

Date Introduced: 9/9/13

Date Voted Upon: 9/23/13

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

1 WHEREAS, the Student Government Association of UAH believes that clean, safe, affordable drinking
2 water and the health of the Black Warrior River basin are both essential to the quality of life of
3 Birmingham-area residents, many of whom attend UAH, UAB, or UA; 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 Black Warrior River's Mulberry Fork itself. This damage would
7 result from the discharge of wastewater from coal mining into the Mulberry Fork only 800 feet from the
8 drinking water intake for 200,000 daily 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 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
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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 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 BWVB also stated that a mine this close to a
24 major municipal water intake would be "incompatible" and "unprecedented"; and
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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, the major owner of both land and mineral rights at
29 Shepherd Bend. The UA System's good reputation would be significantly harmed if it provided access to
30 those properties for mining so close to a major municipal water supply; and
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32 WHEREAS, in concordance with the American Rivers organization, which included the Black Warrior on
33 its 2013 list of America's *Most Endangered Rivers* due to the Shepherd Bend Mine proposal, we strongly
34 believe the damage which would be done to drinking water, the harm to fish and wildlife, and the tons of
35 sediment dumped into the river are all excellent reasons to not to allow this project to go forward; and
36

37 THEREFORE BE IT RESOLVED, that we, the UAH SGA, in concordance with unanimous Resolutions
38 passed by the UAB USGA, UAB GSA, UAB Public Health Students Association, UA SGA, numerous
39 Birmingham neighborhood associations, and the Birmingham City Council (signed by Mayor William Bell),
40 implore the University of Alabama System to neither sell nor lease their significant land and mineral
41 holdings to allow coal 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: Nandish Dayal