



FY2023 DRAFT OMNIBUS APPROPRIATIONS BILL RELEASED

To buy some additional time to finalize negotiations over FY2023 spending levels, Congress passed a short term Continuing Resolution (CR) from December 16 to December 23. On December 20, the draft FY2023 omnibus appropriations package was released. The bill must still pass the House and Senate to be signed into law by President Biden before December 23 or another CR will be needed to avoid a government shutdown. Congress is expected to act on the Omnibus Appropriations bill this week. Once the bill is signed into law, the U.S. Army Corps of Engineers will have 60 days to develop its work plan to present to Congress.

To read the text of the FY2023 omnibus bill, click [here](#).

To read the explanatory summaries, click [here](#).

U.S. Army Corps of Engineers Funding

The FY2023 omnibus package includes the FY2023 Energy and Water Appropriations bill. The bill funds the U.S. Army Corps of Engineers, as well as the Department of Energy, Bureau of Reclamation and several other independent federal agencies.

To read the Energy & Water appropriations bill explanatory statement, click [here](#).

To read the Energy & Water appropriations bill fact sheet, click [here](#).

U.S. Army Corps of Engineers:

The Corps is slated to receive \$8.66 billion in FY2023 and the bill provides funding for:

- Investigations - \$172.5 million
- Construction - \$1.8 billion
- Operations and Maintenance - \$5.1 billion
- Harbor Maintenance Trust Fund - \$2.318 billion
- Donor and Energy Transfer Ports - Section 2106(c) \$56 million.
- Regulatory - \$218 million

Spending Pots:

The appropriations bill includes the general discretionary funding pots that the Corps uses for work plan development in addition to Congressionally Directed Spending (earmarks).

- Navigation - \$32 million
- Deep Draft Harbors & Channels - \$352.4 million
- Small, Remote, Subsistence Navigation - \$65 million
- Other Authorized Project Purposes - \$ 11.3 million

PNWA Supported Corps Projects:

PNWA is very pleased to see robust funding for the Corps, as well as inclusion of the spending pots, Congressionally Directed Spending, and an increase in regulatory staffing capacity.

We are pleased to report that many of our supported projects fared well in the omnibus. To view individual project funding please view our PNWA Supported Corps

Within the bill, there are some specific items to note:

For Construction funding, PNWA is pleased to see progress being made on the Columbia River Channel Improvement dredge disposal site. Additional funding for this project is needed and we will be seeking that in the workplan process, along with additional funding for the the Columbia River Fish Mitigation program and the Mount St. Helens Sediment Control project. All of PNWA's priorities were fully funded under the Investigations account including Tacoma Harbor Navigation Improvement, environmental dredging for the Willamette River, and the Columbia River Turning Basin Navigation Improvements Feasibility Study.

For Operations & Maintenance (O&M), we were so pleased to see the Puget Sound, Washington & Oregon coasts, and the Columbia Snake River System receive a significant amount of funding. That said, we do have a few outstanding needs for which we will be seeking workplan funding. These include Lake Washington Ship Canal, the Mouth of the Columbia River and smaller needs at the Columbia Snake River locks and dams. The Oregon coast also has some outstanding funding requests at Tillamook Bay & Bar (Port of Garibaldi), Yaquina River (Port of Toledo), and Columbia River at Baker Bay (Port of Ilwaco). PNWA will be advocating for the highest level of funding possible for these projects in the workplan.

Directive Language of Note:

"Small, Remote, or Subsistence Harbors. - The agreement emphasizes the importance of ensuring that our country's small and low-use ports remain functional. The Corps is urged to consider expediting scheduled maintenance at small and low use ports that have experienced unexpected levels of deterioration since their last dredging. There is concern that the Administration's criteria for navigation maintenance disadvantage small, remote, or subsistence harbors and waterways from competing for scarce navigation maintenance funds. The Corps is directed to revise the criteria used for determining which navigation maintenance projects are funded and to develop a reasonable and equitable allocation under the Operation and Maintenance account. There is support for including criteria to evaluate economic impact that these projects provide to local and regional economies."

"Mount St. Helens Sediment Monitoring. - The Corps is encouraged to include appropriate funding for sediment monitoring activities in future budget submissions."

"The agreement includes \$218,000,000 for the Regulatory Program. Funds above the budget request are included to address capacity needs across the Corps related to staffing shortages in Corps districts. The Corps is encouraged to budget appropriately in order to process permits in a timely fashion."

"Mitigation Banking. - The Corps is encouraged to ensure sufficient staffing levels to efficiently and expeditiously process mitigation bank applications."

"Permit Application Backlogs. - The agreement reiterates House direction. The Corps is directed to provide to the Committees not later than 90 days after enactment of this Act a report on staffing levels and permit backlogs in each of the last five years, as well as a plan for rectifying the staffing shortages. The Corps is directed to brief the Committees on the results of the report upon completion."

Feel free to contact [Dena Horton](#) if you have any questions.

Columbia River Treaty Directive Language:

"Columbia River Treaty.--The Corps is directed to brief, in a classified setting and in coordination with the Department of State, not later than 60 days after enactment of this Act on post-fiscal year 2023 flood control operations as dictated by the Columbia River Treaty. Further, not later than 90 days after enactment of this Act the Corps shall provide a classified detailed assessment, in coordination with Department of State, of its funding requirements and plan for post-fiscal year 2023 flood control operations as dictated by the Columbia River Treaty."

Please contact [Heather Stebbings](#) if you have any questions regarding Columbia River Treaty issues.

Transportation Funding

The FY2023 Transportation, Housing, and Urban Development (THUD) Appropriations bill includes funding ports can pursue to fund projects.

To read the THUD Appropriations bill explanatory statement, click [here](#).

To read the THUD Appropriations bill fact sheet, click [here](#).

Port Infrastructure Development Program (PIDP) - \$212.2 billion

MARAD is directed to provide 25% of the funds for small inland river and coastal ports and terminals and the Federal cost shares can be above 80% for rural area projects.

America's Marine Highways Program - \$10 million

National Infrastructure Investments - Rebuilding American Infrastructure with Sustainability and Equity (RAISE) \$800 million

The bill clarifies that projects alleviating blocked highway-rail grade crossings are eligible for funding and when USDOT is awarding advance appropriations funds for the mega grants program, applications including development of coastal and inland ports to facilitate an efficient supply chain should be considered.

Consolidated Rail Infrastructure and Safety Improvements (CRISI) - \$535 million

The Port of Pasco's Reimann Last Mile Industrial Rail project will receive \$3.6 million from the CRISI program in Congressionally Directed Spending (earmark).

Railroad Rehabilitation and Improvement Financing (RRIF) Program - \$5 million

NOAA Funding

(Of note is that NOAA Fisheries also received \$20 million in the Bipartisan Infrastructure Law and \$20 million in the Inflation Reduction Act to assist with efficient and timely environmental reviews for project permits.)

The FY2023 Commerce, Justice, and Science (CJS) Appropriations bill included some additional funding for NOAA Fisheries to address their staffing capacity issues.

To read read the CJS Appropriations bill explanatory statement, click [here](#).

To read the CJS Appropriations bill fact sheet, click [here](#).

National Marine Fisheries Service -\$1.09 billion is for NMFS Operations, Research, and Facilities.

NMFS Project Consultations - The bill provides an additional \$2 million above FY2022 enacted level for NMFS to address the backlog of ESA consultation requests and authorization requests under the Marine Mammal Protection Act (MMPA). "NMFS is directed, in collaboration with the U.S. Army Corps of Engineers, to provide timely services to, and proactive communication with, applicants for permits for in-water construction, and to increase outreach to other relevant stakeholders, including in the Pacific Northwest. NMFS shall continue to provide updates to the Committees on a quarterly basis on these issues."

Pacific Coastal Salmon Recovery - \$65 million is provided for the Pacific Coastal Salmon Recovery Fund.

Pacific Salmon - \$72 million is provided for Pacific Salmon which is \$5 million above FY2022 enacted level.

Salmon Management Activities - Includes \$41 million for Pacific Salmon Treaty (PST) activities and \$23.5 million for Mitchell Act hatchery programs.

Southern Resident Killer Whales - An increase of \$250,000 above FY2022 enacted level is included.

Feel free to contact [Dena Horton](#) if you have any questions.

Other Program Funding

The Economic Development Administration (EDA) was provided \$430 million for the following assistance programs:

- Public Works - \$121.5 million
- Partnership Planning - \$36 million
- Technical Assistance - \$14 million
- Research and Evaluation - \$2 million
- Trade Adjustment Assistance - \$13.5 million
- Economic Adjustment Assistance - \$39.5 million
- Assistance to Energy Transition Communities - \$69 million
- Regional Innovation Program Grants - \$50 million
- Recompete Pilot Program - \$41 million
- Regional Technology Innovation Hubs - \$41 million
- STEM Apprenticeship Program - \$2.5 million

To read the CJS Appropriations bill explanatory statement, click [here](#).

The Environmental Protection Agency (EPA) Diesel Emissions Reduction Act (DERA) grant program - \$100 million

Brownfields projects program - \$100 million

To read the Interior, Environment and Related Agencies Appropriations bill explanatory statement, click [here](#).

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