Navigation Projects Review

AAPA Harbors and Navigation meeting

Jim Walker
AAPA Government Relations
Director of Navigation Policy and Legislation

November 15, 2017

American Association of Port Authorities
703.684.5700 • www.aapa-ports.org
Begin with the End in Mind…

• Desired End State: Corps of Engineers directly receives full annual Harbor Maintenance Tax (HMT) revenues to maintain navigation projects

• Not subject to annual appropriations process
  • No more Continuing Resolutions
  • Fully funded dredging contracts
  • Maximize dredging quantities moved for funds expended
Dredging and Donor Ports

- All ports acknowledge the revenue/funding issue
  - Top 6 ports generate 49% of national HMT revenues;
  - 4 of these 6 don’t require annual maintenance dredging;
  - presently receive 4%

- Dredging Ports: Seek projects to be fully maintained before funds go to Donor Ports

- Donor Ports: Want to see some HMT revenues for expanded uses; want these funds while the navigation projects are being returned to fully maintained condition
2017 HMT Legislation

- H.R. 1908, Investing in America, Unlocking the Harbor Maintenance Trust Fund Act (Kelly/Defazio)
  - Fully maintain all navigation projects
  - Silent on Donor Port funding
- S. 1488, Harbor Maintenance Trust Fund Reform Act of 2017 (Murray/Cantwell); Identical House bill, H.R. 3152, Dave Reichert, (R-WA) and Nanette Barragán (D-CA)
  - Takes 20% of HMT funding off the top for Donor and Energy Transfer ports
Current Status of AAPA Efforts

• AAPA has a HMT Task Force working on an association position
• ‘Fully maintained’ defined as channels, coastal structures and placement facilities
• ‘All projects’ is an issue
• All 1000 projects in Corps inventory?
• High and Moderate commercial use? (about 159)
• Identify a subset of ‘active’ navigation projects?
• Perhaps conduct a navigation project review similar to the authorized construction projects review conducted i/a/w WRRDA 2014 and WRDA 2016
Defining an ‘Active’ Project

• Has the project received an appropriation in the last __ years? OR
• Have funds been expended on this project in the last __ years?
• Does the project have an active non-Federal project sponsor agreement?
• Has an Environmental Impact Statement (most were done in the 1970’s)? OR
• Has active environmental clearances?
• If ‘No’ to any of these questions, the project is placed on a list for ‘deferred maintenance’ status
Deferred Maintenance

• If ‘No’ to any of these questions, the project is placed on a list

• The list is provided to Congress and the entire list is included in the next WRDA for placement into for ‘deferred maintenance’ status

• Process similar to Military BRAC

• This avoids costly environmental assessments and deauthorization studies

• Deferred maintenance projects can be returned to active status thru a GRR and Congressional approval
Summary

- Identification of active projects to be fully maintained
- Corps can estimate the amount of funds or years it would take to achieve fully maintained status
- This informs AAPA position on donor port funding
- Allows AAPA to advocate on permanent HMT legislation
- Full HMT revenues directly to the Corps