



PNWA supports making Section 214 permit funding authority permanent

Section 214 has allowed local governments to move forward with vital infrastructure projects



Background

- **Section 214 is currently authorized through December 31, 2016.**
- Section 214 of the Water Resources Development Act of 2000 (P.L. 106-541) allows the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits.
- Section 214 has allowed local governments to move forward with vital infrastructure and ecosystem restoration projects.
- By funding additional staff to work on specific, time-intensive permits, existing Corps staffers are able to process significant permit backlogs more quickly.
- Funding for additional Corps staff has resulted in a reduction of permit wait times not only for the funding entity, but for any individual or organization that makes an application with that District of the Corps.
- Section 214 is currently being used by over 41 public agencies in 20 Corps districts.
- PNWA members strongly support the effort to make Section 214 permanent.
- Section 214 permanence is supported by the U.S. Chamber of Commerce, American Association of Port Authorities (AAPA), American Association of State Highway and Transportation Officials (AASHTO), American Public Works Association (APWA), National Waterways Conference (NWC), and the National Association of Flood and Stormwater Management Agencies (NAFSMA).

Reasons to make Section 214 permanent

- Lapses and short term extensions of the authority are detrimental to the planning and predictability necessary for productive contracts
- Several temporary extensions of Section 214 have been necessary in the past five years to avoid a sunset of the authority.
- Each time the authority approaches sunset, Corps districts are unable to enter into new Section 214 contracts.
- When the future of the authority is uncertain, districts make term appointments rather than full-time hires for Section 214 agreements. The shorter the term appointment, the fewer qualified job candidates apply.
- Rapidly growing cargo volumes require infrastructure investment from the nation's ports. Permit backlogs impact the timeliness and cost of these investments - costs eventually borne by U.S. consumers and shippers.
- Section 214 agreements between Corps districts and non-federal entities are subject to public review and comment, and Corps decisions on these permit applications are subject to increased scrutiny to assure impartiality and transparency.
- The Corps updated their guidelines for Section 214 in October 2008. This update represented an improvement in oversight and reporting with regard to the authority.

PNWA staff contact: Page Phillips, page.phillips@pnwa.net, 503-234-8550