



TO: TOPSAIL ISLAND SHORELINE PROTECTION COMMISSION

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SUBJECT: NOVEMBER/DECEMBER REPORT AND LEGISLATIVE UPDATE

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The November/December Report and Legislative Update provides information on the following:

- **Advocacy Update**
 - FEMA
 - North Topsail Beach CBRA Mapping Issue
 - Proposed Change to WOTUS Definition
- **Washington News**
 - Congress Turns to FY 2026 Appropriations Bills as CR Clock Ticks Down to January 30
 - Acting Head of FEMA Resigns
 - WIFIA Program Announces FY25 Notices of Funding Availability
 - EPA Implements Program Offices Reorganizations
 - EPA Announces \$3 Billion in New Funding for States to Reduce Lead in Drinking Water
 - TFG 2026 Congressional Calendar

Advocacy Update

As we close out 2025 with the final report of the year, the Ward and Smith and TFG team would like to thank the Topsail Island Shoreline Protection Commission for the privilege of another year working together. As this year's monthly reports reflect, it has been a very busy year in the federal government, and we are grateful for the opportunity to work with the talented, professional individuals from your communities to accomplish your goals and priorities.

From all of us at Ward and Smith and TFG, we wish you a very Merry Christmas and a Happy New Year.

FEMA

As noted in previous monthly reports, Congress introduced [H.R. 4669](#), the *Fixing Emergency Management for Americans Act of 2025*, in August, and committee leadership on both sides of the aisle have since [expressed a commitment](#) to making some version of FEMA reform a priority in 2026. As Congress considers changes to FEMA, input from communities such as those that make up TISPC will be critical to ensure any changes made improve, and not hamper, FEMA disaster response and coordination. We encourage the Commission to consider how the proposed changes outlined in the legislation would affect your communities and relay those concerns or considerations to the Congressional delegation as they continue working on the issue in 2026. We are happy to answer any questions, discuss details with the Commission, and assist in putting together comments for the delegation if needed.

North Topsail Beach CBRA Mapping Issue

Since our September meetings with Capitol Hill offices and the U.S. Fish and Wildlife Service, which we reported in the October monthly report, progress on the issue was paused due to the record-long government shutdown that began shortly after those meetings and continued through much of November. However, even though the shutdown limited communication with some government agencies and offices, we were able to remain in contact with staff to keep the CBRA issue a priority for when the government reopened. Since the reopening shortly before Thanksgiving, we have continued coordinating next steps with the U.S. Fish and Wildlife Service and working with Senate offices to schedule a hearing for the Senate version of the legislation (S.1724).

With Congress having a limited number of legislative days in December before the holiday recess and pressed to finish must pass bills to fund the federal government, we are targeting the first of 2026 for next steps on the legislation. We will continue to work with the relevant offices to ensure H.R. 1885/S. 1724 remains a priority in the new year and provide updates to the Commission should any developments arise.

Proposed Change to WOTUS Definition

On November 17th, the Trump Administration announced a [proposed rule](#) revising the definition of “Waters of the United States” (WOTUS). This proposed rule represents a significant narrowing of federal Clean Water Act jurisdiction, fully implementing the Supreme Court's *Sackett v. EPA* decision. The changes will have substantial implications, particularly regarding:

- **Reduced federal permitting requirements** - The narrower jurisdiction means fewer projects will require Section 404 permits
- **Clearer regulatory boundaries**- New definitions for "relatively permanent," "tributary," and "continuous surface connection" provide more predictable outcomes
- **Explicit exclusions**- Groundwater, certain ditches, and prior converted cropland receive clearer protection from federal oversight

- **Wetlands jurisdiction-** Significantly narrowed to only those with continuous surface water connections to navigable waters

Time-Sensitive Opportunity: The agencies will accept public comments for 45 days. Included as an attachment to this monthly report is a TFG Brief and analysis of the proposed change, implementation considerations, and areas where the agencies are specifically seeking input. Our team is available to help assess how these changes might affect your specific projects and to assist with comment preparation if needed.

Washington News

Congress Turns to FY 2026 Appropriations Bills as CR Clock Ticks Down to January 30

As Congress returns to Washington after the Thanksgiving holiday, pressure is intensifying for lawmakers to complete the annual appropriations process and prevent a partial government shutdown after Jan. 30. Progress on assembling multi-bill “minibus” funding packages has stalled amid sharp disagreements, both between the House and Senate and within each chamber, over overall spending levels and how the bills should be structured. Senate leaders are pushing to advance a five-bill package covering several major agencies, while House appropriators are leaning toward a smaller bundle to avoid backlash from conservatives, especially in the aftermath of a contentious 43-day shutdown that has left negotiations strained.

One of the most challenging sticking points is the Energy and Water appropriations bill, where bipartisan cooperation has unraveled. Senate Republicans released their draft without Democratic support, an unusual step that highlights the depth of the divide. The conflict centers on funding levels for the Department of Energy, the Army Corps of Engineers, and the Bureau of Reclamation. The GOP plan increases spending on water infrastructure and fossil energy programs and proposes raising the Army Corps’ budget to \$9.79 billion to offset the loss of earmarks and revive stalled projects, including those previously halted by the White House.

Democrats have sharply criticized the partisan rollout, saying the proposal undermines bipartisan negotiations and fails to meet critical needs in renewable energy and Western water management. With other contentious appropriations bills still unresolved, such as Homeland Security, lawmakers acknowledge that forging a compromise on the Energy–Water bill and bridging the gap between House and Senate priorities will be tough. The tension between boosting Army Corps funding and cutting Reclamation highlights the broader challenge of reaching a bipartisan spending deal before the January deadline.

Acting Head of FEMA Resigns

The acting head of the Federal Emergency Management Agency (FEMA), David Richardson, [resigned](#) on November 17, after roughly six months in the job, amid mounting criticism over his leadership, notably during deadly floods in Texas this summer. Richardson, a former Marine and longtime Homeland Security official, had limited experience in disaster response, which drew scrutiny after reports that he was largely

unreachable during the flooding, and questions over his judgment and public presence while the crisis unfolded.

Karen Evans, formerly FEMA's chief of staff, took over the role on December 1, as announced by the Department of Homeland Security. The resignation of Richardson comes as the administration prepares to reorganize FEMA, shifting responsibilities toward “cost sharing with the states” and streamlining the agency, a move long advocated by the current leadership.

WIFIA Program Announces FY25 Notices of Funding Availability

The U.S. Environmental Protection Agency (EPA) recently [announced](#) the availability of \$7 billion to invest in local communities through its Water Infrastructure Finance and Innovation Act (WIFIA) program, as outlined in the FY 2025 Notices of Funding Availability (NOFAs). This initiates EPA’s 9th round of WIFIA financing, with \$6.5 billion available through the base WIFIA program and \$550 million available through the SWIFIA program, which provides loans exclusively to State infrastructure financing authority borrowers.

WIFIA provides affordable, long-term, low-interest loans that can cover up to 49% of the planning, design, and construction costs for large (over \$20 million) publicly owned, non-federal water infrastructure projects, while allowing the remaining funding to be matched with other federal sources (capped at no more than 80% of the total funded from all federal sources). The program is popular with Congress due to its leveraged scoring against appropriated dollars, with appropriators only providing funding to cover the “risk of default”, usually only about 2% for water utilities, with the balance of funding coming directly from the Treasury.

[This TFG Profile](#) provides a detailed summary of the program. Please let us know if you have any questions or if you would like any additional information.

EPA Implements Program Office Reorganizations

The Environmental Protection Agency (EPA) has carried out significant reorganizations across most of its offices, shifting responsibilities, merging programs, and reassigning 170 research scientists. However, its most controversial proposal, eliminating the Office of Research and Development (ORD), now appears uncertain. The FY 2026 stopgap continuing resolution (CR) enacted to reopen the government last month bars any agency-wide layoffs through January 2026, postponing the planned dissolution of ORD and raising questions about whether Congress will ultimately permit it.

The restructuring also disbands the EPA’s climate programs within the air office, establishes new offices dedicated to state partnerships and Clean Air Act implementation, consolidates Superfund and emergency management functions, and creates a new science office within the Administrator’s office. EPA is still completing revisions to its water, finance, and mission support offices, changes critics say could diminish the agency’s scientific and regulatory capacity.

EPA Announces \$3 Billion in New Funding for States to Reduce Lead in Drinking Water

The U.S. Environmental Protection Agency (EPA) [announced](#) on November 25 that it is providing \$3 billion in new State Revolving Fund (SRF) financing to help states reduce lead exposure in drinking water. To ensure the money is used effectively, the agency conducted a comprehensive review of past funding awards and evaluated updated data on lead service lines, aiming to strengthen accountability and direct resources to where they will have the greatest impact. The EPA also introduced a new lead service line [inventory dashboard](#) that compiles the latest state-reported information, supporting efforts to identify and remove the lead pipes that supply water to homes, schools, and businesses. Lead service lines remain the primary source of lead, a dangerous neurotoxin, in drinking water. Small groundwater systems serving 10,000 or fewer people account for more than 80 percent of Safe Drinking Water Act Lead and Copper Rule violations.

In addition to the new funding, the EPA announced the reallocation of \$1.1 billion in previously awarded but unused Drinking Water State Revolving Fund (DWSRF) resources to further support pipe replacement needs. Under the Safe Drinking Water Act, unspent funds must be redistributed, making this additional investment available to other eligible states seeking to address lead contamination. Together, these actions are intended to accelerate national progress in identifying and replacing lead service lines and reducing lead exposure in drinking water systems.

TFG 2026 Congressional Calendar

TFG has compiled a 2026 Congressional Calendar with session and recess dates for the U.S. House of Representatives and the U.S. Senate for the second 119th Congressional session.

You can access the calendar [here](#).