

**SOCAL INDIGENOUS PEOPLES AND ALLIES
IN SUPPORT OF STANDING ROCK**

P.O. BOX 50260
LOS ANGELES, CALIFORNIA 90050

November 15, 2016

Colonel Kirk Gibbs
US Army Engineer District Commander, Los Angeles
911 Wilshire Blvd, Los Angeles, CA 90017

Re: Standing Rock Sioux Tribe – Dakota Access pipeline

Dear Colonel Gibbs:

We, the undersigned Indigenous-led, and allied organizations, write from Los Angeles County, within the ancestral homelands of the Tongva/Gabrielino, Tataviam, and Chumash Nations, in solidarity with the Standing Rock Sioux Tribe and call on the U.S. Army Corps of Engineers (hereinafter “ACOE”) to stop the construction of the Dakota Access pipeline which would cause irreparable harm to sacred land and water as well as the climate. Despite yesterday’s welcome announcement that your final decision on granting an easement has been delayed, the ACOE should revoke the permits under “Nationwide Permit 12” and stop the construction of the Dakota Access Pipeline permanently.

As Chairman Dave Archambault has noted to the Corps in a letter this month, the practical and spiritual importance of the waters of Lake Oahe to the life of the Standing Rock Sioux Tribe cannot be underestimated. An oil spill from the Dakota Access pipeline there would be devastating. Yet the Final Environmental Assessment (EA) dismisses the Tribe’s concerns, stating that direct and indirect impacts of the proposed crossing at Lake Oahe “will not affect members of the Standing Rock Sioux Tribe or the Tribal reservation.” Final EA at 85.

This underscores one of the fundamental deficiencies of the Final EA – it assumes, without foundation, that placing a massive oil pipeline upstream from the Reservation presents no risk to the Tribe. This raises the question – if the Dakota Access pipeline is so safe that it presents no risk at all when situated on the Tribe’s doorstep, why isn’t the pipeline safe enough to cross the River north of Bismarck, as originally proposed? The Final EA provides no answer.

Confusing Process, Dakota Access LLC Operating without Oversight

The ACOE Delay, follows another one that was deemed “only a proposal,” with no implemented work stoppage. It appears that Dakota Access LLC released a statement confirming they have “completed construction of the pipeline on each side of Lake Oahe” and stated they are “currently mobilizing horizontal drilling equipment to the drill box site.” Furthermore, Dakota

Access expects to have fully mobilized all equipment needed to drill under the Missouri River within two weeks. Once all the equipment is in place at the construction site, Dakota Access plans to commence horizontal drilling underneath the river.

An official temporary work stoppage is welcome, but full environmental documentation for the existing as well as proposed permits is necessary. Approval of the outstanding permits without the proper due diligence would not be legal. And starting construction without permits, as Dakota Access intimated through their press release, would be unconscionable.

Our Message: Standing Rock is Everywhere.

Moreover, the undersigned Southern California-based Indigenous-led and allied organizations recognize that all U.S. territories are within the ancestral homelands of Native Nations and Indigenous Peoples. We therefore uplift the United Nations Declaration on the Rights of Indigenous Peoples, in particular, Articles 19 and 32 which require that States obtain the free, prior, and informed consent of Indigenous Peoples prior adopting legislation or undertaking projects that affect Indigenous Peoples rights to lands, territory, and resources.

In addition to supporting the sovereign Standing Rock Sioux Tribe's call for proper environmental documentation and government-to-government consultation for Dakota Access, we respectfully remind ACOE that government-to-government consultation must be undertaken for all projects likely to impact Native American sacred sites, including those within Los Angeles County, which lies within the ancestral territories of the Tongva/Gabrielino, Tataviam, and Chumash Peoples, and for all projects that require ACOE review throughout California.

Our November 15 National Day of Action advises the recent call for consultation must obtain a "free, prior, and informed consent" to move forward with Dakota Access. We request the Army Corps revisit earlier decisions regarding the Lake Oahe crossing and determine, based on the public interest and environmental risks, that the easement for that crossing should be permanently denied.

Sincerely,

Angela Mooney D'Arcy

Executive Director, Sacred Places Institute for Indigenous Peoples

Gloria Arrellanes, Tongva Elder

Marcos Aguilar Huitzililtli Kuauhtzin

Tlayecantzi, Sociedad Semillas del Pueblo (Seeds of the People Society),

Mati Waiya

Elder of Santa Clara River Turtle Clan of the Chumash Nation

and

Executive Director, Wishtoyo Chumash Foundation

Jack Eidt

Steering Committee, SoCal 350 Climate Action

Marta Segura

Southern California Engagement Director, Center for Biological Diversity

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