

# TOWN OF BLUFFTON WETLAND PROTECTIONS



Quarterly Contractor Meeting  
October 13, 2026

Andrea Moreno, Watershed Division Manager, CFM, CEPSCI, CSPR

## WHY?



- The Supreme Court's 2023 *Sackett v. EPA* decision changed how wetlands are regulated under the federal Clean Water Act, removing federal protection from many wetlands previously covered. As a result, these wetlands are now only protected if state or local laws apply.
- In South Carolina, specifically within the eight (8) coastal counties, development is subject to the purview of the State's Bureau of Coastal Management (SCDES-BCM), however following the *Sackett* decision, there are concerns over wetland permitting authority, gaps in permitting itself, and enforcement.
- As a result, the Town worked to establish our own wetland protection ordinance, which was adopted in June of 2025 and then

## KEY TAKEAWAYS



- No wetlands or wetland buffers are to be disturbed unless it's an allowed activity, per the ordinance.
- A 50ft. undisturbed buffer is imposed along the perimeter of all wetlands.
- While the ordinance itself is applicable Town-wide, the 50ft. buffer is not subject to development within a Planned Unit Development (PUD). Development within a PUD is

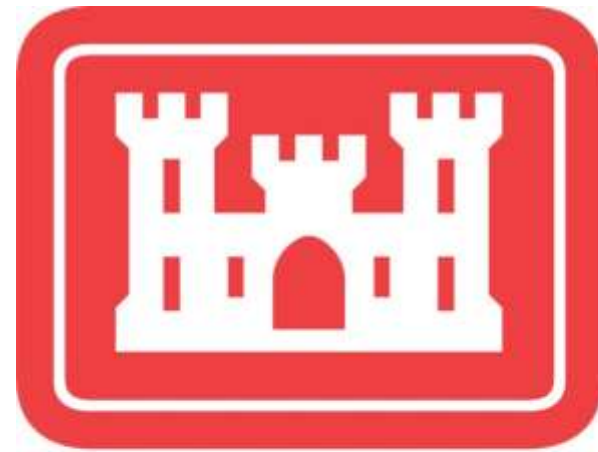
|                           | Buckwalter                                                                       | Jones Estate | New Riverside | Palmetto Bluff | Shultz Tract | Village at Verdier |
|---------------------------|----------------------------------------------------------------------------------|--------------|---------------|----------------|--------------|--------------------|
| Single-family Residential | 20'                                                                              | 20'          | 20'           | 20'            | 20'          | UDO                |
| Multi-family Residential  | 50'                                                                              | 50'          | 50'           | 50'            | 50'          | UDO                |
| Commercial or Industrial  | 50'                                                                              | 50'          | 50'           | 50'            | 50'          | UDO                |
| Impervious Parking Areas  | 30'                                                                              | 30'          | 30'           | 30'            | 30'          | UDO                |
| OCRM or greater           | There may be an existing buffer that is greater, review on a case-by-case basis. |              |               |                |              |                    |

*Note: This table is for illustrative purposes only. Consult the recorded PUD document for official determination.*

## KEY TAKEAWAYS



- Projects with a valid US Army Corps of Engineers (USACE) permit to impact jurisdictional wetlands are exempt. These projects require an accompanying approved jurisdictional determination to ensure impacts are, in fact, for jurisdictional wetlands and, therefore, an exemption to the



**US Army Corps  
of Engineers®**

## WETLAND MAPPING



- Wetland mapping layer developed by a consultant using several factors to show potential (low, medium, or high) of wetland being present in particular location across the Town.
- Meant to be used a more accurate tool than National Wetland Inventory (which is largely based on aerial information and hasn't been updated for our area since 2006).

## KEY TAKEAWAYS



- Wetland delineations will be required for any project indicating “medium” or “high” potential for the presence of wetlands, as shown in the Town’s wetland mapping tool at Bluffton Explorer.
- The wetland delineation report, meeting the requirements of UDO Section 5.10.7.B, shall include a boundary survey, showing all wetland buffer areas on the site.

# WETLAND MAPPING

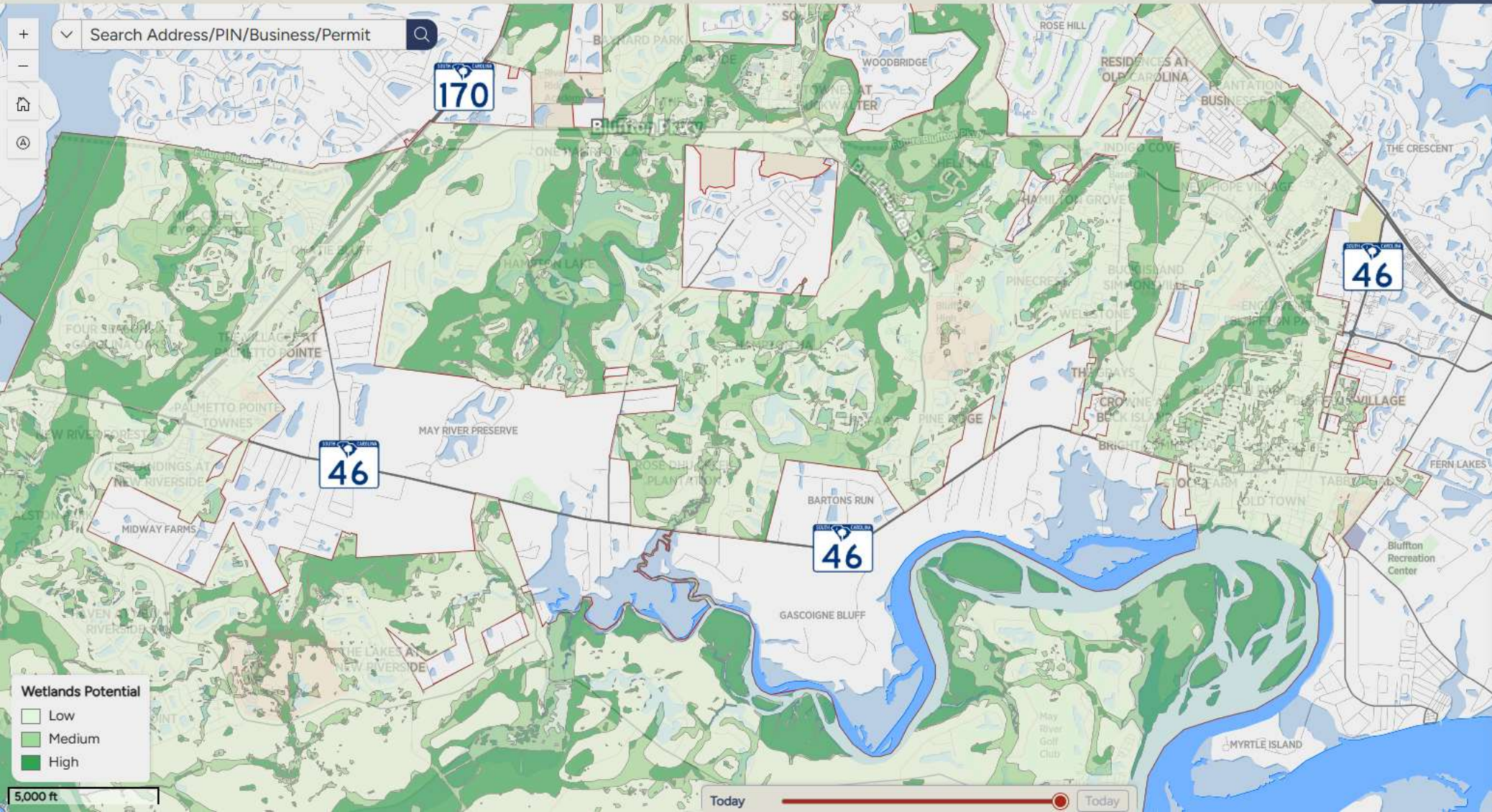
 LOW

 MEDIUM

 HIGH

Bluffton Explorer

Search Address/PIN/Business/Permit



## Map Layers

- ☐ Light Post ...
- ☐ Public WiFi Locations ...
- ☐ Historic Structures ...
- ☐ Utilities ...
- ☒ Info Popup ...
- ☐ Contours 2ft ...
- ☐ Town Owned Property ...
- ☐ Future Land Use ...
- ☐ Existing Land Use ...
- ☐ Beaufort County Zoning ...
- ☐ Bluffton Zoning Districts ...
- ☐ Flood Layer ...
- ☐ Tree Canopy ...
- ☐ Watershed ...
- ☒ Wetlands Potential ...
- ☐ Annexation ...
- ☐ Parcel Property Lines ...

# WETLAND MAPPING



LOW



MEDIUM



HIGH



# WETLAND MAPPING



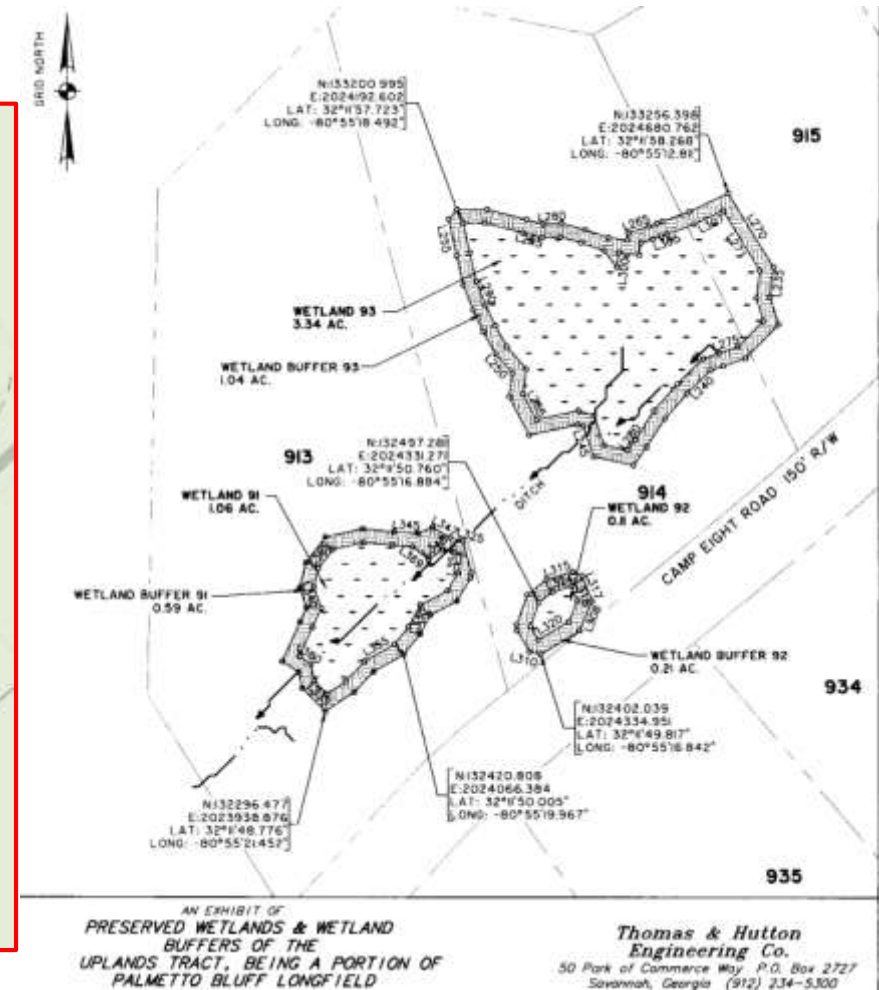
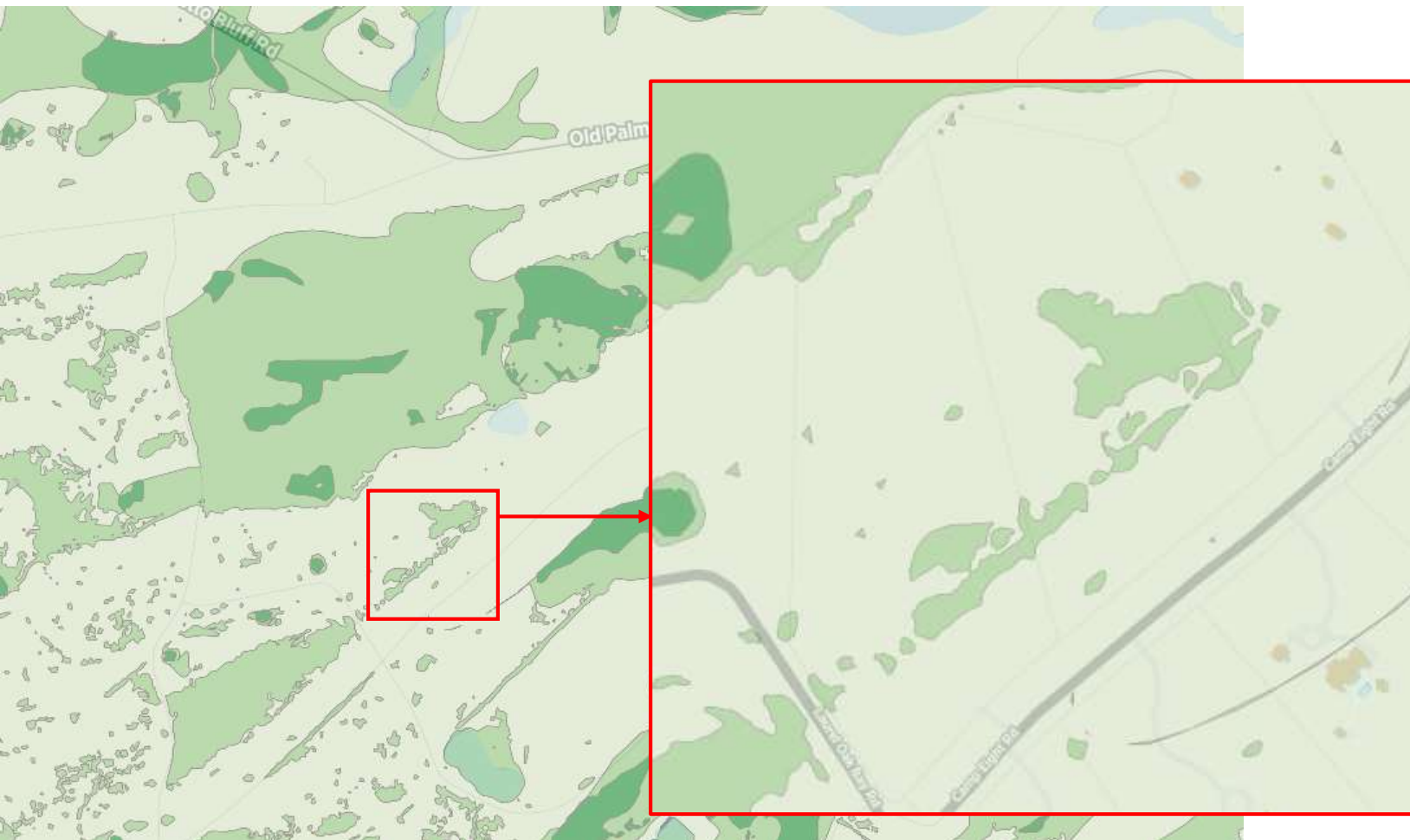
LOW



MEDIUM



HIGH



[Flooding and Drainage Concerns](#)[Get Involved](#) +[May River Watershed Action Plan Advisory Committee](#)[May River Watershed Action Plan](#)[Municipal Separate Storm Sewer System \(MS4\) Program](#)[Pet Waste Station Program](#)[Post-Construction Program](#)[Resources: Other Organizations](#)[Sediment & Erosion Control](#)[Stormwater Utility Fees](#)[Stormwater Permitting](#)[Home](#) › [Government](#) › [Departments](#) › [Projects & Watershed Resilience](#) › [Watershed Management](#) › [Wetland Protections](#)

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## Wetland Protections

**“Wetlands are one of our community’s most effective natural defenses from flooding, storm surge, and pollution. Just one acre of wetland can store up to 1.5 million gallons of floodwater, and a single square kilometer can provide an average of 1.8 million dollars per year in storm protection services.”**

- Susie Carlson, associate attorney with Southern Environmental Law Center (SELC).



Development over wetlands is charted by the Clean Water Act, the 1972 federal landmark legislation that created the framework for regulating pollution in American waterways. However, following the U.S. Supreme Court's *Sackett v. Environmental Protection Agency* (EPA) ruling, federal protections provided by the Clean Water Act narrowed, leaving tens of millions of acres of wetlands at risk of development and destruction. At a state level, South Carolina protections over the newly vulnerable wetlands are limited. Developers or builders that may discharge into Clean Water Act-protected waters must first receive a permit from the state before requesting permission from the federal government. For South Carolina's eight coastal counties, the Department of Environmental Services reviews state and federal permit applications for consistency with its coastal management program, however, there are ongoing questions about the extent of the state's authority because it is an indirect authority that is ultimately derived from the Clean Water Act. At a local level, ongoing drainage concerns stemming

THANK YOU!

Andrea Moreno

amoreno@townofbluffton.co  
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bluffton  
HEART OF THE LOWCOUNTRY

