

APPENDIX E

Photographs and Site Inspection

FILE NO. 970011920

BLACK EAGLE MINERALS

Request for a Proposed Expansion of an Existing Barge Loading Dock

Tennessee River Mile 247.5, Left Bank, Pickwick Lake, in Colbert County,
Alabama

INSPECTION REQUIRED FOR PERMIT PROCESSING

To: File No. 970011920

From: Lisa Morris, Nashville District Corps of Engineers Regulatory Branch Project Manager

Purpose: To Document a Site Inspection Required for Permit Processing

Project: Proposed Expansion of Rock-Filled Barge Loading Dock to Accommodate Ethanol Plant and Steel Fabrication Plant at Tennessee River Mile 247.5, Left Bank, Colbert County, Alabama

Permit Under Review: Department of the Army (DA) permit, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, Public Notice 08-34 dated June 3, 2008, and a water quality certification pursuant to Section 401 of the CWA from the Alabama Division of Water.

Applicant: Black Eagle Minerals
PO Box 536
Tuscumbia, Alabama 35674

Date of Inspection: August 19, 2008

Type: Onsite

Photos Taken? Yes, attached.

Inspector: Lisa Morris, Regulatory Branch 

BACKGROUND: Over the years, several DA and TVA permits have been issued at this terminal for a conveyor loader, mooring cells, a large rock-filled dock/storage area on both sides of the loader, and dredging activities. The terminal is authorized to load coal, steel, and rock (mined onsite – Vulcan Quarry), and general commodities which include corn and other grains, denatured fuel ethanol, and petroleum products, but excluding fertilizers. At this time, Black Eagle Minerals is requesting to expand the rock-filled dock to handle to new industry requesting to locate at this industrial site, to include Tennessee Valley Agri-Energy (an Ethanol Plant) and a Steel Fabrication Plant.

EXISTING FILL: As shown in the photographs, in 1998, Black Eagle Minerals constructed (1) a 100' x 90' rock-filled, barge loading dock fixed to two existing mooring cells to provide a solid truck ramp for the barge loading. In 1999, the dock was extended (2) 100' x 190' behind the existing dock and a 234' x 155' east of the existing dock which provided a greater area for rock storage in preparation for barge loading. In 2000, the dock was extended (3) 180' x 240' in the upstream direction, an additional cell was installed, and sheet piling was installed for the dock face. In 2002, the dock was

extended upstream (4) 90' x 245'. In 2004, (5) a 100' x 245' upstream section was added. In 2006, the dock was extended on the downstream side of the loader (1) 140' x 250' for additional rock storage. The dock is filled to Elevation 423. The terminal can handle up to 12 barges (4 long x 3 wide) at one time.

DESCRIPTION OF PROPOSED WORK: At this time, Black Eagle Minerals proposes to extend the facility 293' (L) x 264' (W) on the upstream most side of the existing fill. The fill material would be composed of shot limestone from the adjacent Vulcan Materials Rock site. Approximately 53,815 cubic yards of fill material would be required, of which about half would be below the summer pool contour, Elevation 414 (with 21,061 cubic yards in power loss and 32,734 cubic yards in flood storage loss). The proposed dock would not extend lakeward of the existing mooring cell line. Barge mooring capacity would not increase. The purpose of this fill is to provide more storage areas for the new commodities. Also Black Eagle Minerals is requesting to stabilize approximately 300 feet of shoreline and install fish attractors on the upstream side of the fill. The fish attractors will be made from the trees fronting the requested fill area.

Findings of Inspection: On this day, I found that the area contains wetlands in the 1.8 acre area footprint. Of that area, I estimated that about 50% were wetlands and about 50% were emergent wetland vegetation. The applicant is working with TVA and possible the Wheeler Wildlife Refuge to provide mitigation for filling the wetlands. During the public interest review, TVA provided information to clear the site of historical and archaeological concerns. The applicant also has submitted an alternatives analysis of the proposed fill. Since returning, I have discussed and shared the photographs with my counterparts at TVA, and we have tentatively come to an agreement that mitigation at a bank like Wheeler Wildfire Refuge at a 2:1 ratio would be sufficient to offset the loss of habitat. ADEM has issued the required water quality certification for the action.

Photographs taken this day are attached.



Area to be filled. I am standing on the riprap side bank of the last permitted fill area.



Now I've stepped back showing the same riprap end area.

Photos Taken August 19, 2008, by Morris Project Manager
Black Eagle Minerals



Area to be filled just beyond stockpiled gravel



Area previously filled “up to the mooring cell line” under previous permits

Photos Taken August 19, 2008, by Morris Project Manager
Black Eagle Minerals



Same area to be filled - 50% wetlands and 50% emerging wetland vegetation



They want to fill up to the mooring cell line

Photos Taken August 19, 2008, by Morris Project Manager
Black Eagle Minerals



Back most side (along tree line) of the proposed fill area



Same area showing some high areas and some inundated areas

Photos Taken August 19, 2008, by Morris Project Manager
Black Eagle Minerals



Self-explanatory



Photos Taken August 19, 2008, by Morris Project Manager
Black Eagle Minerals



This is a full view of the areas that were previously inundated by lake but are now filled for the purpose of a loading dock for Black Eagle Minerals. The rock quarry is to the back of the property.



Photos Taken August 19, 2008, by Morris Project Manager
Black Eagle Minerals