



RESOLUTION OPPOSING THE DAKOTA ACCESS PIPELINE

WHEREAS the Missouri River is the principal source of water for both the City of Bismarck, North Dakota, and the Standing Rock Sioux Reservation approximately 35 miles downriver from Bismarck, and the Dakota Access Pipeline LLC has proposed to construct a 1,100 mile Pipeline (“DAPL”) with a capacity of 570,000 barrels of crude oil per day – which it originally planned to cross the Missouri River immediately upstream from Bismarck but, when faced by opposition from city residents concerned about pollution of their drinking water from possible oil spills during pipeline operation, revised its proposed routing in order to have the DAPL cross the Missouri downstream from Bismarck and immediately upstream from the Standing Rock Reservation which was established through the Fort Laramie Treaties of 1851 and 1868, between the United States and the Great Sioux Nation, as a perpetual homeland for the Standing Rock Sioux and treaties are, under the U.S. Constitution, part of “the supreme Law of the Land”; and

WHEREAS the various Sioux tribes, as descendants of some of the first residents of North America, whose status and rights are protected by the Fort Laramie Treaties and other treaties, are every bit as entitled to safe drinking water as are Bismarck residents of European, African or Asian ancestry, and are further entitled to a continued supply of water suitable for sustenance of the fish and wildlife critical to their way of life, and construction of the DAPL would also threaten the integrity of historic sites and archaeological/cultural resources deemed sacred by the Sioux, including burial grounds subject to the Native American Graves Protection and Repatriation Act (“NAGPRA”), and

WHEREAS the government agency responsible for issuing or denying the permits necessary for the DAPL, the U.S. Army Corps of Engineers, has failed to (a) engage in the consultation provided for in both the United Nations Declaration on the Rights of Indigenous Peoples and Executive Order 13175, (b) recognize its duty to assure compliance with the National Historic Preservation Act, and (c) issue a proper Environmental Impact Statement as required by the National Environmental Policy Act; and

THEREFORE, BE IT RESOLVED that the San Bernardino County Democratic Party strongly opposes the Dakota Access Pipeline and, in particular, call upon (1) the Corps of Engineers to immediately initiate serious and thorough consultations with the Standing Rock and other Sioux officials, accompanied by issuance of a comprehensive Environmental Impact Statement on the entire DAPL project while assuring its compliance with §106 of the National Historic Preservation Act, §10 of the Rivers and Harbors Act, Executive Order 13175, and applicable provisions of the NAGPRA, and (2) our entire Congressional delegation to assure, by oversight hearings and other measures as necessary, full compliance with all of the foregoing requirements.

Passed by the San Bernardino County Democratic Party, March 23, 2017