

Date Introduced: 8/13/14

Date Voted Upon: 8/26/14

A Resolution to be Entitled:

The University of Alabama System Must Stop the Shepherd Bend Mine

1 WHEREAS, the Roebuck/South East Lake 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

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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

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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

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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

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26 WHEREAS, Shepherd Bend, LLC has leases to start mining an initial increment of 38 acres. If they want
27 to mine beyond that increment, they will have to obtain leases from other property owners, including the
28 University of Alabama (UA), a major owner of land and mineral rights at Shepherd Bend; and

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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

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35 THEREFORE BE IT RESOLVED, that we, the Roebuck/South East Lake Community, in concordance
36 with Resolutions passed by the Birmingham Community Advisory Board, UAB USGA, UAB GSA, UAB
37 Public Health Students Association, UAH SGA, Crestline Neighborhood, Titusville Community, Glen Iris
38 Neighborhood, Forest Park / South Avondale Neighborhood, Highland Park Neighborhood, College Hills
39 Neighborhood, Roebuck Springs / South Roebuck Neighborhood, Crestwood North Neighborhood, South
40 East Lake Neighborhood, and the Birmingham City Council (signed by Mayor Bell), implore the UA to
41 neither sell nor lease its significant land and mineral holdings to allow mining at Shepherd Bend; and

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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

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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: Frank G. Hamby