



September 2, 2011

Dr. Robert E. Witt
President
The University of Alabama
Box 870100
Tuscaloosa, AL 35487

Re: Shepherd Bend Mine Proposal

Dear Dr. Witt,

Thank you in advance for your personal attention on this matter. I am writing on behalf of NAACP, our nation's oldest and most regarded civil rights organization, which has a membership exceeding 50,000 statewide and millions nationwide. We pride ourselves on our far-reaching credibility since the inception of our organization in 1909. And we also take pride in the relationships that we have built in the private and public sectors, corporate and non-profit, and the faith-based community. NAACP is diverse at its very core. We feel strongly about the ability of human-kind to enjoy all of the rights and privileges guaranteed to us by our country's founding fathers. And we feel that "injustice anywhere, is a threat to justice everywhere."

This letter addresses the **Shepherd Bend Mine controversy**. This proposed coal mine would pollute the Shepherd Bend portion of the Black Warrior River's Mulberry Fork. The Birmingham Water Works Board has appealed Shepherd Bend, LLC's mining permit because of an existing drinking water intake on the river within 1,000 feet of the proposed coal mine. The Birmingham Water Works Board uses water pulled from that intake to serve 200,000 customers in western parts of Birmingham and neighboring municipalities, as well as western Jefferson County. Subsequently, Resolution NO. 366-11 was adopted and issued by the Birmingham City Council and Mayor William A. Bell, Sr. "...concurring, that we implore the University of Alabama System to neither sell nor lease their significant land and mineral holdings to allow coal mining at Shepherd Bend."

This validation of our efforts by the local authorities has empowered and emboldened our quest for justice in preventing further hazardous materials to be dumped into the Black Warrior River. This issue has inspired a grassroots youth movement throughout the UA System resembling the efforts and work of SNCC and other organizations that led the fight for integration. And it has the weight to generate a wave of interest throughout the United States. The NAACP strongly believes that "clean" is a civil right. The facts show that pollution adversely and disproportionately affects African-American and Latino populations.

We adhere to and apply Dr. King's Principles of Nonviolent Protest. 1 **Gather Information**, 2 **Educate Others**, 3) **Remain Committed**, 4) **Peacefully Negotiate**, 5) **Take Action Peacefully** and 6) **Reconciliation**. By successfully bringing awareness and garnering the support of several grassroots advocates and organizations listed below my signature, we are now at the step of **peaceful negotiation**. By this effort we seek to bring all

parties to the table both for and against the Shepherd Bend Project to a good faith mediation session for the purpose of weighing the consequences of continuing or discontinuing this project. If this effort does not produce favorable results and an amicable resolve is not reached, we are then prepared to draw broader attention to this problem through peaceful demonstrations on all three UA-system campuses, letter/petition campaigns, and public rallies.

The University of Alabama made history when the courts allowed the passage of Vivian Malone and James Hood, the university's first African-American students. In 2003 the University celebrated the forty year anniversary when the infamous George Wallace was removed from the steps of Foster Auditorium by the stroke of a pen. As UA President, (and presumed football fan), you know what it means to move the ball "forward". We, the NAACP, feel that allowing profit-seeking companies to continue to empty pollutants into the river would be a step "backwards". You should be proud of your students who have decided to move upon their conviction to stand up for something when so many of our youth are apathetic where social issues are concerned. We are honored to stand with those who champion our environment throughout the Great State of Alabama. In the prophetic and fitting words of Paul "Bear" Bryant, "ROLL TIDE!"

Sincerely,



Rev. Anthony A. Johnson, MDiv
Community Relations Director
Metro-Birmingham Chapter NAACP

Cc: Mr. Hezekiah Jackson, IV
President & CEO
Metro-Birmingham Chapter NAACP

Cc: Representatives of organizations signing-on to this letter:
Michael Churchman, **Alabama Environmental Council**
Cindy Lowry, **Alabama Rivers Alliance**
Kathy Stiles Freeland, **Birmingham Audubon Society**
Nelson Brooke, **Black Warrior Riverkeeper**
Myra Crawford, **Cahaba Riverkeeper**
Beth Stewart, **Cahaba River Society**
Michael Mullen, **Choctawhatchee Riverkeeper**
Randy Palmer, **Citizens Opposed to Strip Mining on the Black Warrior River**
Mallory Flowers, **Coalition of Alabama Students for the Environment**
Frank Chitwood, **Coosa Riverkeeper**
Kirsten Bryant, **GASP**
Scott Douglas, **Greater Birmingham Ministries**
John Wathen, **Hurricane Creekkeeper**
Kathy Byrd, **League of Women Voters of Alabama**
Casi Callaway, **Mobile Baykeeper**
Charles Scribner, **Patriots for Conservation**
Alex Gerrish, **Restoring Eden at Samford**
David Whiteside, **Tennessee Riverkeeper**
Caitlin McClusky, **University of Alabama Environmental Council**
Joe Olson, **UAB Green Initiative**
Robert F. Kennedy, Jr., **Waterkeeper Alliance**