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The Senate Appropriations Committee and House Appropriations Committees (AC) released their Energy & Water Resources Development appropriations bills and below is a side by side comparison of the two proposals. These bills will still need to pass both the full House and Senate, be reconciled in conference committee, passed through both chambers, and then signed into law by the President. It is unclear on the timing of passage of the appropriations bills due to highly partisan negotiations. As Fiscal Year 2024 begins on October 1, 2023, a Continuing Resolution will be necessary to avoid a government shutdown.

Proposed FY2024 Funding for the U.S. Army Corps of Engineers

Senate AC	House AC	Overall
\$8,930,000	\$9,570,000	Investigations
\$93,272,000	\$136,087,000	Construction
\$2,029,000	\$2,890,000	Operations and Maintenance
\$5,531,000	\$5,497,000	Harbor Maintenance Trust Fund
\$2,771,000	\$2,771,000	Donor and Energy Transfer Ports - 2106(c)
\$58,000,000	\$58,000,000	Regulatory
\$221,000,000	\$218,000,000	

Additional discretionary spending accounts:

Senate AC	House AC	
\$20,000,000	\$10,000,000	Navigation Maintenance
\$904,122,000	\$631,106,000	Deep Draft Harbor and Channel
\$58,000,000	\$58,000,000	Donor and Energy Transfer Ports
\$10,000,000	\$40,000,000	Inland Waterways
\$65,000,000	\$178,000,000	Small, Remote, and Subsistence Harbors

Investigations

Senate AC	House AC	
\$940,000	\$0	Willamette River Environmental Dredging PED
\$1,900,000	\$0	Tacoma Harbor for PED

Construction

Senate AC	House AC	
\$66,670,000	\$66,670,000	Columbia River Fish Mitigation (CRFM)
\$50,000,000	\$50,000,000	Howard Hanson Dam
\$500,000	\$0	The Dalles Lock and Dam

Operations & Maintenance

Senate AC	House AC	
<u>Washington</u>		
\$3,333,000	\$3,333,000	Everett Harbor and Snohomish River
\$16,163,000	\$10,663,000	Lake Washington Ship Canal
\$193,000	\$193,000	Seattle Harbor
\$73,000	\$73,000	Olympia Harbor
\$17,878,000	\$17,878,000	Grays Harbor
\$2,197,000	\$2,197,000	Swinomish Channel
\$185,000	\$185,000	Port Townsend
\$1,272,000	\$1,272,000	Columbia River at Baker Bay
\$1,373,000	\$1,373,000	Columbia River btw Chinook & Sand Island
\$29,340,000	\$29,340,000	Mouth of the Columbia River
\$73,151,000	\$69,151,000	Columbia River and Lower Willamette
\$1,231,000	\$1,231,000	Columbia River btw Vancouver and The Dalles

Oregon

\$750,000	\$52,000	Tillamook Bay & Bar (Port of Garibaldi)
\$4,706,000	\$4,706,000	Yaquina Bay & Harbor (Port of Newport)
\$1,099,000	\$1,099,000	Siuslaw River (Port of Siuslaw)
\$1,223,000	\$1,223,000	Umpqua River (Port of Umpqua)
\$9,076,000	\$8,356,000	Coos Bay (Port of Coos Bay)
\$578,000	\$578,000	Coquille River (Port of Bandon)
\$1,076,000	\$1,046,000	Rogue River (Port of Gold Beach)
\$128,000	\$128,000	Willamette Falls Locks

Locks & Dams

\$14,357,000	\$14,357,000	Bonneville Lock & Dam
\$4,228,000	\$4,228,000	The Dalles Lock & Dam
\$6,212,000	\$6,212,000	John Day Lock & Dam
\$10,821,000	\$10,821,000	McNary Lock & Dam
\$8,840,000	\$8,840,000	Ice Harbor Lock & Dam
\$3,323,000	\$3,323,000	Lower Monumental Lock & Dam
\$3,272,000	\$3,272,000	Little Goose Lock & Dam
\$3,768,000	\$3,768,000	Lower Granite Lock & Dam
\$954,000	\$774,000	Mount St. Helens Sediment Control
\$4,375,000	\$4,375,000	Howard Hanson Dam
\$17,341,000	\$7,766,000	Mud Mountain Dam
\$7,883,000	\$7,832,000	Columbia River Treaty Implementation

Bill Report Language

In the Senate and House Appropriations Committees bill reports, in addition to the specific project numbers, the reports contain language with clarifications and directives to ensure that the Corps understands the Congressional intent behind how the funds should be executed or how policies should be interpreted by the Corps. Below are several PNWA staff will continue to track these issues to advocate for these issues to be addressed in the final version of the appropriations bill.

Senate AC bill report language:

“Harbor Maintenance Trust Fund Targets.—The Committee is disappointed that the Corps has twice failed to recommend HMTF work to meet the section 102 WRDA 2020 targets. The Committee is perplexed the Corps did not put a single dollar towards the donor and energy port target in the fiscal year 2023 work plan. Donor and energy ports are critical to our National supply chain and stable HMTF funding for expanded uses is fundamental to maintaining international competitiveness. This funding can assist with capital improvements at these critical ports which already pay a significant share of the collected tax. The Committee expects the Corps to meet the donor and energy target in the fiscal year 2024 work plan and include the funding in future budget submissions....Finally, in conjunction with the fiscal year 2024 work plan the Corps is directed to provide the Committee a list of all projects, expanded uses, and HMTF funding amounts for each section 102 WRDA target.”

“Mitigation Banking.—The Committee recognizes the impact of limited resources on the processing of mitigation bank applications, but remains concerned about delays across the Corps in permitting of mitigation banks and approving mitigation bank credit releases. The unique nature of mitigation banks requires dedicated staff with the skills to facilitate these permits efficiently and expeditiously. While the Committee understands the influx of Federal infrastructure projects due to the IIJA, it reminds the Corps it was given additional resources to address the increased demand. Unnecessary impediments in the mitigation bank approval process can lead to significant delays and increased costs for permittees of critical infrastructure, energy, commercial and industrial development projects due to the lack of available mitigation credits. The Committee urges the Corps to meet its own regulatory review guidelines by expeditiously reviewing and approving new mitigation bank projects in accordance with 33 CFR 332 and utilizing Corps Regulatory Guidance Letter No. 19–01 to expedite credit releases when applicable. The Congress has invested in this program and expects to see progress.”

“Permit Application Backlogs.—The Committee is concerned about a growing backlog in the processing of regulatory permits and the lack of adequate staffing to process existing permits. The Committee encourages the Corps to appropriately staff positions within the districts by hiring staff to process permits instead of increasing management. The Corps is directed to provide a report within 90 days of enactment of this act on staffing levels and permit backlogs in each of the last 5 years, as well as a plan for rectifying the staffing shortages. The Corps is also directed to brief the Committee on the results of the report upon completion.”

House AC bill report language:

“Mitigation Bank Credits.—The Committee appreciates the promise of mitigation banks for accelerating project delivery. The Corps is encouraged to approve mitigation bank credits expeditiously, consistent with existing laws and regulations. Additionally, the Corps is encouraged to continue making progress to improve its application of the mitigation hierarchy in the 2008 Compensatory Mitigation Rule.”

“NEPA Reporting.—The Committee urges the Secretary to track and provide an annual report to Congress on the timeframes for completing environmental reviews for water resources development projects, as required by the National Environmental Policy Act of 1969. The Committee also urges the Corps to provide the report for the Regulatory Program in addition to the Civil Works Program.”

If you have any questions, contact [Dena Horton](#).

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