



## WRDA Section 214 Agreements

**SECTION 214** of the Water Resources Development Act of 2000 ([Public Law 106-541](#)), as amended ([33 USC 2352](#)), allows the Corps to accept funds from non-federal public entities, natural gas companies, or public-utility companies to provide priority review of their permit applications. The authority to accept and expend funds from non-federal public entities does not expire, unless modified by law. The authority to accept and expend funds from public-utility companies and natural gas companies expires on June 10, 2021, unless otherwise extended or revoked by law.

**IN GENERAL**, the authority has been delegated to the Chief of Engineers and his authorized representatives, including the Commander of the Los Angeles District, U.S. Army Corps of Engineers to, after public notice, accept and expend funds contributed by non-federal public entities, public-utility companies, or natural gas companies to expedite the evaluation of permits under the jurisdiction of the Department of the Army.

Non-federal public entities are comprised of state and local governmental agencies and Indian tribal governments. They include, but are not limited to, local transportation agencies, port authorities, flood and storm water management agencies, and governmental economic development agencies. Public-utility companies include the following two subcategories: (i) electric utility companies, which are companies that own or operate facilities used for the generation, transmission, or distribution of electric energy for sale; and (ii) gas utility companies, which are companies that own or operate facilities used for distribution at retail of natural or manufactured gas for heat, light, or power (other than the distribution only in enclosed portable containers or distribution to tenants or employees of the company operating such facilities for their own use and not for resale). Natural Gas Companies are those that are engaged in the transportation of natural gas in intrastate or interstate commerce or the sale of such gas in interstate commerce for resale.

**LIMITATIONS** - Section 214 agreements with public-utility companies, will be limited to proposed alterations involving facilities for the generation, transmission, or distribution of electric energy for sale and facilities used for distribution at retail of natural or manufactured gas for heat, light, or power.

Section 408 requests reviewed under a Section 214 agreement with a natural gas company will be limited to alterations involving the transportation of natural gas (inclusive of gas gathering lines, feeder lines, transmission pipelines, and distribution pipelines) and any attendant storage facilities.

**EFFECT ON PERMITTING** - In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decision making with respect to permits, either substantively or procedurally.

Activities conducted in accordance with a Section 214 agreement will expedite the Section 408 review process. Expediting the review process could include generally shorter review times as compared to prior to the agreement and the facilitation of a smoother review process through improved coordination and communication or through the development or use of programmatic agreements or standard operating procedures. The expedited review cannot result in an adverse effect on the timeframes for review of other Section 408 requests within the same district, when considered collectively.

All final permit decisions for cases where these funds are used will be made available on the District's Web page.

Public Notices for the **Acceptance of Funds for Expediting Section 408 Requests** can be found [here](#).

### FUNDING AGREEMENTS

California High Speed Rail Authority

[Los Angeles County Department of Public Works](#)

Los Angeles County Metropolitan Transportation Authority

[Maricopa County Flood Control District](#)

Metro Gold Line Foothill Extension Authority

Orange County Transportation Authority

Orange County Flood Control/County of Orange

[San Bernardino County Flood Control District](#)

City of San Diego Public Utilities Department

Upper San Gabriel Valley Municipal Water District

[Ventura County Watershed Protection District](#)

### Our Mission

Deliver vital engineering solutions, in collaboration with our partners, to secure our Nation, energize our economy, and reduce disaster risk.

### About the Los Angeles District Website

The official public website of the Los Angeles District, U.S. Army Corps of Engineers. For website corrections, write to [publicaffairs.spl@usace.army.mil](mailto:publicaffairs.spl@usace.army.mil)



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