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Will DOGE Target the Corps?

The unofficial Department of Government Efficiency (DOGE) headed by Elon Musk and Vivek Ramaswamy is seeking ways to slash the size of the federal government. We'll leave the day-to-day coverage of its doings to the main media. Our focus is the possibility that DOGE will try to make cuts to the Corps of Engineers. The cupboard is already bare at Corps Headquarters with many officials performing the work of two or even three full-timers as a result of cutbacks made by the Corps itself in the early 2000s. At the time, the "extra" HQ personnel were sent to Division offices in the belief that the Corps should have more people at that level. As a result, we think it's unlikely DOGE will recommend any personnel cuts in the Corps, which is already short-handed and suffering a brain drain due to retirements of many of its long-term employees. More likely to happen during the Trump administration is a reversal of Corps efforts to make sure that its reliance on a strict benefit-cost ratio was offset by extensive efforts to be responsive to poorer communities as well as minorities. Those efforts are likely to take a back seat over the next four years.

OFFSHORE WIND IS DEAD AFTER TRUMP EXECUTIVE ORDER

In keeping his promise to issue a moratorium on offshore wind on "Day 1" of his presidency, on January 20, 2025, President Donald Trump issued an executive order suspending all wind energy development in the United States.

This order temporarily prohibits new offshore wind energy leasing across all areas of the Outer Continental Shelf, highlighting concerns related to environmental impact, economic viability, and national security. It also pauses the approval process for both offshore and onshore wind projects until a comprehensive federal review of their environmental and economic implications are completed.

The directive mandates an in-depth evaluation of the impacts of wind energy on marine ecosystems, navigational safety, and the national energy economy. Although existing wind energy leases are currently upheld, they are subject to review for possible modification or termination. Furthermore,

the order requires an analysis of the environmental consequences of decommissioned wind turbines, including strategies for their removal.

This executive action has long been a focal point from coastal communities and the fishing industry who have expressed concerns over the effects of wind farms on local economies, marine life, and fishing operations. This order represents a pivotal shift in U.S. energy policy, effectively halting new wind energy developments and introducing substantial uncertainty regarding the future trajectory of renewable wind energy within the nation.

FEDERAL FUNDING DEADLINE APPROACHES WITH HIGH-STAKES NEGOTIATIONS AHEAD

Funding for the federal government for the current fiscal year is set to expire on March 14th. To pass new funding bills, Republican leaders in the House and Senate will likely need Democratic support. Given the stance of hardline Republicans, who are pushing for significant spending cuts, securing bipartisan cooperation will likely come down to last-minute negotiations.

Spending levels below those outlined in the funding bills already passed by the House last year and approved by the Senate Appropriations Committee are impractical if the deadline is to be met. Extending the current temporary funding resolution for the rest of the fiscal year is also an unlikely option. Federal agencies require this year's budget to address this year's needs, rather than operating under outdated spending priorities.

For the U.S. Army Corps of Engineers, which relies on funding earmarked by both the Administration and Congress, it is critical to secure funding for studies and projects included in the current fiscal year's budget.

In addition to passing spending bills, Democrats are expected to be called upon to support an increase in the federal government's debt limit. This increase is necessary to enable continued borrowing to meet government spending requirements, adding another layer of urgency to the negotiations. Expect heightened drama as these fiscal deadlines approach.

CORPS PUBLISHES NEW PLANNING GUIDANCE PROCEDURES

Nearly a year ago, the Assistant Secretary of the Army for Civil Works proposed a rule to establish Agency-Specific Procedures (ASPs) for the U.S. Army Corps of Engineers' implementation of principles, requirements, and guidelines for water resource investments. On January 9, the Corps finalized these rules, creating a framework for evaluating proposed water resource investments. These procedures are mandated by Section 110 of the Water Resources Development Act (WRDA) of 2020.

At the time, then-Assistant Secretary Michael Connor stated, "We are committed to integrating economic, environmental, and social benefits into our planning and improving the Corps' ability to build resilience in a broad range of communities, including rural, tribal, and low-income areas."

According to the Corps, the ASPs provide a decision-making framework aligned with the federal objectives for water resource investments established in WRDA 2007. These objectives prioritize national interests by encouraging sustainable economic development, avoiding unwise floodplain use, and protecting and restoring natural ecosystems.

You can access the Corps' final rule [here](#).

NEW JERSEY BACK BAY STUDY RELEASED

Superstorm Sandy is more than a decade in the past, but some of the efforts in the wake of that storm to reduce risk are just beginning to near completion now. As an example, the Corps recently released a draft report for its New Jersey Back Bays Coastal Storm Risk Management Study. The recent version is a revision to an earlier version that included a number of flood gates that was met with local and environmental opposition. Instead, it now focuses on raising 6,400 residential structures and floodproofing 279 critical buildings such as police and fire stations. The plan would also use dredged material to bolster seven salt marsh habitats that are vulnerable to sea level rise. The study remains in draft form while public comments are solicited. To date, it is unclear whether or to what extent the State of New Jersey will provide the non-federal cost share required to implement the nearly \$8 billion-dollar program. For more information [click here](#). Public comments are due by February 18th.

SHOULD CONGRESS PUT CONDITIONS ON DISASTER AID?

The Palisades wildfires have become politicized with some Republicans blaming local and state Democratic leaders for causing the conflagration. In addition, House Speaker Mike Johnson has stated it was time to “have a serious conversation” about conditioning federal disaster assistance on changes in regional fire management practices or building codes. It’s not too far a jump to assume that Congress might also attach conditions to disaster aid for coastal communities in the wake of hurricanes. In fact, that’s just what the Corps recommended in a proposed rulemaking last year. That proposal related to new rules for the Corps’ own disaster program, normally referred to as the PL84-99 program. The agency proposed that any aid to coastal communities be conditioned on them having taken steps to reduce risk. Nearly two years ago to the date, Warwick Group Consultants was the lone coastal respondent to the Corps proposal declaring that the rule would “impose subjective risk reduction requirements on each non-Federal sponsor” of a beach nourishment project when “no such obligations are even implied by the statute.” That plan has not gone beyond the proposal stage, but it is not too far a reach to believe that Congress, in its quest to cut expenditures, will place conditions on all types of disaster aid.

DISASTER BILL UNANIMOUSLY PASSES HOUSE

The House has unanimously approved the Post Disaster Online Accountability Act (H.R. 153), a bill that requires federal agencies providing disaster assistance to publish detailed information about the aid on a dedicated webpage within their respective websites. This applies to funds allocated by

the federal government in response to specific natural disasters, including assistance programs managed by the Small Business Administration, the Department of Housing and Urban Development, and other federal disaster relief efforts. The scope of the bill covers aid for disaster relief, long-term recovery, infrastructure restoration, economic housing, and assistance in the areas most affected by major disasters.

Proponents of the bill argue that streamlining the collection and dissemination of post-disaster information will make it easier for disaster victims to access assistance. H.R. 153, sponsored by Rep. Mike Ezell (R-MS), was also passed by the House during the previous Congress. The bill now moves to the Senate for consideration and is among the measures being tracked by WaterLog.

BIDEN BANS MOST NEW OFFSHORE OIL & GAS DRILLING:

In his last weeks in office, President Biden has banned new offshore oil and gas drilling in most U.S. coastal waters. He used his authority under the federal Outer Continental Shelf Lands Act to protect offshore areas along the East and West coasts, the eastern Gulf of Mexico and portions of Alaska's Northern Bering Sea from future oil and natural gas leasing. President-elect Trump, who is committed to increasing domestic oil production, immediately attacked the move claiming it would cost the nation at least \$50 trillion in revenues lost. However, under law, only Congress can reverse Biden's action. House Budget Committee Chairman Jody Arrington and Senator Ted Cruz, both Republicans from Texas, have already introduced [legislation](#) to reverse the Biden move.

LEGISLATIVE UPDATE (ON LAST CONGRESS'S BILLS)

Out of the 290 pieces of legislation we tracked during the last 2-year Congress that had significant impacts on coastal communities, 11 bills were signed into law and 6 of those were funding measures. While the legislative meat grinder is a rough process, the number of coastal-related bills signed into law is in part a reflection that Congress is not paying enough attention to coastal community needs. Let's briefly look at the 5 non-funding bills that passed.

- (1) **HR 2950 – The Coastal Habitat Conservation Act** sponsored by Rep. Jared Huffman of California. This bill authorizes the U.S. Fish and Wildlife Service (USFWS) to conduct collaborative landscape-level planning and on-the-ground coastal habitat assessment, coastal habitat protection, and coastal habitat restoration projects in priority coastal landscapes to conserve and recover federal trust species. Specifically, the USFWS must develop a comprehensive plan that (1) characterizes a coastal ecosystem; (2) sets protection, restoration, or enhancement goals and identifies the priorities of those goals; (3) describes conservation strategies and methodologies; (4) establishes a timetable for implementation of the plan; and (5) identifies roles of participants and stakeholders.
- (2) **HR 5490 – The Bolstering Ecosystems Against Harm (BEACH) Act** sponsored by Rep. Jen Kiggans of Virginia. This multi-faceted act addresses issues related to the John H. Chafee Coastal Barrier Resources System, including (1) requiring prospective buyers to disclose to prospective buyers that property is in the system, and (2) requiring the Department of the Interior to report to Congress on the effects of the system on landward aquatic habitats from direct wave attack and

all associated aquatic habitats. It also enables certain federal beach projects to receive nourishment from sand located in CBRA units.

- (3) **S. 310 – The Disaster Contract Improvement Act** sponsored by Senator Rick Scott of Florida. This bill requires the Federal Emergency Management Agency (FEMA) to establish an advisory working group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal. The bill also requires the Government Accountability Office to study the use and adoption rate of advance contracts for debris removal by selected states, tribal governments, and units of local government.
- (4) **S. 1858 – The Disaster Assistance Deadlines Alignment Act** sponsored by Senator Gary Peters of Michigan. This bill requires the application deadline for disaster assistance to match that of individuals and households seeking assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The President may extend an application that is submitted after the deadline if (1) the applicant has good cause for the late submission, and (2) the individual submits the application before the period during which assistance is provided expires.
- (5) **S. 4367 – The Thomas R. Carper Water Resources Development Act of 2024** sponsored by Senator Tom Carper of Delaware. This is the biennial bill to address water resources development and water infrastructure. Specifically, the bill requires the U.S. Army Corps of Engineers (USACE) to carry out specified activities, including (1) the development of water resources for the Columbia River Basin; and (2) the management of recreation facilities. In addition, the USACE must establish a minimum real estate interest (i.e., a percentage of real estate owned by a state or local government) for each project that is carried out under the Water Resources and Reclamation (WRDA) program. The WRDA program provides grants to states, Indian tribes, and nonprofit organizations for water resources

To glance at the list of all bills, including those that did not make it into law, go to <https://www.waterlog.net/wp-content/uploads/2025/01/Coastal-Bills.pdf> The fact that bills are on the list does not mean that we support them. In fact, you may find that some of the bills are better left in the dead status. To find out more about any bill, go to www.congress.gov.

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