



# Nor'wester Newsletter

Issue # 588 | September 13, 2016

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## Updated Senate WRDA released; vote possible this week

Progress continues in the Senate for the 2016 Water Resources Development Act (WRDA). A flurry of activity began last week at the start of the September work period, and [over 80 amendments](#) to the bill were filed. [A Manager's Amendment](#) was released this morning, and PNWA has been reviewing the updated bill. There have been some important developments, which you will find below.

### *[Small Ports \(Section 2009\)](#)*

Nor'wester readers will recall that the Water Resources Reform and Development Act of 2014 (WRRDA) included a 10% set aside of annual Harbor Maintenance Trust Fund expenditures to be directed to small ports, through FY2022. PNWA has been a lead advocate working to make sure this set aside is made permanent in the next WRDA bill, and we are pleased to report that the updated bill does include permanence for this important provision.

The Senate's [original 2016 bill](#) extended the authority through FY2025 and modified the base level of funding from FY2012 levels to FY2015 levels. Through the efforts of Senator Wyden, with the support of the Northwest

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Congressional delegation, the updated bill now has language that would make the set aside permanent. We do want to alert PNWA members that the modifications to the base funding were stripped in the updated bill text. We are hopeful to address this issue in a future WRDA, to build on the forward momentum for small ports.

#### *Donor Ports (Section 2010)*

WRRDA 2014 authorized \$50M annually, to be provided to donor and energy transfer ports for expanded uses such as berth dredging, removal of contaminated sediment, and rebates to importers/shippers moving cargo through that port. This provision was only temporarily authorized through FY2018, at which time further evaluations would be made.

The updated Senate bill would make several changes to this program, including:

- Make the provision permanent
- Establish a new medium sized donor port category, adding approximately three additional ports to the program, and establish the rules for dividing funds between donor and medium donor ports
- Work to target rebates to discretionary cargo most at-risk of diversion to ports outside of the U.S.
- Make the rebate eligible for funding out of the HMTF, as opposed to the General Fund

#### *HMTF Priority Funds (Section 2018)*

Additional updates in the Manager's Amendment include making permanent the HMTF priority funds authorized in WRRDA 2014. This provision ensures that any HMTF spending over FY2012 levels is subject to certain prioritization rules, including 90% going to high and moderate use projects and 10% to emerging harbors. The Great Lakes navigation system also receives dedicated funding out of this pot. WRRDA 2014 authorized the program through FY2024, and the Senate version of WRDA 2016 would now make this permanent.

### *Columbia River Basin Restoration Act (Section 7651)*

For a number of years, PNWA has worked with the Lower Columbia River Estuary Partnership, tribal colleagues, Northwest RiverPartners and others on a bill to clean up toxins in the Columbia River Basin. Senator Jeff Merkley and Representative Earl Blumenauer have been leading the charge on this legislation to ensure the Columbia River Basin is eligible for federal dollars through a voluntary program that would provide stakeholders with the tools and support needed to clean up toxins. We are very pleased to report that the Senate bill now includes authorization for this program. For additional background, please view our [fact sheet](#).

### *Willamette Falls Locks (Section 1031)*

Modifications were also made to the bill to benefit the Willamette Falls Locks project. Language included ensures that all economic benefits of a project, including cultural and historic preservation, recreation and tourism, can be considered in Corps disposition studies. This will be helpful to the Willamette Falls Locks Working Group as they continue to review the future of the locks.

### *Other provisions*

Unchanged provisions from the April 2016 version include:

- Proposed increases in ecosystem restoration funding for the Columbia River and Tillamook Bay estuaries
- Strengthened language to combat invasive species in the Columbia River Basin
- Removal of an outdated flowage easement for the Port of Cascade Locks
- Expansion of Section 214 to allow rail carriers to utilize this regulatory funding authority.

More information can be found in our [analysis of the original Senate bill](#).

It is anticipated that the updated bill will be voted on by the full Senate by Thursday of this week. PNWA will keep *Nor'wester* readers updated as the bill continues to

move forward. Please contact [Heather Stebbings](#) with any questions.

## PNWA hosts sessions with Corps and BPA

On August 26th, PNWA hosted two events for our members, to strengthen our partnerships with the Corps of Engineers and Bonneville Power Administration.



### *Northwest Regulatory Workshop*

Our morning event featured a workshop with leadership from the Regulatory Branch of the Northwestern Division, and Portland and Seattle Districts of the Corps. It was an opportunity for PNWA members to [hear directly from agency staff](#) about the Corps' regulatory mission, as well as ways we can better partner together to streamline the process. PNWA members were able to ask questions on specific permitting questions and share some broad areas of concern. Topics included the Corp's permitting authorities, energy project permitting, Section 214, and the differences in permit types. The workshop ended with a brief breakout session by District for more targeted discussion.

We are extremely grateful to our members and Corps staff that participated and shared such great information. PNWA anticipates this will be the first of a series of regulatory meetings with both the Corps, and our other agency partners. We will also be standing up a Regulatory Committee within our membership, to work in more detail on these important issues. Interested members should contact [Peter Godlewski](#) on our staff.

Corps & BPA 101

Our afternoon program featured Sonya Baskerville, Federal Relations Manager for Bonneville Power Administration, and Kevin Brice, Deputy District Commander of the Corps' Portland District. Both experts spoke in depth about the missions of their respective agencies, as well as how the two work together to manage infrastructure and operations on the Columbia Snake River System. PNWA members, as well as our Congressional partners, were able to participate and learn more about how we can work together to promote environmental and economic success in our region. We thank both Kevin and Sonya for taking the time to join us for this important event.

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