

Date Introduced: 2/5/13

Date Voted Upon: 2/5/13

A Resolution to be Entitled:
Opposition to the Proposed Shepherd Bend Mine

1 WHEREAS, the Forest Park / South Avondale Neighborhood Association, along with the Birmingham City
2 Council, believes that clean, safe, affordable drinking water and the health of the Black Warrior River
3 basin are both essential to the quality of life of residents of the Birmingham area and the State of
4 Alabama; and
5

6 WHEREAS, we believe that the Shepherd Bend Mine would be detrimental to the quality of Birmingham-
7 area drinking water, and to the health of the Black Warrior River itself. This damage would result from the
8 discharge of waste water from mining into the Black Warrior River's Mulberry Fork only 800 feet from the
9 drinking water intake for over 200,000 customers of the Birmingham Water Works Board (BWWB); and
10

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

19 WHEREAS, Shepherd Bend, LLC has leases necessary to start mining an initial increment of 34 acres. If
20 they choose to mine beyond that first small increment, they will have to obtain leases from other property
21 owners, including the University of Alabama System, a major owner of both land and mineral rights at
22 Shepherd Bend. As a practical matter, without the consent and full participation of the UA System, it may
23 not be cost effective to mine Shepherd Bend at all; and
24

25 WHEREAS, we strongly believe that the damage which would be done to drinking water, the harm to fish
26 and wildlife, and the tons of sediment dumped into the river are all excellent reasons to not to allow this
27 project to go forward; and
28

29 THEREFORE BE IT RESOLVED, that we, the Forest Park / South Avondale Neighborhood Association,
30 in concordance with unanimous Resolutions passed by the UAB USGA, the UAB GSA, the UA SGA, and
31 the Birmingham City Council, implore the University of Alabama System to neither sell nor lease their
32 significant land and mineral holdings to allow coal mining at Shepherd Bend; and
33

34 BE IT FURTHER RESOLVED, that we urge the University of Alabama System Board to make a swift
35 decision against the sale or lease of land and mineral holdings for mining at Shepherd Bend; and
36

37 BE IT FURTHER RESOLVED, that we will send a copy of this Resolution to Chancellor Robert E. Witt
38 The University of Alabama System, 401 Queen City Avenue, Tuscaloosa, AL 35401-1551; requesting that
39 he share this Resolution with all UA System Trustees and Administrators.
40

41 Chair [Signature] Secretary [Signature]