

Date Introduced: 5/18/2013

Date Voted Upon: 5/18/2013

A Resolution to be Entitled:

The University of Alabama Must Stop the Shepherd Bend Mine

1 WHEREAS, the Titusville Community believes that clean, safe, affordable drinking water and the health of
2 the Black Warrior River basin are both essential to the quality of life of residents of the Birmingham area
3 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 itself. This damage would result from the discharge
7 of wastewater from coal mining into the Black Warrior River's Mulberry Fork only 800 feet from the
8 drinking water intake for 200,000 daily customers of the Birmingham Water Works Board (BWWB); 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 out of
12 29 points from coal mining operations on 1,773 acres adjacent to the river. Black Warrior Riverkeeper
13 has offered detailed information as to how the discharges from the mine will introduce heavy metals,
14 sediment, and other pollutants into the river, contributing to a violation of state water quality criteria. The
15 ADEM permit would allow Shepherd Bend to discharge wastewater with 10 times the level of iron and 40
16 times 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 BWWB is
20 appealing this permit and has offered detailed information as to how the wastewater discharges from the
21 mine will introduce heavy metals, sediment, and other pollutants into the water. These pollutants can
22 result in increased treatment costs (typically passed on to customers), decreased water quality, and
23 possible health risks, as well a degradation of the river. The BWWB also stated that a mine this close to a
24 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 34 acres. If
27 they choose to mine beyond that first small increment, they will have to obtain leases from other property
28 owners, including the University of Alabama System, a major owner of both land and mineral rights at
29 Shepherd Bend. ; 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 Titusville Community, in concordance with unanimous
37 Resolutions passed by the UAB USGA, UAB GSA, UAB Public Health Students Association, UA SGA,
38 Glen Iris Neighborhood, Forest Park / South Avondale Neighborhood, and the Birmingham City Council
39 (signed by Mayor William Bell), implore the University of Alabama System to neither sell nor lease their
40 significant land and mineral holdings to allow coal mining at Shepherd Bend; and
41

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

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

49 President: Rev. Anthony Johnson
Vice president: *Johnnie Summerwille*
Christine K. Minia
John C. Harris
Leatha
Mark R. [Signature]