

General Guidelines for Non-Residential Use of Project Lands and Waters

The following general guidelines are for non-APC structures and facilities intended to serve non-residential operations, generate revenue, etc., on Alabama Power Company's project lands and waters, including, but not limited to public marinas, restaurants, apartments and other rental properties, overnight campgrounds, bed and breakfasts, etc. These guidelines apply to new and existing developments where proposed additions, modifications, repairs, etc., require a new permit. They do not attempt to address every specific situation that may exist on a reservoir, but are provided as general guidelines to assist landowners in their decision to build.

These guidelines represent the maximum allowances Alabama Power will consider. Alabama Power may reduce or deny proposed development within the project boundary to comply with the Federal Energy Regulatory Commission (FERC) license requirements, purposes and operations.

ALABAMA POWER COMPANY RESERVES THE RIGHT TO MAKE EXCEPTIONS AND MODIFICATIONS TO THESE GUIDELINES AT ANY TIME AND AT ITS SOLE DISCRETION.

These general guidelines are implemented by Alabama Power Company to allow it to provide for orderly and reasonable shoreline management of its reservoirs, recognizing that peculiarities in shorelines and property lines exist on the reservoirs and may require flexibility on the part of Alabama Power and/or landowners.

PERMIT PROCESS

Per Alabama Power's FERC licenses, agency consultation and FERC authorization are required before Alabama Power can permit certain non-residential facilities located in project lands and waters. **Absolutely no construction, earthmoving, or other work may be started on, within or partially within the project boundary prior to Alabama Power issuing a permit.**

Alabama Power will evaluate permit applications under the following guidelines:

GENERAL SITE CONDITIONS

1. Required shoreline - 100 feet, minimum
2. Side lot line setback - 25 feet, minimum

STRUCTURE DIMENSIONS

1. Total Footprint Area – 1000 square feet, maximum, per 100 feet of shoreline

The Total Footprint Area includes the deck surface area of all structures (docks, piers, boat slip fingers, swim platforms, etc.) plus the water surface area occupied by vessels. Alabama Power may permit additional square footage for General Public Marinas, if also approved through the FERC process.

2. Boat slip wet dimensions (open water area only) – Will be evaluated during the non-residential permit application process. Dimension maximums must be consistent with those necessary to moor boats meeting current state law.
3. Length of structure into lake – lesser of 150 feet or 1/4 the distance across local water. General Public Marinas may exceed this length if approved by APC through the FERC process.
4. Spacing between multiple docks on the same property – 50 feet, minimum
5. Requests for additional deck area for swim platforms or other activities will be reviewed for approval on a case-by-case basis, subject to the total footprint area limit.

OTHER

1. Boat lifts and canopies may be allowed in marinas but are not allowed in other non-residential developments.
2. Causeways are not allowed.

3. Docks, boat slips, piers, etc., may be floating or fixed.

4. Floatation shall be encased or closed cell (extruded) expanded polystyrene of good quality and manufactured for marine use which will not become waterlogged or sink when punctured. No structures may be constructed with un-encapsulated white beaded foam.

ATTORNEYS' FEES

By accepting a Nontransferable Lakeshore Use Permit ("Permit") and agreeing to the terms of the Permit, you agree and acknowledge that the Company has a right to request, and you have an obligation to pay any and all attorneys' fees, expenses, and/or costs incurred by the Company relating to the enforcement of the rules, regulations, provisions, terms and/or conditions of the Permit, including, without limitation, any and all attorneys' fees, expenses, and costs incurred by the Company relating to remedying any action, construction or activity that is not in compliance with the terms of the Permit, whether caused by you, your family members, guests, agents, employees and/or contractors.

Permittee Statement: I have received, read, understand and agree to abide by these General Guidelines for Non-Residential Use of Project Lands and Waters.

Signed: _____ Date: _____
Permittee

General Guidelines for Multiple Single-Family Type Dwelling Use of Project Lands and Waters

The following general guidelines are for community piers, landings, boat docks or similar structures and facilities intended to serve non-commercial multiple single-family type dwellings on Alabama Power Company's project lands and waters, including but not limited to condominiums, subdivisions, campgrounds that offer yearly leases, etc. These guidelines apply to new and existing developments where proposed additions, modifications, repairs, etc., require a new permit. They do not attempt to address every specific situation that may exist on a reservoir, but are provided as general guidelines to assist landowners in their decision to build.

These guidelines represent the maximum allowances Alabama Power will consider. Alabama Power may reduce or deny proposed development within the project boundary to comply with Federal Energy Regulatory Commission (FERC) license requirements, purposes and operations.

ALABAMA POWER COMPANY RESERVES THE RIGHT TO MAKE EXCEPTIONS AND MODIFICATIONS TO THESE GUIDELINES AT ANY TIME AND AT ITS SOLE DISCRETION.

These general guidelines are implemented by Alabama Power Company to allow it to provide for orderly and reasonable shoreline management of its reservoirs, recognizing that peculiarities in shorelines and property lines exist on the reservoirs and may require flexibility on the part of Alabama Power and/or landowners.

PERMIT PROCESS

Per Alabama Power's FERC licenses, Alabama Power, without consultation or review by others, may permit facilities that can accommodate up to a total of 10 watercraft on one property.

Agency consultation and FERC authorization are required before Alabama Power can permit certain facilities that can accommodate more than a total of ten watercraft, at one property. **Absolutely no construction, earthmoving, or other work may be started on, within or partially within the project boundary prior to Alabama Power issuing a permit.**

Alabama Power will evaluate permit applications under the following guidelines:

GENERAL SITE CONDITIONS

1. Required shoreline - 100 feet, minimum
2. Side lot line setback - 25 feet, minimum

STRUCTURE DIMENSIONS

1. Total Footprint Area – 1000 square feet, maximum, per 100 feet of shoreline

The Total Footprint Area includes the deck surface area of all structures (docks, piers, boat slip fingers, swim platforms, etc.) plus the water surface area occupied by vessels.

2. Boat slip wet dimensions (open water area only) – Will be evaluated during the application process. Dimension maximums must be consistent with those necessary to moor boats meeting current state law.
3. Length of structure into lake – lesser of 150 feet or 1/4 the distance across local water
4. Spacing between multiple docks on the same property – 50 feet, minimum
5. Requests for additional deck area for swim platforms or other activities will be reviewed for approval on a case-by-case basis, subject to the total footprint area limit.
6. Causeways are not allowed.

OTHER

1. Boat lifts, roofs and canopies are not allowed.
2. Docks, boat slips, piers, etc., may be floating or fixed.
3. Floatation shall be encased or closed cell (extruded) expanded polystyrene of good quality and manufactured for marine use which will not become waterlogged or sink when punctured. No structures may be constructed with un-encapsulated white beaded foam.

ATTORNEYS' FEES

By accepting a Nontransferable Lakeshore Use Permit ("Permit") and agreeing to the terms of the Permit, you agree and acknowledge that the Company has a right to request, and you have an obligation to pay any and all attorneys' fees, expenses, and/or costs incurred by the Company relating to the enforcement of the rules, regulations, provisions, terms and/or conditions of the Permit, including, without limitation, any and all attorneys' fees, expenses, and costs incurred by the Company relating to remedying any action, construction or activity that is not in compliance with the terms of the Permit, whether caused by you, your family members, guests, agents, employees and/or contractors.

Permittee Statement: I have received, read, understand and agree to abide by these General Guidelines for Multiple Single-Family Type Dwelling use of Project Lands and Waters.

Signed: _____ Date: _____
Permittee