

# Town moves ahead with May River protections

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Proposed ordinance parallels pending county regulations.

A push for tough controls setting new stormwater runoff limits on all development and redevelopment won unanimous backing by the Bluffton Town Council on Tuesday night.

The measure, advanced 5-0 on the first of two council votes needed for adoption, is similar to a companion ordinance that's scheduled for final adoption by the Beaufort County Council on Monday.

Also, Mayor Lisa Sulka, saying the town needed to better demonstrate its all-fronts commitment to a pristine May River, challenged the town staff to accomplish three initiatives in six months — by April 20, 2010.

Sulka said she decided to set the clear targets when, after recent several meetings she had with residents, "it became very apparent the perception is the town is doing nothing."

She said she is confident the town staff is working out protection plans and added, as mayor, she needs to do more to talk up the efforts.

The endeavor in part responds to this year's state ordered shell fishing restrictions in the May River headwaters because of high fecal coliform counts.

Sulka said she thinks the town for the first time is "truly in the driver's seat" and needs to put hard steps on paper and "really know what we're working with."

The mayor set three goals for completion by April 10:

- Complete a "May River Action Plan" with detailed, concrete steps.

(Milt Rhodes, principal town planner, presented the draft plan's preliminary contents outline at Tuesday's meeting.)

- Complete an analysis of how much of Bluffton's land is covered by concrete, pavement and buildings now — and how much is projected to be at full development under existing permitting and guidelines.

(Environmental advisers have warned the town there is a tipping point when too much impervious coverage basically makes it too hard to control runoff pollution and causes flooding during heavy rainstorms. Rhodes said measuring impervious areas is an early step in the action plan.)

- Bring in major developers and landholders, including riverfront property owners, and "flat out ask them are you with us or against us" in river protection efforts.

Marc Orlando, assistant town manager for growth management, said the town is making progress in the protection efforts but the problem is no one can walk into Town Hall right now and put their hands on a document saying this is what the town is doing.

"What we haven't done is put it all together," he said. "We haven't established true goals ... and objectives of a plan...."

He said the proposed stormwater ordinance update would require "that all new development and redevelopment maintain or restore the predevelopment hydrology."

The draft regulations deal with temperature, rate, volume and duration of stormwater runoff flow. The change would bring new irrigation rules, including a requirement to first use captured stormwater, such as in

lagoons, and to allow no irrigation within 50 feet of a creek or estuary. It also would set compliance standards for roadways construction.

"The intent is to eliminate and minimize the impact of freshwater runoff on estuaries," Orlando said, adding that the town and county — each with separate jurisdictions in the watershed — are concurrently working on new standards and river-protection projects as partners.

Orlando said the stormwater ordinance will go to the town Planning Commission for a public hearing and be taken to the town's May River advisory committees for explanation and review before going back to the council for a final vote, and another public hearing most likely will be set for developers and landowners to get questions answered. The town also will want to review engineering consulting studies, commissioned by the county, analyzing how the proposed regulations would impact residential and commercial development, Orlando said.

That's all too much to get done in time to allow a final vote at the council's next meeting on Nov. 10, the only meeting it plans in November, officials said.

The stormwater ordinance amendment is on the agenda for next week's Planning Commission meeting, set for 6 p.m. Wednesday at Town Hall, 20 Bridge St.

### **THE RED FLAG**

The town and county are cooperating on research, planning and management efforts to protect the May River and other estuaries from degradation they think is tied to development and possibly wildlife and pet waste. They are focusing on new ways to monitor and control freshwater runoff from rainfall and irrigation that environmentalists have warned carry pollutants into the river and, in too high of levels, can harm marine life by diluting estuaries' salinity.

The protection planning and research efforts began in earnest early this year after the state Department of Health and Environmental Control warned that fecal coliform levels in the May River headwaters threatened possible shell fishing closures. Regulators ended up setting restrictions, effective with the Oct. 1 shell fishing season start, which prevent shell fishing for extended periods after heavy rainfalls but otherwise allow oyster and clam harvests in the headwaters beds leased to the Bluffton Oyster Co.

### **SULKA GIVES DETAILS**

After the Tuesday meeting, Sulka talked more about the six-month goals. Not all at once, she wants town staff to sit down with all major landowners and developers and ask if they will cooperatively join in government's efforts to correct damages and rethink future development as needed to better protect the river. She said it's especially important to meet with developers with already approved plans before they go forward and to work together if revisions are needed to meet redefined environmental goals.

Sulka, who works as a real estate agent, said the town would in turn promote developers doing all they can to help the environment and do what's best for the town.

She wants to clearly map out current and projected impervious vs. pervious coverage for Bluffton, which she said is 98-percent master planned, to know what it's facing and to provide a better base for adjustments.

"It may be good news; it may be horrible news," she said, "but we need to see it ...."

Also at Tuesday's meeting, Orlando said the proposed stormwater regulations are just one of a variety of related efforts under way.

"We're all striving to do something. It is to protect our natural resources," he said. "There's a quality of life we're all striving for, I think is the underlying tone."