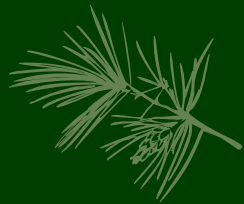


Grassroots Efforts for Wetland Protections: Bluffton's Story



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Background – Bluffton, SC

- Bluffton is located in Beaufort County, South Carolina.
- Location results in unique waterways that are fingerlings of the Atlantic Ocean and not true rivers.
 - High Salinity Waters
 - Deep Channels
 - High Tidal Amplitude
- 3 out of 4 rivers designated as Outstanding Resource Waters by the SC Department of Environmental Services (SCDES)



Background – The May River



- The Town of Bluffton has a deep historical connection to the May River, which has played a central role in shaping its identity.
- The Bluffton Oyster Company, a historic building located on the banks of the May River, symbolizes these ties and ensures the oyster industry's traditions remain integral to the town's character.

Background – Town Wetlands



Isolated Wetland Tropical Storm Debby

Beaufort County

- 51% open water / marsh
- 15% freshwater wetlands

Growth in the Town of Bluffton

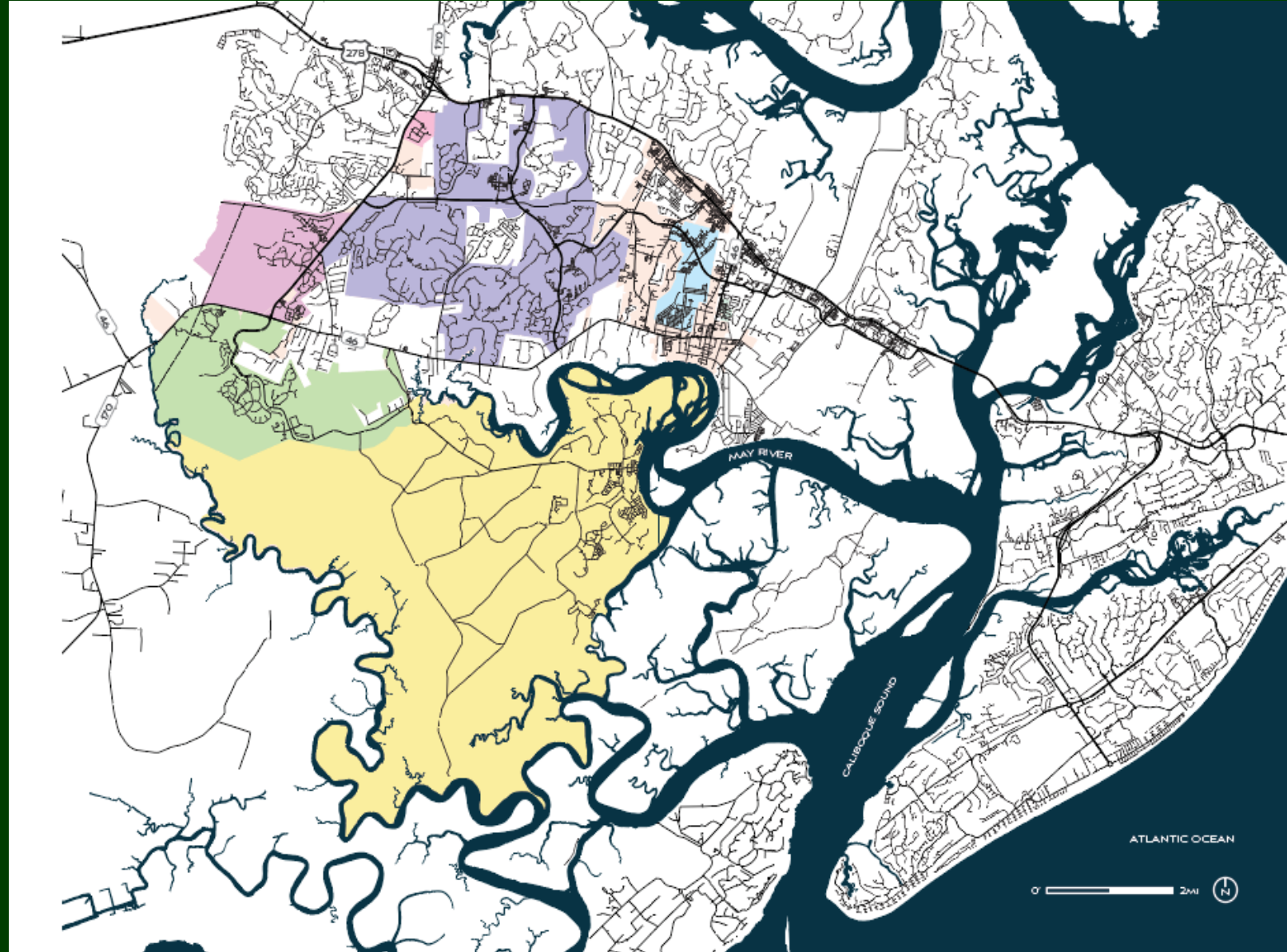


- Prior to 1987, the Town of Bluffton was one-square mile.
- Today, the Town of Bluffton is just over 54 square miles and home to 36,146 residents.

Town of Bluffton Planned Unit Development (PUD)

Beginning in the late 90s, the Town of Bluffton entered into Development Agreements to create eight (8) PUDs.

Development Agreements are legally binding contracts between property owners and government entities that outline the terms and conditions for development, including permitted uses, density, and infrastructure requirements.



Coastal Resource Management Challenges



Ecological, Social, Political

- Increased population density & potential public health implications
- Increased impervious surface & stormwater runoff
- Increased flooding potential
- Water quality degradation and loss of services
- Economic impacts
- Decreased quality of life
- Development Agreements
- Changing environmental conditions

Town Studies: Data to Support Decisions

- In 2024, the Town of Bluffton partnered with the South Carolina Department of Natural Resources (SCDNR) to conduct a water quality study in the May River.
- Also in 2024, the Town of Bluffton collaborated with the SC Sea Grant Consortium and the College of Charleston on a Resilience Planning Analysis.
- The Town requested that local wetland data be incorporated into these studies wherever possible.



Town Studies: Data to Support Decisions

SCDNR

May River Watershed -
2.7 % (513 acres) of
freshwater wetlands lost
between 2001-2021

Resilience
Planning
Analysis

Protecting Town wetlands &
implementing a 50ft buffer
reduced the vulnerability of
future development to the 100-
year storm event by more than
60%.

SC Sea
Grant &
College of
Charleston

Protecting wetlands
with buffers and using
elevation-based zoning
can significantly reduce
future flood risk

SC Sea
Grant Law
Center

Advisory Memo –
impact of *Sackett v. EPA*
on wetland protections
in SC

Grassroots Efforts: Drainage Concerns

- Citizens had expressed increasing concerns about the illegal filling of wetlands long before the *Sackett* decision, which led to negative impacts on drainage and flooding—particularly in the areas within the lowest 8% elevations.
- Citizens began urging local elected officials to protect existing low-lying areas, many of which are wetlands.



Comprehensive Wetland Protections: Scope of Work

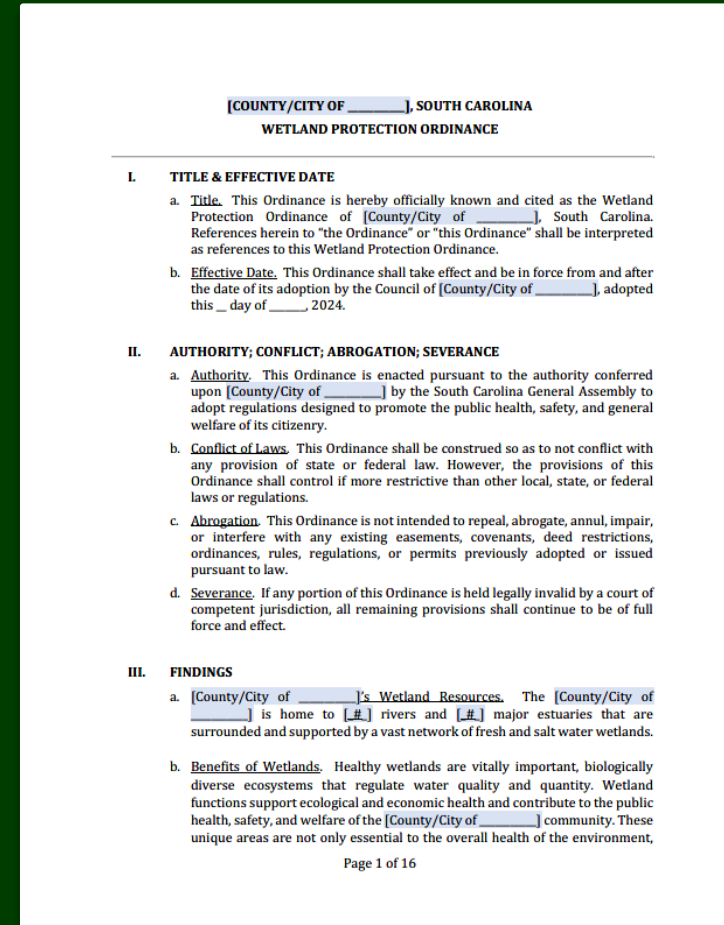
McCormick Taylor, Inc. and Center for Watershed Protection

Wetland Protections

- Strengthen interim wetland protection ordinance.
- Identify and map all Town wetlands.
- Utilize the Town's Comprehensive Drainage Studies Hydrologic/Hydraulic Model(s) to identify commonalities between areas of inundation and Town wetlands.
- Develop wetland classification methodologies for future applications, such as a Wetland Restoration Program.

SCELP Model Wetland Ordinance

- The purpose of this model ordinance was to establish an interim wetland ordinance, providing immediate, protection of wetlands, Town-wide.
- This model ordinance was modified by Town staff to meet the specific needs of the Town and to fit the formatting of the Town's Unified Development Ordinance (UDO).



Town of Bluffton Interim Wetland Ordinance



Established 50' undisturbed wetland buffer around the perimeter of all wetlands, a 25' increase from the Town's previously-established wetland buffer.



Allowed for enforcement of unpermitted filling of wetlands and citizen reporting.



Applicant can request staff-level (UDO Administrator) waiver or variance through the Board of Zoning Appeals.

Town of Bluffton Interim Wetland Ordinance



Provided exceptions to USACE permits issued before and after September 8, 2023.



Jurisdictional wetlands able to be impacted with valid USACE permit if issued before September 8, 2023.



For those issued after September 8, 2023, the more restrictive buffer width applies (outside of PUD).

Town of Bluffton Comprehensive Wetland Ordinance



Include verbiage consistent with SCDES BCM requirements for assurances of protection and recordation of plats showing wetlands/ wetland buffers.



Provide specific exceptions for activities within wetlands.



Revise “wetland delineation” to list specific qualified individuals.



Require an accompanying approved jurisdictional determination with Corps permits to impact jurisdictional wetlands.

Lessons Learned

- Public comment and stakeholder input are vital.
- Timelines are subject to change.
- Understand the scope of State and Federal authority, both permitting and enforcement.
- Anticipate many legal meetings and consider exploring partnership opportunities with environmental legal experts.
- Utilize state agencies and academia where possible to provide critical data and options to help support decisions.
- Must have comprehensive understanding of ALL municipal documents, including any Development Agreements; willingness to review existing ordinances to ensure no regulatory gaps exist.

Thank You

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