIP JOINT PROJECTS		**$185,069**

WORKPLAN CONTINGENCY*	**$65,667**

GRAND TOTAL SEEC WORKPLAN	**$469,103**
CONTINGENCY FUND FOR LAND PURCHASE AND/OR GRIZZLY BEAR RECOVERY**	**$**1,000,000

* The Commission approved contingency funds at its December 14, 2012 meeting, noting these funds to be available, based on its expenditure policies and the balance of the Endowment Fund. A portion of the contingency (up to $10,000) is expected to support additional communications activities. A portion of the contingency (up to $30,000) is expected to support US agencies developing an Environmental Impact Statement.

** The Commission affirmed carrying over this contingency fund to provide up to $1,000,000 for land protection and continued development of a US EIS for grizzly bear recovery.

Form revised: December 12, 2012

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle City Light	Scott Powell (386-4582)	Calvin Chow (684-4652)

Legislation Title:

A RESOLUTION approving the proposed budget of the Skagit Environmental Endowment Commission for fiscal year 2013.

- **Summary of the Legislation**: This Resolution describes the planned use of the Skagit Environmental Endowment Fund between April 1, 2013 and March 31, 2014 and approves the resulting budget of the Skagit Environmental Endowment Commission. The Endowment Fund is not part of the City of Seattle's annual budget, but City Council approval is required by the 1984 High Ross Treaty between the US and Canada, as it references the associated Agreement between the City of Seattle and British Columbia. Similar Resolutions have been presented to the Council on an annual basis since 1985.

- **Background:** The Skagit Environmental Endowment Fund was jointly established by Seattle City Light and BC Hydro during the period 1985-89, as a result of the 1984 High Ross Treaty and Agreement. The Fund is managed by the Canadian Imperial Bank of Commerce to maintain capital and produce revenue. The Skagit Environmental Endowment Commission expends proceeds from the fund according to a budget developed through its own financial policies and program needs.

  The Treaty and Agreement require Seattle City Light to supplement the fund by an annual, inflation-adjusted payment based on a fixed amount of power purchase. In 2012 the payment was $130,914.95. Seattle City Light's payments are anticipated in the City's 2013 Adopted Budget in the Purchased Power Budget Control Level.

Please check one of the following:

__X__ This legislation does not have any financial implications.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

The legislation helps to fulfill Seattle's obligations and secure ongoing benefits under the High Ross Treaty and Agreement. Seattle City Light pays into the fund, as described in the background presented above, and provides staff support to the Commission as needed.

b) What is the financial cost of not implementing the legislation?

Financial costs would be a complex outcome of not fulfilling the City's obligations under the Treaty and Agreement, well beyond the scope of this note.

c) Does this legislation affect any departments besides the originating department?
No.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?
None known.

e) Is a public hearing required for this legislation?
No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?
No.

g) Does this legislation affect a piece of property?
No.

h) Other Issues:
The Commission continues to operate in a fiscally responsible manner and to conduct valuable public programs in collaboration with a number of partners.

List attachments to the fiscal note below:

Attachment 1: Briefing Paper for Skagit Environmental Endowment Commission 2013 Budget

Attachment 2: 2012 Annual Report: Skagit Environmental Endowment Commission

BRIEFING PAPER

SKAGIT ENVIRONMENTAL ENDOWMENT COMMISSION

2013 BUDGET

- The Commission was established by treaty between the United States and Canada as part of the settlement of the High Ross Dam controversy in 1984. Half of the Commission members are appointed by the Mayor of Seattle; the other half by the Premier of British Columbia.
- As part of the treaty, an endowment fund was created to protect the wilderness and wildlife values, and to enhance recreational opportunities, in the upper Skagit watershed above Ross Dam.
- The Treaty stipulated that Seattle and British Columbia would contribute to an endowment fund that the Commission administers. This was initially accomplished in 1985-89. The Treaty also requires Seattle City Light and BC Hydro to contribute to the fund, based on the value of certain power sales, on an annual basis.
- The endowment fund is **not** part of Seattle's annual budget, but approval of the budget by the Seattle City Council and the British Columbia Minister of Forest Land and Natural Resource Operations are required. The SEEC fiscal year begins April 1.
- In August, 2008, the Commission launched a 5-year work-planning process in collaboration with its public agency and non-governmental partners. The Commission continues to organize its work around initiatives for education, ecosystem management, recreation, and land management. For 2013, anticipating change in its next 5-year plan, "communication" was added to the land management initiative category.
- The 2013-14 budget also reflects these categories with funds for education ($218,367), ecosystem management ($90,395), recreation ($60,000), and communications & land management ($34,673).
- The Commission typically budgets a modest contingency fund to account for unforeseen needs and opportunities. This year, a portion of the contingency is expected to be used for communications activities and a portion to support grizzly bear recovery. Also, the Commission continues to set-aside $1,000,000 in contingent appropriation for two specific purposes. First is authority to move unprotected areas of the Upper Skagit Watershed in British Columbia into protected status. The second is targeted support for grizzly bear recovery in the upper Skagit area, should opportunities arise.
- The fund is managed for SEEC by the Canadian Imperial Bank of Commerce. About 39 per cent of the fund is held in a US$ account and 61 per cent in a CAN$ account. At the close of 3rd Qtr, 2012, the fund stood at $9,702,146 US$. The Commission gauges its expenditure rate on a multi-year perspective and will continue to monitor the fund for needed budget adjustments in future years.

ANNUAL REPORT *Calendar Year 2012*

INTRODUCTION

This Annual Report summarizes the activities of the Skagit Environmental Endowment Commission (SEEC) during the calendar year 2012. It is prepared in fulfillment of the provisions of Article II, Appendix D of the British Columbia–Seattle Agreement (March 30, 1984) regarding the High Ross Dam. Budget information is based on the Commission's fiscal year which begins on April 1.

BACKGROUND

The Commission was established in 1984 as a result of the Ross Lake/Seven Mile Reservoir Treaty between Canada and the United States (High Ross Treaty). Along with the Treaty, British Columbia and the City of Seattle established the Skagit Environmental Endowment Fund to be administered by the Commission. Seattle and British Columbia contributed US $4 million and US $1 million respectively to the Fund. Per terms of the Treaty, both Seattle City Light and BC Hydro make annual supplemental payments to the Fund, based on power sales and production.

As of September 30, 2012 the market value of the Endowment Fund was US$ 9,702,146, with the principal held in separate US and Canadian investment portfolios in Canada. The Fund resides and is managed completely outside of the consolidated revenue of both the BC Provincial and Seattle City governments.

The primary purposes of the Fund are to:

(A) conserve and protect wilderness and wildlife habitat;
(B) enhance recreational opportunities in the Skagit Valley;
(C) acquire mineral or timber rights consistent with conservation and recreational purposes;
(D) conduct studies of need and feasibility of projects;
(E) plan for and construct hiking trails, foot bridges, interpretive displays and the like; and
(F) cause the removal of stumps and snags in Ross Lake and on the shoreline as deemed appropriate and the grooming and contouring of the shoreline, consistent with wildlife habitat protection

Expenditures of the Fund are limited to projects located in or related to the Skagit River drainage upstream of the Ross Dam in both Washington State and British Columbia. The intent of the Agreement is that the majority of the expenditures from the Fund, averaged over an extended period, be made in Canada. Details of the Fund are outlined in Appendix D of the Agreement (page 38) dated 1984. Annual expenditure levels are developed within established guidelines, considering investment income during the year, and averaging about 4 per cent of the Fund value.

The Commission created to manage the Fund consists of eight members, four of whom are appointed by the Mayor of Seattle and four appointed by the Premier of British Columbia. Both countries also have four alternate Commissioners for a total of sixteen volunteers that serve the Commission. Per the Agreement, SEEC is a non-profit, tax-exempt entity.

2012 COMMISSIONERS AND STAFF

A complete roster of the Commission is attached to this annual report (Appendix A). During the year:

- The BC Premier appointed Kerry Grozier and Laurie French, as new commissioners and Gail Ross and Tom Curley as alternates.
- The Seattle Mayor re-appointed Michelle Connor and Jennifer Watkins as commissioners and appointed Leo Bodensteiner and Gerry Cook as alternates.

By terms of the Agreement, Seattle City Light and the BC government designate Secretaries to support the Commission. Chris Tunnoch, of the BC Ministry of Forests Land and Natural Resource Operations serves as the Canadian staff, and Scott Powell, SCL Environmental Affairs and Real Estate Division, is the US staff member.

2012 ACTIVITIES AND PARTNERSHIPS

SEEC continues the implementation of a Five-year Workplan developed at its 2008 annual retreat. The Commission is working with established partners with a focus on the following initiatives:

- Land Management;
- Ecosystem Management;
- Education; and
- Recreation.

Meetings and Retreat

The Commission met in February, June, September, and December 2012. The September meeting was a retreat held over two days at Semiahmoo Restort in Blaine, WA. The retreat was facilitated by Julian Griggs, Dovetail Consulting, who had worked with SEEC in the past. The retreat oriented the new commissioners to prior SEEC accomplishments and set the stage for ongoing participation, focused on the development of the next 5-Year plan during 2013.

Key action items from the retreat included:

- As part of the preparation of the 2014-2019 Strategic Plan, incorporate, within the guiding values and core strategies, statements that reflect SEEC's commitment to respectful engagement and relationship-building with First Nations and Tribes.
- Revise the goals for the Education program area to incorporate more fully the theme of changing demographics within SEEC potential audiences.
- As part of the development of the 2013-2018 Strategic Plan, SEEC should explore ways to leverage funding to support activities in the Ecosystem Management program area
- Establish Communications as a full program area for the duration of the 2014- 2019 Strategic Plan cycle.
- Engage Partners in the development of specific objectives for the Education program, and in the development of indicators or other tools to assess program effectiveness.
- Refine the goal statement for the Recreation program area to reflect a commitment to develop a 'one-recreational-experience-on-both-sides-of-the- border' approach, consistent with the spirit and intent of the Treaty
- SEEC should continue to hold funds available for work on Grizzly Bears, pending an opportunity for such a project to be implemented
- Continue to foster a discussion among Commissioners and stakeholders to clarify SEEC's intent regarding mineral deposits and other land uses in the 'Donut Hole.'

Program Activities

SEEC had a role in funding and supporting each of the following activities.

Education – Continued presentation of public programs and school programs by Hope Mountain Center for Outdoor Learning; another successful year for the Mountain School at the North Cascades Institute; continuation of the international interpretation program by Canadian and US park rangers at Hozomeen.

Recreation – Trail enhancements were accomplished by the Student Conservation Association, in its 26th year of partnership with SEEC. BC Parks completed a trail extension project and mapped potential future trail at Hozomeen. Work on the "Winnebago Flats" campground at Hozomeen was deferred until 2013.

Ecosystem Management – Highlights included additional tracking information for wolverines and other wildlife. SEEC supported a "Go-Grizz" phone call-in line for citizen to report bear sightings in BC. The National Park Service continued its suite of vital signs monitoring work. HMCOL monitored water quality at 10 sites in the upper Skagit. And BC Parks completed an invasive plant survey and a wildlife study and initiated a white-bark pine monitoring effort.

Land Management – Progress in the land management arena in 2012 consisted primarily of continued self-education and sharing of views and values among US and Canadian commissioners. Concepts and potential SEEC roles were discussed with respect to natural resource management and economic development issues, as well as border security, and long-term park agency planning.

FINANCES

The Commission's fiscal year runs from April 1st to March 31st. The Endowment Fund is held and managed by the Canadian Imperial Bank of Commerce (CIBC) and holds investment portfolios in both US and Canadian funds. According to CIBC's 2012 Third Quarter Financial Update, the combined Fund showed a balance of approximately CAN $9.86, million or US $9.70 million. Seattle City Light and BC Hydro supplement the fund annually with payments based on power purchases under the High Ross Treaty and Agreement.

Total program expenditures of the Commission, based on projected expenditures through the 2012/13 fiscal year, are less than the budgeted $549,890, of which 82% was direct disbursement for contracts and partnership projects. Administrative costs were 8.4%, while the balance reflects financial management fees for the Endowment Fund.

ATTACHMENTS

- Appendix A 2012 Commission Roster
- Appendix B SEEC Budget - Fiscal Year 2012

APPENDIX A

2012 COMMISSION ROSTER

G	Name	Term Expires	Appointed	Appointment/ authority	Commission Field/ Profession
	US Commission				
M	Larry Campbell	7-1-13	11-4-09	Commissioner/ Mayor	Swinomish Indian Tribal Community; Historic Preservation Officer
F	Michelle Connor (US Co-chair)	8-11-16	8-10-12	Commissioner/ Mayor	ForTerra; Natural resource conservation, non-profit organizational development
M	James Hattori	9-20-15	9-20-11	Commissioner/ Mayor	Financial and non-profit management; outdoor recreation
F	Jennifer Watkins	8-11-16	8-10-12	Commissioner/ Mayor	Conservation Northwest, natural resource conservation
M	Leo Bodensteiner	8-11-16	8-10-12	Alternate/ Mayor	Environmental Science, Education, fly fishing
M	Gerry Cook	8-11-16	8-10-12	Alternate/ Mayor	Recreation facility design, education, National Park Service retired
M	James Davis	9-19-15	9-20-11	Alternate/ Mayor	Non-profit management; environmental and outdoor recreation; American Alps
F	Alison Studley	7-1-13	11-4-09	Alternate/ Mayor	Skagit Fisheries Enhancement Group, natural resource conservation
M	Scott Powell		3-13-07	US Secretary/ SCL	Seattle City Light Environmental Affairs & Real Estate Division
	CAN Commission				
M	Laurence French	2-1-16	2-1-12	Commissioner/ Premier	Municipal government; recreation
M	Kerry Grozier	2-1-16	2-1-12	Commissioner/ Premier	Land Management; Ministry of Forests (retired)
M	Shaun Hollingsworth (CAN Co-Chair)	11-1-16	11-1-11	Commissioner/ Premier	Environment; BC Wildlife Federation, BC Conservation Foundation, Salmon Enhancement
F	Nancy Wilkin	11-1-15	11-1-11	Commissioner/ Premier	Government; Assistant Deputy Minister, Environment (retired); Royal Roads University
M	Tom Curley	2-1-16	2-1-12	Alternate/ Premier	Human Resources
F	Gail Ross	2-1-16	2-1-12	Alternate/ Premier	Park interpretation and management, BC Parks (retired), UNBC instructor
	VACANT				
	VACANT				
F	Chris Tunnoch		1-15-00	Canadian Secretary / Minister	BC Ministry of Forests, Lands & Natural Resource Operations

APPENDIX B

SEEC BUDGET PLAN - FISCAL YEAR 2012

Partnership Workplan Support

TITLE	(US $)
National Park Service—North Cascades *International Interpretive Program; Youth involvement.*	$40,000
BC Ministry of Environment: *International Interpretive Program; Youth involvement.*	$40,903
North Cascades Institute *Mountain School*	$80,000
Hope Mountain Centre for Outdoor Learning: *Capacity building; Education programs; Fraser Cascade School programs*	$61,355
TOTAL PARTNERSHIP WORKPLAN SUPPORT	**$222,258**

Partnership Joint Projects

TITLE	(US $)
Ecosystem Management	$99,084
Recreation Projects (incl Student Conservation Assn)	$70,677
Land Management/Outreach Coordinator	$20,452
TOTAL PARTNERSHIP JOINT PROJECTS	**$190,213**

ADMINISTRATION AND FUND MANAGEMENT	**$96,908**
WORKPLAN CONTINGENCY	$40,511
GRAND TOTAL SEEC WORKPLAN	**$549,890**
CONTINGENCY FUND FOR LAND PURCHASE AND/OR GRIZZLY BEAR RECOVERY	$1,000,000

City of Seattle
Office of the Mayor

January 29, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to forward the attached proposed Resolution seeking Council approval of the Skagit Environmental Endowment Commission's (SEEC's) 2013 budget for its fiscal year of April 1, 2013 through March 31, 2014. The Commission was established in 1984 as part of an 80-year treaty between the US and Canada and agreement between the City of Seattle and the Province of British Columbia relating to a proposed "High Ross Dam". Earnings from the endowment plus annual supplemental payments by Seattle and British Columbia, set by the agreement, allow the Commission to support a variety of educational and environmental projects in the upper Skagit watershed. Although its funds come from an endowment and are separate from City funds, the agreement requires SEEC to submit its annual budget to the Seattle City Council for review and approval.

SEEC continues to work in partnership with the National Park Service, the North Cascades Institute, British Columbia natural resource agencies, the Student Conservation Association, and the Hope Mountain Centre for Outdoor Learning. A 5-year work-plan has been developed that outlines funding priorities for education, ecosystem management, land management, and recreation. The 2013 SEEC budget renews a contingent allocation of $1 million to support land protection measures in the Skagit watershed in British Columbia and to support grizzly bear recovery in the watershed.

SEEC will not act on its 2013 budget proposal until it receives City Council approval. Please call Jim Baggs (Seattle City Light) at 684-3243 if you have questions or would like additional information.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov