



October 1, 2020

Town of Sullivan's Island
2056 Middle Street
Sullivan's Island, SC 29482

Re: Comments regarding the Town's consideration of settlement agreement for Bluestein et al vs. Town of Sullivan's Island at a Special Meeting on October 2, 2020

Dear Mr. Mayor and Members of Council:

The Coastal Conservation League appreciates the opportunity to submit comments for the record regarding the proposed settlement agreement for Bluestein et al vs. Town of Sullivan's Island that is being considered at a Special Meeting on October 2, 2020.

The Conservation League has over 100 members and activists who live within the Town and we work with many other residents who frequently contact us about various interests and concerns regarding the environment and quality of life that make Sullivan's Island so special.

We respectfully urge Town Council to oppose the proposed settlement agreement and to not entertain any conclusion on the matter until the issue has received proper public engagement that can only occur after COVID-19 restrictions are lifted. At the bare minimum, because many residents of Sullivan's Island were not made aware of this meeting until an article in the Post & Courier that appeared on September 30, 2020, we recommend that Council delay any action for at least several weeks.

The terms proposed in the settlement agreement are in conflict with the Accreted Land Management Plan that was presented to the public earlier this year. This plan, developed by experts and funded by the Town, included recommendations that sought to strike a balance between the ecological integrity of the forest and coastal adaptation strategies. The settlement agreement's terms propose a much more aggressive cutting strategy that does not maximize native plant and animal diversity.

The terms proposed in the settlement agreement were not developed by maritime forest management experts such as those the Town has already retained to develop a management plan. It is not in the interest of Sullivan's Island as a whole to concede to a few without proper maritime forest management expertise involved when the entire island will be impacted by decisions made in the forest as they pertain to ecological health, resilience, and character of the island.

The proper state and federal regulatory agencies should be consulted before a settlement agreement is approved. As outlined in the proposed Accreted Land Management Plan, there may be other jurisdictional considerations regarding wetlands or wildlife present that must first be evaluated by authorities not mentioned in the settlement agreement and the terms outlined should be thoroughly reviewed by these experts prior to approval of any terms.

The process for consideration of the proposed settlement agreement is rushed and inconsistent with the process laid forth by the Accreted Land Management Plan. The town appeared to slow down the public review process of the Accreted Land Management Plan because COVID-19 restrictions prevented meaningful community engagement – a decision the Conservation League fully supports and appreciates. Considering a potential settlement agreement before it, too, receives the same public engagement and review is procedurally inconsistent and problematic.

Proper public engagement is constrained by COVID-19 restrictions. We would stress the need for all elected officials throughout South Carolina to consider the time in which we are living. Deciding the outcome of an issue with such a long and controversial history during this period with such little notice to the community is deeply troubling. Furthermore, attempting to provide the opportunity for public comment and engagement through a virtual platform with an extremely limited amount of time allowed per speaker is also not in the best interest of Council's relationship with the community.

We ask that Town Council oppose the proposed settlement agreement for all of the aforementioned reasons and to not come to any conclusion on the matter that would result in changes to the maritime forest until thorough in-person public engagement that can only occur after COVID-19 restrictions are lifted. Again, at the bare minimum, due to lack of public awareness of this meeting being scheduled, we recommend that Council delay any action for an appropriate period of time.

While this litigation may only involve a small group of property owners and the Town, the outcome of it will undoubtedly impact the entire community, shape the future of the island, and have long-lasting consequences for Council's relationship with the residents of Sullivan's Island.

Respectfully,



Emily Cedzo
Land, Water & Wildlife Program Director
Coastal Conservation League