



Approval to Authorize a Task Authorization to McCormick Taylor, Inc. to Develop Wetland and Resilience Ordinances (Fiscal Impact: \$174,004.55)

Presentation to Town Council

January 14, 2025

Department of Projects & Watershed Resilience

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Watershed Resilience**

Request



- The May River Watershed Action Plan Advisory Committee (WAPAC) and Staff request Town Council authorize the Town Manager to issue a Master Service Agreement (MSA Contract #2021-56) Task Authorization to McCormick Taylor, Inc. for \$174,004.55 to:
 1. Review current Town policies,
 2. Identify and inventory wetlands within the Town's jurisdiction,
 3. Develop a map of wetlands to be protected,
 4. Develop a Wetland Ordinance for the Town,
 5. Apply comprehensive drainage study results to map resiliency zones,
 6. Identify primary conveyance systems, and
 7. Develop a Resilience Ordinance for the Town.

Wetland and Resilience Background

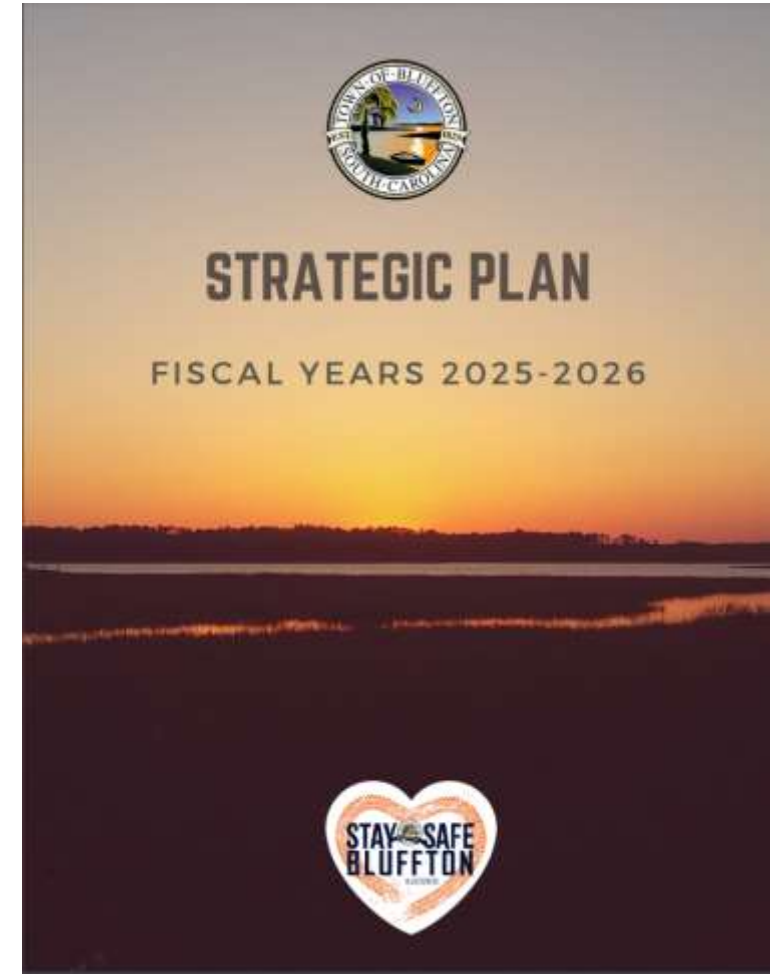


- At their December 5, 2024, meeting, WAPAC unanimously approved a recommendation to Town Council to initiate developing both Wetland and Resilience Ordinances in FY25 and a Wetland Restoration Program in FY26.
- The total fiscal impact for critical wetland and resilience data gathering and analysis to develop two (2) ordinances for adoption by the Town is \$174,004.55 and is within the FY25 budget.
- The Wetland and Resilience Project Scope (Attachment 2) outlines the tasks and deliverables for the project.

Introduction



- Wetlands are vital for:
 1. Protecting water quality and aquatic ecosystems. They also help control flooding and can be an important economic source for communities.
 2. The Town of Bluffton's Comprehensive Plan, *Blueprint Bluffton*, recommends developing "a Climate Adaptation and Sustainability Plan for the Town" (p. 84) to mitigate and adapt to a changing climate.
 3. The FY 2025 – 2026 Strategic Plan includes developing a Resiliency Plan focused on the Town's natural resources, sustainability, wetland ordinance and restoration and environmental principles.



Town of Bluffton FY25-26 Strategic Plan Cover

Wetland Ordinance Need



- Certain wetlands within the scope of the Clean Water Act (CWA) are protected by the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (ACOE) permitting authority.
- Complex legal battles over the EPA and ACOE's wetland definition have occurred since 2015.
- In May 2023, the U.S. Supreme Court's *Sackett* decision affected millions of acres of wetlands previously understood to fall within the scope of the CWA.
- Many wetlands that the ACOE previously determined were jurisdictional are no longer entitled to federal protection leaving them vulnerable to development/impacts, unless they are protected by state or local law.
- Currently, wetland protection regulations in South Carolina are limited and the Town has no wetland protection ordinance.



Forested Wetland in Bluffton during
Tropical Storm Debbie

Wetland Ordinance Need (Cont.)



- The South Carolina Department of Natural Resources' (SCDNR) *May River Watershed Landcover Assessment Report* quantifies land use changes in the May River Watershed since 2001 and states, "...woody wetlands decreased from 26.3% to 23.6% (4,820 to 4,307 acres) from 2001 to 2021," representing a loss of 513 acres of wetlands.
- Information and mapping about wetlands must stay current to ensure the Town develops effective tools to manage land use pressures and respond to changes in federal wetland protections.
- Accurate wetlands data allows the Town to define its objectives, apply the latest technology and tools for wetland mapping, focus its protection efforts, and inform future projects, policies, programs, and partnerships.

Resilience Ordinance Need



- Since FY22, The Town has been completing Comprehensive Drainage Studies.
- The Heyward Cove Watershed Study was completed in October 2023 and serves as a model for all other Comprehensive Drainage Studies.
- These studies identify future stormwater Capital Improvement Program (CIP) projects to accommodate higher intensity rainfall patterns and inundation areas (areas that are flooded and store water during a storm event) for 25-, 50-, and 100-year storm events.
- These inundation areas allow the Town to pinpoint areas or zones that may require additional protection measures for resilience.

Recommendation



WAPAC and Staff recommend Town Council authorize the Town Manager to issue a MSA Contract 2021-56 Task Authorization to McCormick Taylor, Inc. for critical wetland and resilience data gathering, analysis and development of two (2) ordinances (Wetland and Resilience Ordinances) for adoption by the Town.

Next Steps



- Following Council approval of the Task Authorization, staff will schedule a project kick-off meeting with the consultants and stakeholders.



QUESTIONS & DISCUSSION



Proposed Motion

*“I move to **approve** authorizing the Town Manager to issue a Task Authorization to McCormick Taylor, Inc. to develop Town Wetland and Resilience Ordinances with a fiscal impact of \$174,004.55.”*