

STATE OF ALABAMA
BEAR CREEK DEVELOPMENT AUTHORITY
ADMINISTRATIVE CODE

CHAPTER 160-X-1
PROPERTY AND PROPERTY RIGHTS AVAILABLE FOR SHORELINE USE AND
DEVELOPMENT

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160-X-1-.01 Land Use Agreements.

(1) Land Use Agreements Versus Permanently Disposing of Land. Bear Creek Development Authority (BCDA) will make property and property rights available for shoreline use and development commensurate with land use plans developed for each of the four reservoirs within the Bear Creek Project. These disposal actions with individuals, groups, organizations, or governmental entities can be for a specified time, indefinite periods, or permanent and at an appropriate fee established by BCDA. BCDA prefers to make property rights available through term agreements rather than permanently disposing of interest in land.

(2) Leasing (Commercial and Industrial) - The length of the lease may be for up to twenty-five (25) years; an option for the same period is negotiable. The annual lease payment will be 10 percent of the appraised value of the property. The property will be reappraised at the end of each five (5) year period by a licensed appraiser approved by BCDA. The annual lease payment for the remaining term will be 10 percent of the new appraised value. For commercial recreation, the lease payment may at BCDA's option be negotiated on a percentage of gross income, depending on public and private land mix or the revenue generated on public lands.

(3) Sale of Fee - Will only be sold at public auction with the current fair market value of the property as approved by TVA being the minimum acceptable price.

(4) Easements - BCDA may grant a term or permanent easement, for or at no fee, for such things as rights-of-way for telephone lines, power lines, roads, recreation, etc., that will benefit the public.

(5) License - Certain tracts of land, proposed for minor land uses, may be made available under a revocable license agreement

when proposed use is judged to be compatible with BCDA objectives. Annual license fees will be based on a rate schedule established annually by BCDA for various land uses such as: agricultural; private recreation facilities; roads and ground improvements including lawns, planting, vistas, etc.

(6) Letter of No Objection or Letter Permit - will be required for a specific short term use.

Author:

Statutory Authority: Code of Ala. 1975, §§33-15-1, et seq.

History: Filed November 17, 1981. **Amended:** Filed January 10, 1986.

160-X-1-.02 Building Codes.

All buildings will be constructed to comply with the Southern Building Code. Where the Southern Building Code does not meet the minimum standards of the local city and/or county codes, the local codes will be the basis for establishing minimum building requirements. In the absence of any codes, BCDA will ensure that minimum requirements are met.

Author:

Statutory Authority: Code of Ala. 1975, §§33-15-1, et seq.

History: Filed November 17, 1981. **Amended:** Filed January 10, 1986.

160-X-1-.03 Sanitation.

(1) All emissions of pollutants that might be discharged directly or indirectly into the atmosphere, into any stream, lake, reservoir, or other surface or subterranean waters, or into or onto the ground from any of the reservoir areas, managed land areas, and adjoining shoreline land subject to BCDA management, must be controlled in full compliance with all applicable standards and requirements relating to pollution control of any kind now in effect or hereafter established by or pursuant to federal, state, or local statutes, ordinances, or regulations.

(2) When no alternatives exist to using "managed land" for subsurface disposal field shall be installed above the spillway crest elevation shown in Table A. "Managed Lands" is defined as land owned by United States of America on Bear Creek, Little Bear Creek, Upper Bear Creek, and Cedar Creek Reservoirs lying below the managed lands elevation listed in Table A, or below a surveyed line approximating that contour and such other land conveyed in the United States of America pursuant to Section I (1) of Supplement No. 6 to Contract TV-30552A. Disposal systems serving private property will not be permitted on BCDA managed land.

Author:

Statutory Authority: Code of Ala. 1975, §§33-15-1, et seq.

History: Filed November 17, 1981. **Amended:** Filed January 10, 1986.