Bichler's False Water Attacks on Michael Lee Collapse Under the Facts

The law cited in Bichler's ads funded statewide PFAS testing. Now Lee's attorney is demanding that stations stop airing a separate attack ad he calls false and defamatory.

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Jessica Bichler's water ads make claims about state Sen. Michael Lee that the public record shows are false. Bichler's campaign ads tell voters that state Sen. Michael Lee "sponsored the bill to dangerously limit testing for water contamination." Another says he sponsored a bill "to roll back water contamination testing." The bill her ads cite is Senate Bill 99, the 2018 state budget. That law did not take water testing away. It directed and funded PFAS testing at every public water supply surface intake in North Carolina. (Sources: Bichler Facebook Ad1; Bichler Facebook Ad2 ; 2018 law; NC PFAS Testing Network report.)

The same problem runs through Bichler's other water attacks. Her ads say Lee "shielded Chemours from accountability for poisoning our water" and tie him to a federal agreement with the company. The record shows otherwise on both counts. Water quality is a pressing issue in New Hanover County, and voters deserve to know what Lee's legislation funded, what North Carolina has required Chemours to pay, and who actually negotiated the deal Bichler is running against. (Sources: Bichler Facebook Ad1; Bichler Facebook Ad2; NC DEQ.)

The Michael Lee campaign provided The Wilmington Standard with a fact-check memorandum and a letter from Lee's attorney about a separate advertisement by Majority Rising NC. Those documents prompted this reporting. The Standard reviewed the Bichler ads discussed here, their visible citations, the relevant laws and official announcements, and outside reporting.

What SB 99 actually funded

Lee was a primary sponsor of SB 99, enacted as Session Law 2018-5, and of the Water Safety Act (SB 724) filed that May. Section 13.1 of the budget directed the North Carolina Policy Collaboratory to coordinate researchers testing for PFAS, including GenX, "at all public water supply surface water intakes and one public water supply well selected by

each municipal water system." It also called for a protocol for periodic retesting and allocated $5.013 million for testing and related PFAS research. (Sources: SB 99 bill record; SB 724 bill record; 2018 law; NC PFAS Testing Network report.)

Duke University, whose researchers helped lead the effort, described it in 2018 as the state's new water-testing program, funded with $5 million from the legislature and built to examine about 350 municipal water supplies, both surface water and wells. The same section of the law funded PFAS sampling and treatment testing at the Cape Fear Public Utility Authority and gave the Department of Environmental Quality money for sampling staff and a mass spectrometer. (Sources: Duke University; Legislative summary of SB 99.)

Lee Ferguson, a Duke environmental chemist who helped develop the testing network, wrote in the Star-News that the General Assembly's efforts "have been visionary." He acknowledged that the enacted law had been modified from the original bills to focus on PFAS, yet called the resulting network "the most sophisticated and comprehensive emerging-pollutant monitoring program for water in the United States." Ferguson wrote that Lee had visited his laboratory to discuss the program. "In this case, I believe that the lawmakers got it right," he concluded, thanking Lee and his colleagues by name. (Source: Star-News, Oct. 20, 2018.)

That is the record Bichler's ads leave out. SB 99 produced a new statewide PFAS testing program, one a Duke scientist called the most sophisticated and comprehensive in the country. A bill that pays to test every public water supply intake in the state is not a bill "to roll back water contamination testing."

The law also went after unlawful PFAS discharges. It authorized the Governor to require a facility to cease the operations producing the pollution, and it directed the DEQ Secretary to order the responsible party to establish permanent replacement water supplies for households whose wells were contaminated. (Sources: 2018 law; Legislative summary of SB 99.)

What Chemours has had to pay

Another Bichler ad says Lee "shielded Chemours from accountability for poisoning our water." The 2018 law he sponsored included accountability provisions: it placed the cost of replacement water on responsible polluters under specified circumstances and gave the state authority to halt unlawful discharges. Those are accountability measures, not protections for Chemours.

(Sources : Bichler Facebook Ad1; Bichler Facebook Ad2; 2018 law.)

And Chemours has been made to pay. According to DEQ, the company has spent nearly $1.2 billion complying with a 2019 state consent order. On September 10, Attorney General Jeff Jackson and DEQ Secretary Reid Wilson announced a separate agreement with Chemours, DuPont and Corteva valued at $590 million. It guarantees $455 million to the state and 11 local governments, New Hanover County among them, paid over 10 to 15 years, plus a $135 million reserve fund backing the work Chemours must still complete. Those payments are scheduled, not yet made. (Sources: NC DEQ; NC DOJ.)

Lee's legislation is part of where that money goes. Of the state's $75 million share, DEQ says roughly $55 million will go to the Emerging Contaminant Mitigation Fund, "recently created by the North Carolina General Assembly" to help local governments detect and reduce contaminants in drinking water. That fund was established in the 2026 Appropriations Act (SB 257), and Lee was a primary sponsor. (Sources: : NC DEQ; SB 257 bill record.)

Lee also filed the 2025 Water Safety Act, SB 666, and was a primary sponsor of the 2026 Water Safety Act, SB 1043. Both proposed directing DEQ to set PFAS discharge limits and placing drinking-water limits for specified PFAS compounds in state law. The Southern Environmental Law Center told Port City Daily in 2025, "We support Senate Bill 666." Neither bill's proposed limits became law. Together with the replacement-water provisions in the 2018 law and the mitigation fund Lee later sponsored, these proposals complicate Bichler's claim that he "shielded Chemours from accountability." Whether North Carolina's measures have gone far enough remains a fair question. (Sources: SB 666 bill record; SB 1043 bill record; Port City Daily.)

A federal deal Senator Lee had no part in

A Bichler ad says, "When Trump gave Chemours a shady deal … Michael Lee backed Trump." On screen it cites a June 25 News & Observer article and Senate Bill 249, a 2025 law that redrew North Carolina's congressional districts. SB 249 is a congressional-redistricting law, not Chemours or PFAS legislation. A redistricting vote is not a position on a Chemours settlement, and it does not show that Lee sponsored, voted on, negotiated or endorsed one. (Sources: Bichler Facebook Ad1; Bichler Facebook Ad2; SB 249 bill record.)

The deal in question is a proposed federal consent decree announced June 24, 2026, by the EPA, the U.S. Department of Justice and the state of West Virginia, and filed in federal court in West Virginia. North Carolina was not a party. Gov. Josh Stein and Attorney General Jeff Jackson, both Democrats, objected that the state had been left out of the negotiations. If the governor and the attorney general had no seat at that table, a state senator did not either. Lee had no vote on the agreement and no role in negotiating or approving it. The

Standard did not locate a statement from Lee supporting the proposal and has not independently established whether he publicly opposed it. (Sources: EPA; Federal Register; WUNC; Greater Wilmington Business Journal.)

A separate ad draws a legal demand

Majority Rising NC, a left-leaning advocacy organization, is running its own ad attacking Lee's water record. It is not a Bichler campaign ad. It says Lee "sided with corporate polluters and their lobbyists" and "wrote a water safety bill that doesn't make polluters pay a dime for the clean up," citing SB 99 and SB 1043. (SourceMajority Rising NC ad via AdImpact.)

According to the Lee campaign, attorney Craig D. Schauer sent television stations and Majority Rising NC a letter demanding that they stop airing the ad. The campaign supplied a copy of the letter to The Standard. The letter points to the same record: SB 99 let the state shut down unlawful PFAS discharges and make polluters pay for replacement water, and SB 1043 was a bill to fund the detection and reduction of contaminants and set PFAS limits, not a cleanup-cost bill. It argues the state has been recovering costs from Chemours since the 2019 consent order, citing the nearly $1.2 billion the company has spent and September's settlement. The letter argues that the protections applicable to candidate ads do not extend to an outside group's ad. Whether the ad is defamatory is Schauer's legal position, not a court finding. (Sources: Schauer letter; SB 1043 bill record; NC DEQ.)

A real issue deserves accurate ads

PFAS contamination in the Cape Fear region is not merely a campaign issue. Families have had to reckon with what is in their water, and voters have every reason to ask how Chemours was allowed to pollute for so long and whether North Carolina has responded forcefully enough.

Those questions deserve straight answers, and Bichler's ads do not give them. The bill she says limited water testing funded statewide PFAS testing. The senator she says shielded Chemours sponsored the law that makes polluters replace contaminated wells and the budget that created the fund now in line for Chemours settlement money. And the "shady deal" she pins on him was negotiated by federal agencies without North Carolina, let alone a state senator. Voters deserve a full accounting of Lee's record. These ads are not it.

Reporting note: *The Lee campaign supplied a fact-check memorandum, an attorney letter and suggested revisions to a draft of this article. The Wilmington Standard independently reviewed the ads and cited records, made its own editorial decisions, and remains*

responsible for the published article. AI tools assisted with research organization and drafting; the editor reviewed the final text and sources.