

Sorry Charlie's Oyster Company Dock Modification CMPA Permit Application

Applicant Information

The applicant for the proposed project is Sorry Charlie's Oyster Company, LLC. The applicant is represented by Sam LaBarba of LaBarba Environmental Services for this project.

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Project Summary

The proposed project consists of changing the use of an existing dock facility and modifying the dock to facilitate a commercial oyster farming operation. The proposed dock will be a commercial facility and will be used in the operation of Sorry Charlie's Oyster Company, LLC as the mainland connection to their DNR approved oyster farm located on Shellfish Lease S1 (BR-S1), Lease Code S1-03 on the Bull River.

Existing Conditions:

The subject parcel is a 0.46-acre parcel located at 230 East Point Drive in Savannah, Georgia. The parcel extends from East Point Drive to the Bull River and contains a previously existing causeway that leads to an existing dock facility. The causeway has subsided over time and the elevation is now lower than the CMPA jurisdictional elevation of 5.6 MTL. The existing dock facility consists of a 363.74 SF walkway (5.8 x 62.71') at the end of the previously existing causeway that extends seaward to a 384 SF fixed deck (16' x 24'). The pilings are still present from the fixed deck, but no decking is on the fixed deck which makes it inaccessible. All of the existing fixed deck structure will be removed. A 79.2 SF ramp (3.3' x 24') extends seaward from the fixed deck to access an existing 315 SF floating dock (10' x 31.5'). There are no structures on the upland parcel and there is no upland component to the proposed project. All existing structures will be removed during construction.

Existing Marshland Component:

Walkway: 363.74 SF
Fixed Deck: 384 SF
Ramp: 79.2 SF
Floating Dock: 315 SF

Total Existing Marshland Component: 1,141.94 SF

Proposed Conditions:

The proposed project will begin with removing the existing walkway, fixed deck pilings, ramp, and floating dock in their entirety. The modifications will begin with installing a new 2,526 SF walkway (6' x 421') from the upland, over the previously existing causeway. The walkway will lead to a 768 SF fixed deck (24' x 32'). Two 405 SF boat lifts (13.5' x 30') will be located to the left of the fixed deck and accessed by a 150 SF catwalk (5' x 30') extending to the left of the fixed deck and between the boat lifts. A 192 SF ramp (6' x 32') will extend seaward from the fixed deck to access a 960 SF floating dock (12' x 80').

The proposed dock will extend 54.6' past mean low water where the waterway is 744.2' wide at Mean Low Water. The proposed dock will be located 2' from the extended property line to the right and will extend beyond the extended property line to the left, the left most dock edge being 54.6' from the dock to the left. Permission has been granted by the property owner to the left to extend over the extended property line.

Proposed Marshland Component:

Walkway: 2,526 SF
Fixed Deck: 768 SF
Boat Lift (x2): 810 SF
Catwalk: 150 SF
Ramp: 192 SF
Floating Dock: 960 SF

Total Proposed Marshland Component: 5,406 SF

Total Increase in Marshland Component: 4,264.06 SF (0.98 ac.)

Needs Assessment

The applicant has been granted a lease to operate an oyster farm located at Shellfish Lease S1 (BR-S1), Lease Code S1-03 on the Bull River by the Georgia DNR. The approved oyster farm consists of 21,960 individual oyster growing cages that are kept on the lease year-round for oyster growing activities. The upland dock associated with this size farm must provide adequate space to transport

these cages to and from a work vessel in a safe and timely manner. The quantity of cages and their weight, along with the length of 421' from the dock to the upland, does not allow safe movement by workers hand carrying each cage from the upland to a transport vessel. The walkway width was specifically requested to provide access for access by a small electric utility vehicle and pallet jacks. Similarly, the catwalk and ramp width were designed to provide adequate room to safely move the farm equipment to and from farm vessels.

Two vessels will be used in conjunction with the farming operation. A boat hoist is being requested for each vessel so that they can have a protected area to be stored, maintained, and safely loaded and unloaded with workers and equipment each day. Equipment that will need to be transported by the vessels includes oyster cages, earthen anchoring systems, large coolers for shellfish, loaders, unloaders, and flippers. Having a fixed platform catwalk and a stable housing for the vessels is a crucial safety feature for farm operations.

While the boat lifts will be the primary method for loading the vessels, there may be occasions where workers and equipment will need to be loaded from the floating docks. The catwalk and floating dock size were chosen to allow for safe movement of the equipment from the fixed deck to the floating dock, and then on to a vessel. The floating dock will also house nursery equipment such as floating upwellers, bottle upwellers, and drum silo upwellers where oyster seed will be grown until it is large enough to be moved to the farm lease. A 10-foot wide floating dock will provide a stable platform to transport and regularly monitor the seeds in the nursery. It will also provide enough space when transferring the larger seeds to containers before being moved to the lease.

The fixed deck will be the primary workspace for the farming operations that are not taking place on the lease. These activities will include staging materials to be transported to the lease, repairs to equipment that cannot be safely repaired on the lease, and sorting and classifying harvested oysters using a tumbler. These activities will require space for sorting bins, oyster cages, hand tools, and a tumbler. The tumbler that will be used can be set up at as a "U" shape or straight. The dimensions for the straight setup are 24.5' long, 5' wide, and 6' high; while the "U" shaped setup is 14' long, 9' wide, and 6' high. Below is a photograph of the tumbler that will be used, as well as a fixed deck layout showing how the proposed deck space will be utilized. A cover over the fixed deck is also being requested to protect workers from the elements and also prevent bird waste from reaching the deck where food oysters will be handled and processed.



The importance of having the space to perform the work on the dock, as opposed to on the lease or the upland, is due to several factors. The lease is located near the Wassaw Sound where water depths can be 30+ feet. This environment frequently creates unsafe working conditions from a vessel, under these circumstances equipment repairs or oyster sorting must take place off of the lease. When the oysters are removed from the water, they are subject to stringent timelines from the GA DNR and Department of Agriculture to prevent bacteria growth in the oysters that can render them unsafe to eat. The time required to travel to the dock from the lease, unload the oysters from the vessel, load them on a transport vehicle, transport them to the high ground, and then begin sorting would not allow for conformance to the time limits that oysters can be safely removed from the water. The fixed deck offers a middle point where the oysters can quickly be brought to a safe working area, and then either transported to the high ground for refrigeration if they are ready for harvest or transported back to the lease for additional growing time.

Alternative Analyses

The applicant does not have access to another suitable property for the commercial activities required to operate the oyster farm. The nature of the work to be carried out on the oyster lease and at the dock facility are highly specialized and require space to prepare equipment, sort and classify harvested shellfish, and create a shellfish nursery. The proximity of the upland working dock to the oyster lease is also important due to time requirements for how long harvested shellfish can be left outside of mechanical refrigeration.

The neighboring marinas were identified as possible alternatives. However, the rules associated with these facilities do not allow for the type of activities that will need to take place on the dock. Access to the public at the marinas is also a concern with an active nursery where oysters will be grown from seed. The upwellers require constant care and maintenance, as well as stable environmental conditions for healthy growth. The possibility of contaminants affecting the young shellfish is greater at a facility with more users and with vessels in close proximity that may not receive proper maintenance. Any pollutants that may leak from any nearby vessels could affect the growth and ultimately the safety of eating the shellfish. This proposed dock facility is the only suitable location to meet the demands of a commercial shellfish farm.

Adjoining Landowners

Robin M. Anderson
226 East Point Drive
Savannah, GA 31401

Nancy L. Love
302 East Point Drive
Savannah, GA 31401

Landfill/Hazardous Waste Statement

The Georgia Environmental Protection Division Hazardous Site Inventory indicates that the project location does not contain any landfills or hazardous waste sites.

Historic/Cultural Resources

The project area is located approximately 2.8 miles from the nearest site listed on the National Register of Historic Places (Fort Pulaski). The previously existing causeway has undergone continuous maintenance and modifications until it was found to be jurisdictional in recent years. Due to the continuous work on the causeway until recently, it should not constitute a historical structure. No historical or cultural resources will be impacted by the proposed project.

Water Quality Certification

This application is simultaneously being submitted to Georgia EPD for a determination on whether a 401 Water Quality Certification is required.

Soil and Erosion Control Statement

The proposed project will adhere to the soil and erosion control responsibilities, if required, for the proposed project.

Turbidity Statement

The proposed project will be performed in a manner to minimize turbidity in the stream. The dock structure will be entirely pile supported with minimal impacts to sediment from driving pilings.

Oil & Pollutant Statement

BMPS will be implemented on the marina facility with instructions for preventing spills, as well as instruction for notification and cleanup protocols.

Water Use Statement

The proposed project is located seaward of upland leased by the applicant. The project will extend minimally into the waterway to prevent obstructions to navigation. The final structure will provide necessary facilities to operate the commercial oyster lease granted to the applicant by the Georgia DNR.

Public Interest Statement

A. Whether or not unreasonably harmful obstruction to or alteration of the natural flow of navigational water within the affected area will arise as a result of the proposal.

The proposed project will not cause unreasonable harmful obstructions to or alteration of the natural flow of navigational water within the affected area to arise. All dock components of the project will be pile supported to allow the natural flow of water to pass under the structures. The project will be limited in extent past the mean low water line to prevent obstructions to navigation.

B. Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created.

The proposed project will not create unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water. The dock will be pile supported which has minimal impacts on the natural waterway.

C. Whether or not the granting of a permit and the completion of the applicant's proposal

will unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply.

The proposed project will not unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply. The project will not result in a loss of aquatic habitat required for these species, nor will it impact the quality of the existing habitat. There are no existing oyster beds within the areas where the modifications will occur. The structures will be constructed so as to not create negative impacts to aquatic species after construction.

Sam LaBarba
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