

Date Introduced: 6/12/2014

Date Voted Upon: 7/10/2014

A Resolution to be Entitled:

**The University of Alabama System Must Stop the Shepherd Bend Mine**

1 WHEREAS, the Roebuck Springs / South Roebuck Neighborhood Association  
2 Community believes that clean, safe, affordable drinking water  
3 and the health of the Black Warrior River basin are both essential to the quality of life of residents of the  
4 Birmingham area and the State of Alabama; and

5 WHEREAS, we believe the Shepherd Bend Mine would be detrimental to the quality of Birmingham-area  
6 drinking water, and to the health of the Mulberry Fork of the Black Warrior River. We are opposed to the  
7 discharge of polluted wastewater from coal mining into the Mulberry Fork at Shepherd Bend, the daily  
8 drinking water source for 200,000 customers of the Birmingham Water Works Board (BWVB); and  
9

10 WHEREAS, despite widespread opposition, in July 2008 the Alabama Department of Environmental  
11 Management (ADEM) issued a permit to Shepherd Bend, LLC for the discharge of water pollution at 29  
12 points from coal mining operations on 1,773 acres adjacent to the river. Black Warrior Riverkeeper has  
13 offered detailed information as to how discharges from the mine will introduce heavy metals, sediment,  
14 and other pollutants into the river, polluting a major drinking water source. The ADEM permit allows  
15 Shepherd Bend, LLC to discharge wastewater with 10 times the level of iron and 40 times the level of  
16 manganese recommended by the Safe Drinking Water Act; and  
17

18 WHEREAS, despite widespread opposition, in October 2010 the Alabama Surface Mining Commission  
19 issued a permit to Shepherd Bend, LLC for mining on 286 acres adjacent to the river. The BWVB is  
20 appealing this permit and has offered detailed information as to how wastewater discharges from the  
21 mine will introduce heavy metals, sediment, and other pollutants into the river. These pollutants can result  
22 in increased treatment costs (typically passed on to customers), decreased tap water quality, and  
23 possible health risks, as well as degradation of the river. The BWVB also stated that a mine this close to  
24 a major municipal water intake would be "incompatible" and "unprecedented"; and  
25

26 WHEREAS, Shepherd Bend, LLC has leases necessary to start mining an initial increment of 38 acres. If  
27 they want to mine beyond that first small increment, they will have to obtain leases from other area  
28 property owners, including the University of Alabama, a major owner of both land and mineral rights at  
29 Shepherd Bend along the Mulberry Fork in Walker County; and  
30

31 WHEREAS, in concordance with the American Rivers organization, which included the Black Warrior on  
32 its 2013 list of America's *Most Endangered Rivers*, we strongly believe the damage which would be done  
33 to drinking water, the harm to fish and wildlife, and the tons of sediment dumped into the river are all  
34 excellent reasons to not to allow this project to go forward; and  
35

36 THEREFORE BE IT RESOLVED, that we, the Roebuck Springs / South Roebuck Neighborhood Association  
37 Community, in concordance  
38 with unanimous Resolutions passed by the UAB USGA, UAB GSA, UAB Public Health Students  
39 Association, UAH SGA, Titusville Community, Glen Iris Neighborhood, Forest Park / South Avondale  
40 Neighborhood, Highland Park Neighborhood, and the Birmingham City Council (signed by Mayor William  
41 Bell), implore the University of Alabama System to neither sell nor lease its significant land and mineral  
42 holdings to allow coal mining at Shepherd Bend; and  
43

44 BE IT FURTHER RESOLVED, that we urge the University of Alabama System Trustees to make a swift  
45 decision against the sale or lease of land and mineral holdings for mining at Shepherd Bend; and  
46

47 BE IT FURTHER RESOLVED, that we will send a copy of this Resolution to Chancellor Robert E. Witt  
48 The University of Alabama System, 401 Queen City Avenue, Tuscaloosa, AL 35401-1551; requesting that  
49 he share this Resolution with all UA System Trustees and Administrators.  
50

President: Frank G. Hambley