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www.ogeecheeriverkeeper.org
Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

December 19, 2023

Via E-Mail

Simon Hardt, Senior Regional Planner
Coastal Regional Commission of Georgia
shardt@crc.ga.gov

Re: Comments on DRI # 4107 - Love's Travel Stop & County Store - Midway

Dear Mr. Hardt:

Ogeechee Riverkeeper 501(c)(3) (ORK) works to protect, preserve, and improve the water quality of the Ogeechee River basin, which includes the Canoochee River, tributary streams, and all of the streams flowing out to Ossabaw Sound and St. Catherine's Sound. The Ogeechee River system drains more than 5,500 square miles across 21 counties in Georgia. ORK works with local communities to retain the ecological and cultural integrity of rivers, streams, wetlands, and related habitats throughout the Basin. One of ORK's primary roles is as watchdog on new land development projects throughout the watershed that could pose a significant threat to its water quality and aquatic environments.

Ogeechee Riverkeeper provides these comments on the Love's Travel Stop & Country Store project proposed in Midway. ORK is concerned with stormwater management on and around the site and the vagueness of the developer's plans as included in this notice. Additionally, ORK asks that sufficient water and wastewater service capacity be confirmed prior to any permitting approvals or construction. ORK urges local decision makers to delay approval for this project until these issues are fully understood, resolved, and protective of long-term goals.

1. Stormwater Concerns

Effective stormwater management is vital for protecting both this property as well as nearby properties and landowners. As storm frequency and intensity is projected to increase in the coming years and decades, stormwater management will become an increasingly important consideration for building resiliency. With that in mind, ORK urges the developers and local decision makers to make every effort to effectively anticipate and prepare for stormwater the area's needs.

First, this development should reduce impervious surface cover and avoid wetland fill to the maximum extent possible. Impervious surfaces, such as parking lots, exacerbate stormwater issues by speeding up stormwater flows,

prevent absorption onto the ground, add to flooding issues, and allow for pollutants like spilled oil and gasoline to be more easily transported further distances. With 48.5% of the 20.23-acre development proposed to be covered by 9.8 acres of impervious surfaces, these issues will accompany the development. Wetlands, on the other hand, help to reduce these impacts. They slow stormwater down, help to filter pollutants, and reduce flooding, in addition to their other ecological functions. As such, the 3.40 acre wetland on the property should remain fully intact. The proposed bisecting of the wetland not only will reduce its size by at least 0.47 acres, but could further reduce its functionality due to fill and loss of hydrologic connection. Local and state decision makers must decide whether prioritizing commercial truck parking over stormwater management, flood control, and water quality protection is the best use of this space. ORK urges all involved to center resiliency in this development by reducing impervious surface cover and preserving the natural stormwater management functions that these wetlands currently provide.

It is important to keep in mind that this proposed development is not happening in isolation and will be contributing to more stormwater pressure in an already-developing area. The nearby Tradeport East has a large footprint of impervious surface. Likewise, the 800,000 sqft Hooker Furniture distribution center and its accompanying roads and parking adds to the nearby impervious surface cover.¹ Further, the BlueScope Logistics and Liberty Logistics Center developments continue the expansion in the area. Cay Creek and other nearby tributaries to the North Newport River will feel the most pressure on water quality from this increase in impervious surface.

Second, and with this degree of development in mind, a better explanation of the development's planned stormwater management structures needs to be presented prior to approving any construction activities. On the development's Additional DRI Information page,² the applicants note that "A detention pond will be constructed offsite..." to address stormwater concerns. What is unclear from the other documents is the location, capacity, or efficacy of this offsite detention pond. In the Overall Site Plan document, there appear to be three detention ponds proposed. However, the locations, sizes, depths, and other important information is not included in the supporting documents. Likewise, it appears that the 'New Dorchester Village Road' is proposed to overlap with these ponds, though the Overall Site Plan is unclear on this as well. ORK asks for clarification on these detention ponds. Further, ORK urges local and state decision makers to ensure that all detention ponds are constructed with the capacity to permanently retain the 85th percentile storm. As a reference point, the Savannah River Watershed Protection Area's 85th percentile storm equates to 1.16 inches of rainfall over a 24-hour storm.³ Since 2009, the National Weather Service gage in Midway has recorded 162 instances of 24-hour storms resulting in rainfall over 1.16 inches, averaging to around 11.5 per year. This not only ensures sufficient stormwater management capacity, but also reduces flooding and is effective in capturing a large majority of pollutants carried by stormwater.

2. Water Supply Concerns

¹ Coastal Courier. "Hooker Furnishings opens new Midway facility, the largest in company history." December 8, 2021. Available at: <https://coastalcourier.com/news/hooker-furnishings-opens-new-midway-facility-largest-company-history/>.

² Georgia Department of Community Affairs. "Developments of Regional Impact - DRI #4107 - Additional DRI Information." Available at: <https://apps.dca.ga.gov/DRI/AdditionalForm.aspx?driid=4107>.

³ Center for Watershed Protection and McCormick Taylor. "Southern Lowcounty Stormwater Design Manual" at § 3.5.3. March 2023. Available at: <https://www.beaufortcountysc.gov/stormwater/documents/Manuals--Plans-page/SoLoCo-Design-Manual-and-Appendices.pdf>.

The water supply needs of any development in coastal Georgia must carefully consider its long-term impacts, implications, and viability. Since at least 2006, Upper Floridan Aquifer (UFA) has received special protections from withdrawals and wastewater discharge due to decades of overutilization. With Liberty County and the City of Midway falling in one of the UFA management zones, permittees and decision makers should make a fully informed decision of the near- and long-term impacts and viability of this housing development in light of the additional strains it will place on groundwater resources..

Any new water withdrawal demand should be carefully considered. Under the Georgia Department of Natural Resources' Coastal Georgia Water & Wastewater Permitting Plan for Managing Salt Water Intrusion (2006 Plan), the City of Midway and Liberty County fall in the "Yellow Zone" management area.⁴ The 2006 Plan establishes withdrawal restrictions for this zone that include conservation and reuse considerations as well as a justification of need. Importantly, the 2006 Plan also limits all total permitted withdrawals in the Yellow Zone to approximately 20.3 million gallons per day (MGD). At a recent meeting, the Georgia Environmental Protection Division (GA EPD) noted that in 2022, the average annual permitted withdrawals for the Yellow Zone were 30.114 MGD, with a 2025 scheduled limit of 29.092 MGD. Continued overutilization of the UFA threatens to increase the rate of saltwater intrusion into the UFA, threatening the region's main drinking water supply. In light of the region's anticipated growth, demand and strain on the UFA will only increase if piecemeal permitting is used rather than a methodically considered approach. ORK urges local, regional, and state decision makers to take a regional, long-term, and holistic view of the water supply demand issue and develop comprehensive and sustainable solutions that will allow future generations to thrive throughout Georgia's northern coastal region.

Thank you in advance for your time and consideration; please let me know if you have any questions:

ben@ogeecheeriverkeeper.org.

Ben Kirsch, Legal Director
Ogeechee Riverkeeper

⁴ Georgia Department of Natural Resources. "Coastal Georgia Water & Wastewater Permitting Plan for Managing Salt Water Intrusion" (2006 Plan). June 2006. *Available at:* https://www1.gadnr.org/cws/Documents/saltwater_management_plan_june2006.pdf