



Beth Callaway, Executive Director  
P.O. Box 20908  
Cheyenne, WY 82003  
[Beth@icwp.org](mailto:Beth@icwp.org)  
307-772-1999  
[www.icwp.org](http://www.icwp.org)

### Statement 2024-02-L&P

## ICWP Principle Statement on U.S. Army Corps of Engineers' Planning Assistance to the States (PAS)

*Adopted by the ICWP Board of Directors on January 3<sup>rd</sup>, 2024; Sunset/Review December, 2026*

### Statement of the Issue:

Technical services support provided through the Corps' Planning Assistance to the States (PAS) partnerships requires cash contribution to fulfill the non-federal sponsor's 50 percent cost-share. Non-federal sponsors were previously allowed to contribute their 50 percent match through in-kind credits. But an Administration interpretation of the application of Section 2013 of WRDA 2007 to PAS agreements eliminated that ability, now requiring nonfederal sponsors to pay the match in cash. Non-federal sponsors are still able to provide in-kind contributions to match comprehensive planning services support provided through the PAS agreements.

### Why Important to ICWP membership:

The PAS program is utilized by many ICWP members and provides the ability to greatly expand the planning work on water resources needs beyond what could be done with the member's own resources alone. ICWP supports the PAS program, but finds these cost share differences between PAS support types a hindrance. The cost-share requirement is burdensome for many states, local governments, and nonprofits who are seeking the Corps' expertise to resolve important water resource issues. It is particularly challenging for smaller or disadvantaged communities where the cost share is required, which tend to be cash poor and without operating capital that can be routed outside their budget. The recent decision to temporarily waive match requirements for economically disadvantaged communities shows that the federal government recognizes the need for reasonable cost sharing provisions.

### ICWP Recommended Action/Position:

- ICWP supports that the non-federal sponsor cost sharing requirements for PAS agreements be flexible and allow for crediting in-kind services for technical services.
- ICWP encourages the Corps to assure that their districts across the country are all well versed in the PAS program components and are seeking out projects for applying PAS funds to aid states, interstates, tribes and regional water suppliers in their water planning needs.

- ICWP supports the waiver of match requirements for Environmental Justice/disadvantaged communities and tribes.