

AMENDMENT

OFFERED BY MR. HUFFMAN OF CALIFORNIA

Page 209, after line 6 insert the following:

1 **SEC. 2____. ASSESSMENT OF EMERGING HARBOR MAINTENANCE BACKLOG.**
2

3 (a) ASSESSMENT.—Not later than 1 year after the
4 date of enactment of this Act, the Secretary shall conduct
5 an assessment of federally authorized emerging harbors
6 that have experienced deferred maintenance, inadequate
7 operations and maintenance funding, or recurring navigation
8 deficiencies.

9 (b) CONTENTS.—In conducting the assessment under
10 subsection (a), the Secretary shall identify, for each
11 emerging harbor—

12 (1) the authorized dimensions and current condition
13 of the harbor and associated Federal navigation features;
14

15 (2) the extent of deferred maintenance and
16 dredging needs;

17 (3) the economic, public safety, emergency response,
18 commercial fishing, Tribal, and recreational
19 impacts associated with deferred maintenance;

1 (4) whether the harbor has been unable to re-
2 ceive regular maintenance because of current ben-
3 efit-cost methodologies or other Federal policies;

4 (5) whether the harbor has not received Federal
5 operations and maintenance funding for a period of
6 not less than 10 years and the impacts of such lack
7 of maintenance on navigation, safety, and local eco-
8 nomic activity;

9 (6) recommendations for addressing identified
10 maintenance backlogs; and

11 (7) a determination of—

12 (A) the interest of State, local, and Tribal
13 governments, and port authorities in assuming
14 responsibility for the operation and mainte-
15 nance of the emerging harbor; and

16 (B) any legal, financial, or operational bar-
17 riers to such assumption of responsibility.

18 (c) CONSULTATION.—In carrying out the assessment
19 under this section, the Secretary shall consult with State,
20 local, Tribal, and port authorities regarding—

21 (1) the potential deauthorization of federally
22 authorized emerging harbors;

23 (2) the interest of non-Federal public entities in
24 assuming responsibility for the operation and main-
25 tenance of such harbors; and

1 (3) the authorities, funding mechanisms, and
2 technical assistance that may be necessary to facili-
3 tate such transfers.

4 (d) REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 1 year after
6 the date of enactment of this Act, the Secretary
7 shall submit to the Committee on Transportation
8 and Infrastructure of the House of Representatives
9 and the Committee on Environment and Public
10 Works of the Senate a report containing the results
11 of the assessment and recommendations for adminis-
12 trative or legislative actions to address any identified
13 backlogs, including any recommendations regarding
14 the transfer of operation and maintenance respon-
15 sibilities to interested non-Federal entities.

16 (2) PRIORITY LIST.—The Secretary shall in-
17 clude in the report under paragraph (1) a prioritized
18 list of emerging harbor maintenance projects based
19 on economic importance, public safety, commercial
20 fishing activity, Tribal reliance, emergency access
21 needs, and the extent of deferred maintenance.

22 (e) EMERGING HARBOR DEFINED.—In this section,
23 the term “emerging harbor” has the meaning given the

1 term in section 210(f)(2) of the Water Resources Develop-
2 ment Act of 1986 (33 U.S.C. 2238(f)(2)).

