CMANC’s Current Issues

- H.R. 104 and S. 412 – to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance
- Full expenditure of the Harbor Maintenance Tax for its intended purpose
- Prevent the diversion of cargo to ports outside of California
- Infrastructure improvements needed to fulfill the President’s Export Initiative
- More efficient Water Resource project execution
- Identifying and filling scientific gaps
- Adaptive management of coastal resources
- Development of a national freight policy
- Support working water fronts
- Passage of WRDA 2012

CMANC is a consortium of California harbors, ports and marine interest groups. CMANC believes that California ports and harbors are an integrated system, which turns the international trade and regional economic vitality. CMANC works with the California legislature and congressional delegation to ensure that California maritime interests are supported by the federal and state government to the greatest extent possible.

CMANC members include a wide variety of public members joined in common interests in support of operation, maintenance and improvement of California harbors, ports and navigation projects that demonstrate responsible stewardship and benefit the regional and national economy, together with related undertakings, such as: beach erosion; dredging impact; taxing policies on navigation; effective regulatory programs; and to assure adequate recognition of the importance of California’s ports and harbors to the environment and well-being of California’s citizens.
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<th>Page</th>
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<td>11-12</td>
</tr>
</tbody>
</table>
Agenda: To discuss international trade through California, contributions to the National Economy, benefits of civil works to the environment, and recognition of California ports and harbors in budgeting priorities.

Wednesday, March 21

Margaret Spring          NOAA Chief of Staff
Ray LaHood               Transportation Secretary

Thursday, March 22

The Honorable Nancy Sutley Chair, White House Council on Environmental Quality
Congresswoman Janice Hahn
Congressman Pete Visclosky
Rock Salt                US Army, Civil Works
John Anderson & Minority Counterpart
Homeland Security Committee Port Security Grant Program
Roger Cockrell           Senate Appropriations
California Ports and Harbors are crucial to the nation’s economic well-being and security. They also are at the forefront of protecting coastal and ocean waters for the future generations and species. To those ends, the California Marine Affairs and Navigation Conference memorializes its position of:

- Ensuring that the Harbor Maintenance Tax revenues are used for their legislated purposes. Specifically, the total amount of Harbor Maintenance Tax collected each year shall be used for operation and maintenance of (O&M) of federally authorized port and harbor projects.

- CMANC shall work in conjunction with the national coalition, Realize America’s Maritime Promise (RAMP), to get legislation enacted that will ensure all Harbor Maintenance Trust Fund Tax revenues collected each year are budgeted to fully fund the O&M of federal navigation projects as described in a project’s authorization so that the full benefits of each project are realized. That work shall be done in a timely and efficient manner.

- As part of CMANC’s efforts, our members will meet with the California congressional delegation to underscore the importance of the issue to the nation and to California and ask that they work to ensure a legislative solution to the HMT and HMTF issues.
Harbor Maintenance Trust Fund Background

- Established in 1986 Water Resources Development Act (WRDA)
- Reimburses Treasury for 100% of harbor O&M since 1990
- Construction of dredged material disposal facilities for O&M and navigation environmental mitigation
- Ad valorem tax of .125% on cargo value
- Supports St. Lawrence Seaway operations – Customs data collection

Issues:

- Tax on exports ruled unconstitutional by U.S. Supreme Court in 1998 and no longer collected
- Tax on imports may be challenged at WTO
- Increasing balance - $5.1 billion at the of FY 2009
- Not “off budget” like Highway Trust Fund – transfers fall under agency budget ceilings

HMTF Challenges:

- HMTF Revenues in FY 2009 - $1.3 billion (Incl interest)
- Transfers to Program Agencies in FY 2009 - $807.5 million
- Corps - $772.5 million
- Balance at end of FY 2009 - $5.1 billion
- Appropriations determine available O&M funds for harbor maintenance by the Corps
- Transfers from HMTF then based on Corps expenditures

*Corps has unmet maintenance dredging needs – full channel dimensions available only 35% of the time

Harbor Maintenance Tax Revenues and Expenditures

<table>
<thead>
<tr>
<th>Year</th>
<th>Collected</th>
<th>Spent</th>
<th>Not Spent</th>
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<tbody>
<tr>
<td>2005</td>
<td>$1,048.0</td>
<td>$716.0</td>
<td>$331.0</td>
</tr>
<tr>
<td>2006</td>
<td>$1,207.0</td>
<td>$705.0</td>
<td>$501.0</td>
</tr>
<tr>
<td>2007</td>
<td>$1,262.0</td>
<td>$757.0</td>
<td>$505.0</td>
</tr>
<tr>
<td>2008</td>
<td>$1,467.0</td>
<td>$787.0</td>
<td>$680.0</td>
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<tr>
<td>4-Year Totals</td>
<td>$4,984.0</td>
<td>$2,965.0</td>
<td>$2,017</td>
</tr>
</tbody>
</table>

*Table values in Millions

**Only 60% of funds collected are spent on their intended use!**
112th Congress 1st Session  H.R. 104

To ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

IN THE HOUSE OF REPRESENTATIVES

January 5, 2011

Mr. Boustany (for himself, Mr. Courtney, Mr. Gene Green of Texas, Mr. Simpson, Ms. Bordallo, Mr. Paul, Mr. Scalise, Mr. Nadler, Mrs. McMorris Rodgers, Mr. McCaul, Mr. Olson, Ms. Richardson, Mr. Alexander, Mr. Lynch, Mrs. Miller of Michigan, Mr. Brady of Texas, Mr. Cummings, Ms. Sutton, Mr. Capuano, Mrs. Capps, Mr. Shires, Mr. Thompson of California, Ms. Fudge, Mr. Bonner, Mr. Calvert, Mr. Stark, and Ms. Lee of California) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Realize America’s Maritime Promise Act” or the “RAMP Act”.
SEC. 2. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) HARBOR MAINTENANCE TRUST FUND GUARANTEE.—

(1) IN GENERAL.—The total budget resources made available from the Harbor Maintenance Trust Fund each fiscal year pursuant to section 9505(c) of the Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund) shall be equal to the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year. Such amounts may be used only for harbor maintenance programs described in section 9505(c) of such Code.

(2) GUARANTEE.—No funds may be appropriated for harbor maintenance programs described in such section unless the amount described in paragraph (1) has been provided.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) TOTAL BUDGET RESOURCES.—The term “total budget resources” means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.
(2) LEVEL OF RECEIPTS PLUS INTEREST.—The term "level of receipts plus interest" means the level of taxes and interest credited to the Harbor Maintenance Trust Fund under section 9505 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President's budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

(e) ENFORCEMENT OF GUARANTEES.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause total budget resources in a fiscal year for harbor maintenance programs described in subsection (b)(1) for such fiscal year to be less than the amount required by subsection (a)(1) for such fiscal year.
112th Congress Bipartisan Cosponsors of HMTF Bills

35 Cosponsors of Senator Carl Levin’s S.412, Harbor Maintenance Act of 2011

Sen Chambless, Saxby [GA] - 6/7/2011
Sen Crapo, Mike [ID] - 5/5/2011
Sen Johnson, Ron [WI] - 2/6/2012
Sen Kirk, Mark Steven [IL] - 7/13/2011
Sen McCaskill, Claire [MO] - 11/7/2011
Sen Rubio, Marco [FL] - 2/7/2012
Sen Wicker, Roger F. [MS] - 5/2/2011


Rep Bonner, Jo [AL-1] - 1/5/2011
Rep Brady, Kevin [TX-8] - 1/5/2011
Rep Brady, Robert A. [PA-1] - 12/2/2011
Rep Brown, Corrine [FL-3] - 1/24/2012
Rep Conyers, John, Jr. [MI-14] - 1/13/2012
Rep Crawford, Eric A. "Rick" [AR-1] - 1/10/2012
Rep Denham, Jeff [CA-19] - 3/1/2012
Rep Dold, Robert J. [IL-10] - 9/14/2011
Rep Emerson, Jo Ann [MO-8] - 7/12/2011
Rep Filner, Bob [CA-51] - 1/7/2011
Rep Gohmert, Louie [TX-1] - 12/13/2011
Rep Green, Al [TX-9] - 9/6/2011
Rep Green, Gene [TX-29] - 1/5/2011
Rep Harris, Andy [MD-1] - 3/30/2011
California Annual Corps O&M Budget Compared to CMANC Recommendations

<table>
<thead>
<tr>
<th>Years</th>
<th>Recommends</th>
<th>Budgeted*</th>
<th>O&amp;M</th>
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<tbody>
<tr>
<td>2004</td>
<td>$200,000</td>
<td>$100,000</td>
<td>$54,000</td>
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<tr>
<td>2005</td>
<td>$99,913</td>
<td>$42,493</td>
<td>$52,000</td>
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<td>2006</td>
<td>$115,456</td>
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<td>2007</td>
<td>$121,772</td>
<td>$48,701</td>
<td>$53,000</td>
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<tr>
<td>2008</td>
<td>$132,946</td>
<td>$65,379</td>
<td>$76,000</td>
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<tr>
<td>2009</td>
<td>$175,896</td>
<td>$64,128</td>
<td>$73,000</td>
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<tr>
<td>2010</td>
<td>$179,814</td>
<td>$66,991</td>
<td>$71,000</td>
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<tr>
<td>2011</td>
<td>$162,073</td>
<td>$61,403</td>
<td>$68,000</td>
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<tr>
<td>2012</td>
<td>$203,575</td>
<td>$53,881</td>
<td>$72,000</td>
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<tr>
<td>2013</td>
<td>$174,060</td>
<td></td>
<td>$61,517</td>
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*The Recommended Budget Compared to Actual Budget for Last 10 Years, with Actual Expenditures used in Years with no Federal Budget
## Operations and Maintenance

<table>
<thead>
<tr>
<th>Project</th>
<th>President's Budget</th>
<th>C-MANC Recommends</th>
<th>FY 2013 - Purpose of Funding</th>
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<tbody>
<tr>
<td>Channel Islands Harbor</td>
<td>4500</td>
<td>12600</td>
<td>Dredging &amp; Jetty Repair</td>
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<tr>
<td>Humboldt Harbor and Bay</td>
<td>1905</td>
<td>11000</td>
<td>Dredging &amp; Jetty Repair</td>
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<td>Los Angeles - Long Beach Harbors</td>
<td>265</td>
<td>5400</td>
<td>Design &amp; Dredge L.A. River Estuary</td>
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<tr>
<td>Morro Bay Harbor</td>
<td>2200</td>
<td>2200</td>
<td>Maintenance Dredging</td>
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<td>Moss Landing Harbor</td>
<td>0</td>
<td>3200</td>
<td>Maintenance Dredging</td>
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<tr>
<td>Napa River</td>
<td>0</td>
<td>4300</td>
<td>Maintenance Dredging</td>
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<tr>
<td>Newport Bay Harbor</td>
<td>0</td>
<td>18000</td>
<td>Maintenance Dredging</td>
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<td>Noyo River and Harbor</td>
<td>0</td>
<td>4500</td>
<td>Maintenance Dredging</td>
</tr>
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<td>Oakland Harbor</td>
<td>17200</td>
<td>22000</td>
<td>Maintenance Dredging</td>
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<td>Oceanside Harbor</td>
<td>1600</td>
<td>2650</td>
<td>Maintenance Dredging</td>
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<td>Petaluma River</td>
<td>0</td>
<td>7500</td>
<td>Maintenance Dredging</td>
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<td>Pillar Point Harbor</td>
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<td>2600</td>
<td>Complete Breakwater Repairs</td>
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<td>Pinole Shoal Management/Delta LTMS</td>
<td>0</td>
<td>2500</td>
<td>Continue LTMS Process</td>
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<td>Port San Luis</td>
<td>0</td>
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<td>Breakwater Repair</td>
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<td>Project Condition Surveys</td>
<td>1707</td>
<td>2500</td>
<td>Annual Hydrographic Surveys</td>
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<td>Redondo Beach Harbor (King Harbor)</td>
<td>0</td>
<td>500</td>
<td>Breakwater Survey</td>
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<td>Redwood City Harbor</td>
<td>0</td>
<td>8000</td>
<td>Maintenance Dredging</td>
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<tr>
<td>Richmond Harbor</td>
<td>10700</td>
<td>10700</td>
<td>Maintenance Dredging</td>
</tr>
<tr>
<td>Sacramento River (30ft)</td>
<td>1443</td>
<td>10000</td>
<td>Maintenance Dredging</td>
</tr>
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<td>Sacramento River and Tributaries</td>
<td>1382</td>
<td>2300</td>
<td>Maintenance Dredging</td>
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<td>San Francisco Bay Long Term Mmgt. Strategy</td>
<td>0</td>
<td>3500</td>
<td>Continue LTMS Process</td>
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<tr>
<td>San Francisco Harbor S.F. Bar Channel (55ft.)</td>
<td>2850</td>
<td>4000</td>
<td>Maintenance Dredging</td>
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<tr>
<td>S. F. Harbor and Bay - Debris Removal</td>
<td>3000</td>
<td>4500</td>
<td>Debris Removal</td>
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<td>San Joaquin River - Stockton Channel</td>
<td>5525</td>
<td>8000</td>
<td>Maintenance Dredging</td>
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<td>San Pablo Bay &amp; Mare Island Strait</td>
<td>2500</td>
<td>2500</td>
<td>Maintenance Dredging</td>
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<td>Santa Barbara Harbor</td>
<td>2240</td>
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<td>Santa Cruz Harbor</td>
<td>0</td>
<td>700</td>
<td>Maintenance Dredging</td>
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<tr>
<td>Suisun Bay Channel/New York Slough</td>
<td>2500</td>
<td>3500</td>
<td>Maintenance Dredging</td>
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<tr>
<td>Suisun Channel</td>
<td>0</td>
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<td>Ventura Harbor</td>
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<td><strong>TOTALS</strong></td>
<td>61517</td>
<td>174060</td>
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PRINCE RUPERT, BC, February 23, 2012 — During a waterfront gathering at noon today, the Honourable Ed Fast, Minister of International Trade and Minister for the Asia-Pacific Gateway, announced that the Government of Canada will be contributing $15 million to the Port of Prince Rupert’s Fairview Expansion Phase 2 Development (by 2014).

### 7.6 Fairview Expansion Phase 2 Development (by 2014)

#### 7.6.1 The Site

The site of the proposed terminal is shown in Figure 7-2 below. The site area in the diagram depicts the existing Prince Rupert container terminal. The expansion will double the capacity of the facility to two million TEUs per year and significantly increase its size. The facility will be able to store almost 30,000 TEUs on site, stacking them five high.

#### Containerized Cargo TEU Summary

**For Feb. 2012**

<table>
<thead>
<tr>
<th></th>
<th>Feb 2012</th>
<th>Feb 2011</th>
<th>Variance</th>
<th>2012 YTD</th>
<th>2011 YTD</th>
<th>Variance</th>
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</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total TEUs</td>
<td>31,023.8</td>
<td>18,506.3</td>
<td>67.6 %</td>
<td>75,501.7</td>
<td>41,576.5</td>
<td>81.6 %</td>
</tr>
<tr>
<td>Loaded TEUs</td>
<td>25,739.5</td>
<td>16,752.8</td>
<td>53.6 %</td>
<td>60,281.5</td>
<td>36,012.0</td>
<td>67.4 %</td>
</tr>
</tbody>
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Maersk says to invest $900 mln in Mexico terminal
Thu, Dec 29 2011

COPENHAGEN, Dec 29 (Reuters) - The port terminals arm of Danish shipping and oil group A.P. Moller-Maersk plans to invest $900 million in a new container facility at Mexico’s port of Lazaro Cardenas, the company said on Thursday.

The Lazaro Cardenas port authority chose Maersk’s APM Terminals unit as the winner of its deepwater container terminal bid and awarded it a 32-year concession of a greenfield site for the new terminal, APM Terminals said in a statement.

(Reporting by John Acher)