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Water Resources Development Act: U.S. Senate Environment and Public Works Committee Hearing Includes Testimony from Representatives of Nucor Corporation and Tulsa Port

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The United States Senate on Environment and Public Works Committee held an oversight hearing titled “The Importance of Enacting a New Water Resources Development Act” on February 10th.

The witnesses included:

- Rob Roberson – Director of Corporate Logistics – Nucor Corporation
- Robert W. Portiss – Port Director – Tulsa Port of Catoosa
- John Swearingen – Senior Vice President (Transportation and Logistics) – Marathon Petroleum Corporation
- Norma Jean Mattel, P.E., M.ASCE – American Society of Civil Engineers

The focus of the hearing was the possible passage of a Water Resources Development Act (“WRDA”) in 2016. For example, Mr. Roberson of Nucor Corporation noted the importance of the 2014 WRDA and expressed the hope that:

... the 2016 reauthorization can build on these changes and address several issues that have emerged since the last WRDA bill was passed.

Mr. Roberson also addressed the importance of inland waterways and the port system stating they give Nucor “access to an effective distribution channel to fight against surging steel imports that have crippled much of the domestic steel industry”.

Mr. Portiss of the Tulsa Port of Catoosa noted that his facility is located on the McClellan-Kerr Arkansas River Navigation System (“MKARNS”). Besides also requesting that Congress pass a WRDA bill in 2016, he expressed concern about a “backlog of maintenance” that the United States Corps of Engineers deems critical (i.e., greater than 50% chance of failing over the next 5 years).

Mr. Portiss notes that stakeholders of MKARNS have been expressing concern to Congress about this problem. He states in relevant part:

As this backlog continues to increase so will the probability of lengthy failures. Recognizing this, the stakeholders along the MKARNS worked to include a provision in WRRDA 2014 that would allow us to partner with the Corps to help address such failures. The provision that was enacted in WRRDA 14 is

Section 1024. Section 1024 authorizes the Secretary of the Army to accept materials and services from non-federal stakeholders to be used to repair, restore and replace projects that were damaged or destroyed as a result of an emergency. Implementation guidance has not yet been released for this section, but we are pleased that the Corps' Little Rock District held a table top exercise on November 19th, with stakeholders along the waterway, to discuss how to implement this provision.

[Click here to download a copy of the four witnesses written statements.](#)