

Date Introduced: 7/28/14

Date Voted Upon: 7/28/14

A Resolution to be Entitled:

The University of Alabama System Must Stop the Shepherd Bend Mine

1 WHEREAS, the ~~SOUTH EAST LAKE~~ ^{Neighborhood Association} Community believes that clean, safe, affordable drinking water
2 and the health of the Black Warrior River basin are both essential to the quality of life of residents of the
3 Birmingham area and the State of Alabama; and
4

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 in Walker County. Black Warrior
13 Riverkeeper has offered detailed information as to how discharges from the mine will introduce heavy
14 metals, sediment, and other pollutants into the river, polluting a major drinking water source. The ADEM
15 permit allows Shepherd Bend, LLC to discharge wastewater with 10 times the level of iron and 40 times
16 the level of 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 increment, they will have to obtain leases from other property owners,
28 including the University of Alabama, a major owner of land and mineral rights at Shepherd Bend; and
29

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

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

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

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

50 President: [Signature] 7/28/14
H. Mitchell Nash