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

March 14, 2025

Via E-Mail

Coastal Regional Commission
planning@crc.ga.gov
912-514-1593

Re: Comments on DRI #4405 - Riverside Planned Development - Savannah

Dear Ms. Lewis:

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 20 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.

ORK's comments on the Riverside Planned Development (PD) fall into four overarching categories. First, the significant flood risk from stormwater due to the property's location in a flood hazard area is a serious concern that must be addressed. Second, the Ogeechee-adjacent wetlands located on the property are vital natural resources that must be preserved and protected. Third, the location of the property itself is poorly suited for this proposed development when considering a wide variety of maps, planning documents, and other factors. Fourth and finally, wastewater management must avoid any risk of potentially polluting nearby aquatic resources. ORK urges careful consideration of these topics prior to any annexation, rezoning, or permitting decisions from the City of Savannah. Ultimately, ORK urges the City to pause or deny this annexation, rezoning, and development request until and unless all concerns are fully and sufficiently addressed.

1. Flooding concerns are serious, must be specifically addressed, and should prevent this development's approval

Flooding is an unavoidable and increasingly likely fact of life for this property. The entirety of the three property parcels that would make up this PD are located in a FEMA-designated flood hazard area. Likewise, the estimated 50% impervious surface cover proposed for the development would further increase flooding risk on this development and

potentially neighboring properties. The increasing frequency and intensity of storm events will pose continually growing flooding risk that will overwhelm the artificial stormwater management structure in the coming years and decades. The combination of these flooding risks presents serious concerns about the viability of this development, the safety of the structures and the future homeowners, and future financial burdens borne by homeowners and the City. As such, ORK strongly urges the City of Savannah to deny the annexation and rezoning request and to not permit any of the proposed development.

New construction within a flood hazard area necessitates extremely careful consideration. As noted in the DRI Information Forms¹ and the accompanying Green Infrastructure Map, the entirety of the proposed development is located in the Federal Emergency Management Agency's (FEMA) designated 1% Annual Chance Flood Hazard area, also known as the 100-year floodplain or Zone AE. While the "100-year floodplain" name implies that floods will only occur once every 100 years, this obscures the actual risk. Over 30 years, the actual flood risk is 26%² - a more than 1 in 4 chance for properties in the 100-year floodplain. Additionally, the "100-year floodplain" looks narrowly at only the "base flood," which is a strength of flood that is 1% likely to happen in any year.³ Non-base floods, i.e. floods less strong or severe than the base flood (aka the "100-year flood") are more likely to happen each year. Likewise, the 100-year flood is not the absolute strongest possible flood that the property could face. The narrow focus on the 100-year flood not only undercounts the potential frequency of flooding on the property but also underconsiders the severity of flood the property could experience. Further, reliance on the backwards-looking 100-year flood model further obscures risk. The estimated floods and the extent of the floodplains relies on historic data, leaving out the most recent and most representative data. As rain events become stronger and more frequent, the base flood will also become stronger and have a greater reach. Considering the likely-underestimated extent, size, and frequency of flooding on a property already designated as a Flood Hazard Area, ORK urges the City of Savannah to fully consider the full extent of potential risk from the new construction of the property. Additionally, ORK urges the City of Savannah to inquire with the applicant as to the recent history of flooding on the property, including frequency and extent, and specifically including any post-Tropical Storm Debby and post-Hurricane Helene flooding events.

The City of Savannah must also take into account the potential financial burdens related to flooding prior to making its annexation, rezoning, and construction decisions. Over the life of a 30-year mortgage, these properties have a 26% chance of experiencing the 100-year flood. Lesser floods are even more likely over that period. Taking an even longer-term view of the property - an absolutely crucial consideration for City decision-makers to protecting future generations of Savannahians - the likelihood of flooding only increases. Statistically, flooding is more likely to occur over longer periods of time. Stronger and more frequent storms will only make this worse. All of the costs related to flood damage will either fall on the homeowner or the City - not the applicant. As such, it is the City's duty to ensure that the applicant sufficiently considers, plans for, and mitigates the foreseeable impacts of building within the floodplain. Homeowners will bear the financial burden of damage, repair, and increasing insurance rates. If flooding occurs frequently enough, FEMA may offer buyout to return the property to its now-current conditions. These buyouts, though funded mainly by FEMA, still expect a 25% contribution from the local and/or state government.⁴ This burden, as well as additional clean-up, emergency, rescue, and other foreseeable flood-related costs will fall on the City. ORK

¹ <https://apps.dca.ga.gov/DRI/AppSummary.aspx?driid=4405>

² See <https://savannahga.gov/FAQ.aspx?QID=332> and <https://www.floodsmart.gov/flood-zones-and-maps>

³ https://emilms.fema.gov/is_0273/groups/157.html

⁴ <https://www.fema.gov/press-release/20250121/fact-sheet-acquisition-property-after-flood-event>

urges the City of Savannah to specifically consider and factor in these foreseeable financial costs of building in the floodplain when making its decisions.

ORK further urges the City of Savannah to require a much higher level of detail from the applicant in relation to avoiding, mitigating, and minimizing flood hazards. As noted above, there are significant risks that come with building within a Flood Hazard area. The applicant's mere recognition that the floodplain exists and its promises of future careful attention and mitigation efforts is not enough and is not a strong enough reassurance to annex this property into the City. Flood risk is a central concern around which most other planning decisions should be made for this and any property, especially those located in the 100-year floodplain. ORK urges the City of Savannah to condition the annexation, rezoning, and permitting on the City's future approval of the applicant's future plans around stormwater and floodplain mitigation. This should include restricting any land clear, grading, or other construction-related development until this and all other conditions are met.

Finally, if the City of Savannah does ultimately decide to annex, rezone, and allow construction on this site, ORK urges the City of Savannah to ensure and require stormwater control and mitigation efforts to go beyond minimum established standards. This proposed development's location immediately adjacent to the Ogeechee River and wholly in its floodplain necessitates specific attention and conditions to better address flood risks. A reduction to the 50% impervious surface cover should be a primary concern, as impervious surfaces both speed-up stormwater and prevent infiltration into the ground. Green infrastructure⁵ like bioswales⁶ and pervious pavement⁷ can help further reduce stormwater pressure. Likewise, the proposed reliance on "wet pond detention" should go beyond the 25-year storm design minimum. Like with flooding estimates, the 25-year storm is an estimate based on historic data of a climate pattern that no longer exists. Storms are becoming more frequent and more severe. In efforts to increase resiliency and the long-term viability of this site and the proposed development, ORK urges the City of Savannah to require retention features to be constructed to retain 125% of the 100-year storm or 100% of the 500-year storm.

In summary, ORK asks that the City of Savannah:

- Fully considers the growing risks of allowing new construction within the floodplain;
- Requires the applicant to sufficiently mitigate the foreseeable risks of flood damage to ensure those financial burdens do not fall on homeowners and the City;
- Asks the applicant about the recent history of flood on the site, included any flooding related to Tropical Storm Debby or Hurricane Helene;
- Conditions any land clearing, grading, and construction on the City's subsequent approval of the applicant's detailed flood hazard mitigation plans;
- Ultimately, does not annex, rezone, and allow any construction on this property due to its location in a Flood Hazard area; and
- If it does plan to approve this development, go beyond minimum standard in detention pond construction and require green infrastructure to further reduce stormwater pressure.

⁵ EPA Green Infrastructure explainer

<https://www.epa.gov/C3/why-you-should-consider-green-stormwater-infrastructure-your-community>

⁶ Bioswales <https://nacto.org/publication/urban-street-design-guide/street-design-elements/stormwater-management/bioswales/>

⁷ Pervious Pavement

<https://nacto.org/publication/urban-street-design-guide/street-design-elements/stormwater-management/pervious-pavement/>

2. Wetlands preservation is vital for this quickly disappearing aquatic resource

The wetlands present on the properties should receive specific attention. These resources serve crucial roles in flood and stormwater management, pollution filtration, and the ecological health of aquatic and terrestrial habitats. Despite the large amount of wetlands located on the proposed site, they are not properly delineated, enumerated, otherwise represented, or properly considered in the PD plans included in the General Master Plan maps. Likewise, potential wetlands impacts are largely glossed over in the applicant's initial and additional DRI information forms. ORK asks that all of the wetlands present on the property are properly delineated on applicant-provided maps, fully considered, guide layout and siting decisions, and are preserved wherever possible.

The General Master Plan poorly represents and fails to sufficiently consider the wetlands present on the property. No exact number is given for how many acres of wetlands are present on the property, nor do the applicant's DRI materials give an estimate for how many acres of wetlands will be filled. In addition, the map provided in the General Master Plan fails to identify where those wetlands are located on the property. Without delineation, enumeration, and communication from the applicants, the wetlands that will be impacted under this proposed plan are unclear and alternative layouts or plans cannot be readily suggested by City of Savannah planners and decision makers. ORK asks that the applicants provide the City of Savannah, as well as the public, a readable and usable map that fully delineates wetlands prior to any decisions being made.

Further, the City of Savannah should seek clarification from the applicant on the question of wetlands impact by requiring the applicants to develop a separate wetlands plan. Failing to delineate and enumerate the wetlands present obscures the actual impact that this development will have on the property's existing aquatic features and appears to show the applicant's lack of sufficient consideration of these wetlands in their planning. To address this apparent oversight, ORK asks the City of Savannah requires the applicant to create a wetlands plan that, at minimum, (1) clearly delineates all of the wetlands present on the property and enumerates the acreage proposed to be filled and preserved, (2) prioritizes and details how the development preserves the wetlands present on the site, (3) adjusts the General Development Plan and site layout to avoid wetland fill wherever possible, and (4) mitigates any lost wetlands with on-site mitigation or restoration efforts as close to the site as possible to reduce localized impacts.

Finally, construction and any additional site preparation should be delayed until all wetlands permits are obtained. With jurisdiction wetlands fill and the need for a USACE permit anticipated by the applicants, the development will not be able to be built with first obtaining those permits. As such, any land clearing, grading, or other associated work should not begin until those permits are received. Cleared and graded land is expensive to restore. If wetlands permits are never granted, those natural resources would have been lost for nothing. As such, any construction preparation should be delayed until these wetlands permits are in place.

In summary, ORK asks that the City of Savannah:

- Requires the applicant to create a wetlands plan that clearly delineates their location, prioritizes wetlands preservation, adjusts the site layout to avoid wetland fill, and mitigates wetland loss; and
- Conditions any land clearing, grading, and other site preparation activities until after obtaining all required wetlands permits.

3. Unsuitable site based on numerous measures

Overall, this site is poorly suited for the development proposed here. As noted above, the properties are wholly within a Flood Hazard Area - the 100-year floodplain. Also noted above, the wetlands fill necessary for this site only further contribute to the loss of these quickly disappearing resources. These issues on their own are enough to deny this annexation, rezoning, and construction request.

Beyond those issues, the site is further ill-suited for development for three broad reasons. First, the CRC-provided maps heavily conflict with this development. Nearly the entire property is an "Area of Significant Natural Resources." This is further highlighted by the Green Infrastructure Map, which identifies significant amount of both "core" and "corridor" areas. Finally, the "rural" designation on the Future Development Map highlights previous planners' intent to preserve these properties' rural characteristic. Second, its location along the Bryan and Effingham County borders raises spill-over impacts. In efforts of being good neighbors, the concerns of Bryan and Effingham Counties should be considered. Third and finally, the site is in the extremely northwest corner of the county - the furthest possible distance from the majority of City of Savannah services. This distance already requires additional piping for water and wastewater service. This implies that there are likely different properties available, outside of the floodplain and with fewer wetlands, that could serve the same development goals proposed in this applicant. Taken as a whole, this site has significant unfavorable aspects that justify denying the annexation, rezoning, and construction request.

4. Prohibit any on-site wastewater management and treatment

ORK acknowledges that the applicant's DRI material identifies the City of Savannah as the intended wastewater treatment provider for this development. ORK supports the planned interconnection into the existing sewer system.

However, ORK urges the City to ensure that no on-site wastewater management system will ever be permitted for this development. Land application systems and septic systems are not well suited for floodplains, as flood events could easily overwhelm the system and wash untreated sewage into nearby waterways. Because of the proximity to the Ogeechee River even a minor leak could create downstream issues. Likewise, "package" treatment plants⁸ present additional financial burden on property owners as well as long-term maintenance concerns for relatively small amounts of treatment. As such, interconnection into the existing sewer system is the preferred option.

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

⁸ EPA. "Wastewater Technology Fact Sheet - Package Plants." Sept. 2000. Available at:
https://www3.epa.gov/npdes/pubs/package_plant.pdf