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Background: The Water Resources Development Act authorizes U.S. Army Corps of Engineers projects and changes to Corps policies. PNWA encourages passage of this authorization bill on a two-year cycle to ensure timely and consistent authorization of Pacific Northwest navigation projects.

The House passed H.R.7575, the Water Resources Development Act of 2020, on July 29. The Senate Environment and Public Works Committee passed their corresponding bills, America's Water Infrastructure Act of 2020 and the Drinking Water Infrastructure Act of 2020, out of committee on May 6. The Senate bills did not include changes to the Harbor Maintenance Trust Fund.



Although the bills have not passed the full Senate, they were allowed to proceed to conference committee negotiations. Senator Patty Murray and others proposed changes to the HMTF. During PNWA's November virtual Hill visit, we learned that progress had been made on reconciling the differences between the House and Senate versions.

Update: The House Transportation and Infrastructure Committee released the [draft WRDA conference bill \(section by section summary here\)](#) and intends to vote on this legislation Tuesday. The legislation would still need to pass the Senate and be signed by the President. It is unclear if the Senate will take this up as a stand-alone bill or possibly attach it to the appropriations bill.

Harbor Maintenance Trust Fund: The legislation provides for full spending of the annual Harbor Maintenance Tax receipts and spending down the surplus in the HMTF, currently estimated at \$10 billion. This could unlock an additional \$2 billion per year for projects until the surplus is expended. Effective October 1, 2022, the bill also implements changes to the spending formulas for HMTF including:

- 15% for Emerging Harbors (including eligible breakwater and jetty project

- needs),
- 12% for Donor and Energy Transfer Ports expanded uses (2/3 for donor ports and 1/3 for energy transfer ports);
- 13% for the Great Lakes Navigation System; and
- 17% for a newly created category called Commercial Strategic Seaports, which are defined as commercial harbors supporting the coordination of efficient port operations during peace time and national defense emergencies that are designated as strategic through the National Port Readiness Network.

Additional Uses: For the funding allocated to emerging harbors, up to \$5 million may be used for up to 10 projects for maintenance dredging of a marina or berthing area in an emerging harbor located adjacent to or accessible by a Federal navigation project. Eligible emerging harbors for this funding support commercial activities, including commercial fishing operations, commercial fish processing operations, recreational and sport fishing, and commercial boat yards; or supports Coast Guard activities. The non-Federal cost share is at least 25% of the maintenance dredging of the portion of maintenance dredging that is located outside of the Federal navigation channel and can be provided as an in-kind contribution through the use of dredge equipment owned by non-Federal interest.

In-water improvements to provide seismic reinforcement of a wharf or berthing structure, repair or replacement of a deteriorating wharf or other berthing structure, or to maintain slope stability at a berth are authorized additional uses.

Donor and Energy Transfer Ports: Beginning on October 1, 2022, the bill authorizes funds to be appropriated for donor and energy transfer ports, starting at \$56 million for Fiscal Year 2023 and increasing by \$2 million annually through FY 2030.

Inland Waterways Trust Fund: For projects utilizing the Inland Waterways Trust Fund between fiscal years 2021 to 2031, the federal government contribution will be 65% and the IWTF contribution 35%.

PNWA Supported Projects Included:

- Section 201 – Authorization to improve and add turning basins for the project for navigation, Columbia River Channel, Oregon and Washington.
 - Section 202 – Expedited completions for the following projects:
 - Project for ecosystem restoration, Hood River at the confluence with the Columbia River, Oregon.
 - Project to resolve increased silting and shoaling adjacent to the Federal channel, Port of Bandon, Coquille River, Oregon.
 - Project for water supply and ecosystem restoration, Howard Hanson Dam, Washington.
 - Project for ecosystem restoration, Puget Sound, Washington.
 - Project for navigation, Seattle Harbor, Washington.
 - Project for navigation, Tacoma Harbor, Washington.
 - Section 204 – A feasibility study on increasing the frequency and depth of dredging assistance from the Corps of Engineers at the Port of Astoria, located at the mouth of the Columbia River, Oregon.
 - Section 342 – This section deauthorizes a portion of the project for navigation in Cap Sante Waterway and Navigation Channel, Skagit County, Washington.
 - Section 356 – This section authorizes the Corps to convey real property owned by the Federal government for several locations including the Willamette Falls Locks in Oregon.
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