



Nor'Wester Newsletter

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REMINDER: DUE

- Please respond by Sept 6, regarding Polices and Projects updates. Separate emails will be sent to address this issue over the next few weeks with more details.



Senate Passed WRDA 2024

On August 1, the U.S. Senate passed the Water Resources Development Act ([WRDA](#)) of 2024 by unanimous consent. The U.S. House of Representatives previously passed their version of WRDA on July 22, 2024. PNWA provided a [WRDA fact sheet](#) detailing our requests to our Pacific Northwest Congressional delegation which includes:

- Seeking to authorize dredged material confined aquatic placement structures on the Lower Columbia River at full federal expense like other operations and maintenance
- Clarifying pile dike maintenance to include disconnected pile dikes from eroded shorelines and Federal channels
- Clarifying the Corps can continue to reimburse the Port of Portland for full operating expenses of the *Dredge Oregon* including replacement of the dredge
- Seeking to add navigation as a purpose for the Mount St. Helens Sediment Control project
- Seeking to authorize conveyance of Corps property in North Bonneville to the Port of Skamania for economic development

PNWA previously [reported](#) on the House version of WRDA 2024 and shared the [text comparison](#) between the Senate Environment and Public Works Committee and House Transportation and Infrastructure Committee versions of the bill for PNWA's priority policies and projects.

PNWA prefers the House language and is actively advocating for those provisions to our Congressional delegation. PNWA greatly appreciates the efforts of Senator Jeff Merkley (D, OR) in leading a letter to the Committees advocating for inclusion of the House language related to maintenance and operations of the Lower Columbia River to be included in the Conference version of the bill. Once the Conference version of the bill is passed by both Chambers, the legislation will head to the President's desk for signature.

Other Items in the Senate WRDA Bill PNWA Supports:

- Expedited completion of the project for navigation, Seattle Harbor, Washington, for deepening the East Waterway at the Port of Seattle
- Deauthorization of a portion of the East Waterway project for navigation, Seattle Harbor, Washington
- For the Tribal Partnership Program Pilot Program project along the Mid-Columbia River, Washington, Taneum Creek, Washington, or Similk Bay, Washington a savings provision was added to expressly state that nothing in the provision authorizes removal of a dam, study of dam removal, or study of any Federal dam including study of power, flood control, or navigation replacement, or any functional alteration to that dam located along those bodies of water
- A GAO study on the distribution of the Harbor Maintenance Trust Fund (HMTF) is due within one year of enactment
- Starting October 1, 2024, the non-federal cost share for Inland Waterway Project will be reduced from 35% to 25% with the remaining 75% as federal responsibility, with the exception of projects funded by the Infrastructure Investment and Jobs Act (IIJA-bipartisan infrastructure law)
- Establishment of a Levee Owners Advisory Board to provide advice and recommendations to the Corps related to levee policy and project development to improve communication, cooperation, and flood risk management
- A report on the impacts of material contaminated by a hazardous substance on the Corps' Civil Works program is due within one year of enactment of the bill
- The Corps is required to develop a Public-Private Partnership User's Guide for water resources development projects within one year of enactment of the bill

Senate Appropriations Committee Passed FY2025 Funding

On August 1, the U.S. Senate Appropriations Committee passed eleven of the twelve FY2025 appropriations bills including the FY2025 Energy and Water Development bill that funds the U.S. Army Corps of Engineers. The total funding for the Corps provided is \$10.344 billion. The FY2025 funding allocated to accounts is as follows:

- Construction: \$2.979 billion
- Investigations: \$107.8 million
- Operations & Maintenance: \$5.849 billion
- HMTF: \$3.147 billion
- Regulatory: \$224 million
- Donor Ports Section 2106(c): \$60 million

PNWA appreciates that Congress continues to provide the Corps with discretionary pots of funding for the Corps to prioritize projects regionally. The discretionary funds provided are as follows:

- Additional Funding for Ongoing Work: \$252.843 million
- Navigation Maintenance: \$20 million
- Deep-Draft Harbor and Channel: \$681.821 million
- Inland Waterways: \$64.987 million
- Small, Remote, or Subsistence Navigation: \$329.178 million
- Other Authorized Project Purposes: \$47 million

PNWA has updated our [Supported Corps Projects List](#) (aka "the matrix") to include the funding passed by both the House and Senate Appropriations Committees.

To view the bill summary, click [here](#).

Click to view the [bill text](#) and [amendments](#).

To view the bill report, click [here](#).

To view the Senate list of Congressionally Directed Spending (CDS) for the bill, click [here](#).

The House Appropriations Committee passed their version of the FY2025 Energy and Water Development appropriations bill back on June 28, 2024, but adjourned for August Recess prior to passage of the bill by the full House. Next steps include passage of funding by the full House and Senate, the Conference process between the two chambers, and then passage of the conferenced version of the bill for signature by the President.

Following passage, the Corps would have 60 days to develop a workplan for spending discretionary funds. However, if Congress is unable to complete this work by September 30, 2024, then a Continuing Resolution (CR) will be required to avoid a government shutdown. It is currently anticipated that Congress will likely pass a CR until after the elections in November.

Items of note in the Senate Energy and Water Development Bill Report:

"Donor & Energy Transfer Ports.—The Committee directs the Corps to allocate any work plan HMTF funding for Donor and Energy Transfer Ports consistent with section 102 and section 104 of WRDA 2020 (Public Law 116–260). The Corps is reminded that Donor and Energy Transfer Ports are eligible to receive additional funding recommended in the deep-draft harbor and channel funding line for expanded uses".

Mitigation Banking.—There is a provision reiterating the support for mitigation bank permitting, reminds the Corps of additional funds from the IJA for addressing regulatory challenges, and to meet its own regulatory review guidelines by expeditiously reviewing and approving new mitigation bank projects.

Regulatory Funding Report.—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 hire staff to process permits instead of increasing management and would like a report detailing how the \$160 million from the IJA was spent along with recommendations within 6 months of enactment.

Additional Funding for Ongoing Work.— \$40 million is recommended for the costs related to international coordination of preplanned or ad-hoc reservoir operations that mitigate the risk of flooding in the Columbia River Basin in the United States, including compensation to Canada for storage space. \$6.5 million is "recommended for control manual updates at projects located in States where a Reclamation facility is also located, in regions where coordinated FIRO projects and Water Control Manual Updates are underway, and where atmospheric rivers cause flood damages".

"Mount Saint Helens Project.—A 2017 National Academies of Sciences, Engineering and Medicine report established a decision framework for managing the Spirit Lake and Toutle River System at Mt. St. Helens. The report recommends that long-term management be informed by current characterizations of the debris blockage damming the lake. Specifically, the report concluded that such an examination could include a quantitative risk assessment, benefit-cost analyses, and analyses of other data. The Committee directs the Corps to engage with the U.S. Forest Service on ways to implement the recommendations of the report to help address these long standing issues. The Corps shall provide a briefing to the Committee on recommended collaboration opportunities and future steps to establish a decision framework no later than 180 days after enactment of this act".

"Tribal Partnership Program—Northwestern Division Pilot Program.—The Committee is concerned at the lack of TPP projects being carried out in conjunction with Tribes in the Pacific Northwest. The Committee recommends \$5,000,000 to identify and execute 10 ecosystem restoration projects in conjunction with federally recognized Tribes in the Northwestern Division on or near rivers or tributaries where the Tribe acting as the non-Federal sponsor has Tribal treaty rights. Five of these projects shall be focused on the Mid-Columbia region for salmon and steelhead populations. In carrying out this pilot program, the Corps is directed to use TPP authorities in addition to any other applicable authorities necessary".

Regional Dredge Contracting.—The Corps is encouraged to more fully utilize regional contracts to efficiently execute unobligated HMTF funds and provide a briefing to the Committee within 30 days of enactment.

Small, Remote, or Subsistence Harbors.—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. "The Committee directs the Corps 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. The Committee supports including criteria to evaluate the economic impact that these projects provide to local and regional economies".

"Willamette Valley Basin Hatcheries.—The Committee notes that the Corps has an obligation to ensure hatcheries in the Upper Willamette Basin are producing salmon, steelhead, and game fish as restitution for the loss of natural spawning and rearing area with the construction of the 13 dams above the Willamette Falls. Failure to maintain those production levels is a breach of that obligation".

"The Committee reminds the Corps that section 8132 of WRDA 2022 supports small and underserved harbors and encourages the Corps to implement this new authority".

If you have any questions, feel free to reach out to [Dena Horton](#).

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Pacific Northwest Waterways Association | 4224 NE Halsey Street Suite 325 | Portland, OR
97213 US

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