

FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D. C. 20426

## OFFICE OF ENERGY PROJECTS

Project No. 349-208—Alabama  
Martin Dam Hydroelectric Project  
Alabama Power Company

March 25, 2021

VIA Electronic Mail

James F. Crew, Hydro Services Manager  
Alabama Power Company  
jfcrew@southernco.com

Subject: The Landing at Stillwaters – Non-Project Use of Project Lands and Waters  
Application

Dear Mr. Crew:

This letter concerns your December 29, 2020 filing, requesting Commission approval to permit Lake Martin Land Company, LLC (LMLC) to construct common area structures associated with The Landing at Stillwaters (The Landing), a residential development in the Stillwaters Community on Lake Martin.<sup>1</sup> Specifically, you are requesting Commission approval to permit a boardwalk and five docks at The Landing. The boardwalk would accommodate 12 watercraft for temporary mooring and the five docks would accommodate a total of 20 watercraft. Additional information and clarification are needed for us to process your non-project use of project lands and waters application.

The drawing on page 24 of the December 29 application indicates that mooring for a maximum of 32 watercraft is proposed to serve the adjacent 33 lot development. However, the drawing on page 24 and LMLC responses to comments from neighboring property owners indicate that you intend to permit residential docks for 13 waterfront lots (lots 8 through 17 and 28 through 30) independent of the five docks and boardwalk detailed December 29 application; one LMLC response to a neighboring property owner states that the proposed common area structures would provide water access to the lots above the seawall and interior lots. Further, the development's website ([www.thelandingatstillwaters.com](http://www.thelandingatstillwaters.com)), indicates that each waterfront home will have a

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<sup>1</sup> Order Issuing New License (153 FERC ¶ 61,298), issued December 17, 2015.

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private dock, while off water homes will have water access along with community docks. Photographs on the development's website show some existing single-family residential docks that are not shown on the drawing on page 24 of the December 29 application.

While we recognize that you may permit the residential docks without Commission approval, they are contemplated, and part of the cumulative shoreline development associated with The Landing. For Commission staff to analyze the proposed common area structures, along with the individual residential docks in a comprehensive manner given the number of potential watercraft that may be using this cove, please supplement your December 29 filing with a drawing that shows all existing and proposed structures, including residential docks, associated with The Landing and adjacent properties. The drawing should detail how many watercraft the individual residential docks accommodate and whether there are any size limitations to these docks.

The drawing on page 24 of the December 29 application and photographs on the development's website indicate that the proposed docks could have inadequate fairway sizing and insufficient space for ingress and egress from existing and proposed docks. Literature indicates that fairway aisle widths should be no less than 1.5 times the length of the longest boat that may use the marina; if conditions warrant, 1.75 times the length of the longest boat is suggested for optimal maneuverability as larger fairways allow for safer boat maneuverability. With narrow fairways, there is a greater potential for collisions between boats or between boats and docks. Your supplement should show that there would be sufficient room to navigate when the existing and proposed residential docks and common area structures are constructed, especially towards the ends of the boardwalk near the back of the cove (near lots 16-17 and 28-29). Your supplement should also include size limits on watercraft that would be permitted to use the docks, if applicable.

A LMLC response to a neighboring property owner states that at full pool (the 491 feet above mean sea level contour elevation), the proposed docks and boardwalk *should* allow for boat parking and that individual boat owners are responsible for their safety. Your supplement should detail how the water level management provisions detailed in articles 402 and 403 would impact use of the proposed docks and boardwalk when the reservoir is not at full pool.

Your supplement should also detail rules and/or use restrictions for temporary mooring pertaining to the boardwalk. Lastly, your supplement should detail any existing or proposed restrictions on swimming in the cove where The Landing's proposed structures would be located, if applicable.

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For Commission staff to process your December 29 filing, within 30 days from the dates of this letter, please file a supplement with the above information. The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. For assistance, please contact FERC Online Support at [FERCOOnlineSupport@ferc.gov](mailto:FERCOOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, D.C. 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of your response to this additional information request should include the docket number P-349-208.

Thank you for your cooperation. If you have any questions regarding this matter, please contact Shana High at (202) 502-8674 or [shana.high@ferc.gov](mailto:shana.high@ferc.gov).

Sincerely,



Robert J. Fletcher  
Land Resources Branch  
Division of Hydropower Administration  
and Compliance

cc: VIA Electronic Mail

Unzell Kelley, Corporate Real Estate  
Alabama Power Company  
[ukelley@southernco.com](mailto:ukelley@southernco.com)

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