



City of Long Beach
Working Together to Serve

R-15

Memorandum

Date: December 6, 2016

To: Honorable Mayor and Members of the City Council

From: Councilwoman Lena Gonzalez, District *LG*
Councilmember Jeannine Pearce, District *JPD*
Councilmember Daryl Supernaw, District *DS*
Councilmember Roberto Uranga, District *RU*

Subject: **Resolution supporting the Standing Rock Sioux Tribe in their opposition to the construction of the Dakota Access Pipeline**

RECOMMENDATION:

Request the City Attorney to draft a resolution including but not limited to the draft language provided in support of the efforts of the Standing Rock Sioux Tribe and their allies opposing the construction of the Dakota Access Pipeline.

BACKGROUND:

The Dakota Access Pipeline Project is an underground crude oil pipeline designed to transport as much as 570,000 barrels per day from the Bakken/Three Forks formations in North Dakota to a terminus near Patoka, Illinois. The project will require the construction of approximately 1,172 miles of 12-inch to 30-inch diameter pipeline through the states of North Dakota, South Dakota, Iowa and Illinois.¹ On September 2, 2015 The Standing Rock Sioux Tribe passed Resolution Number 406-15 asking the Army Corps of Engineers to reject the River Crossing Permit for the Dakota Access Pipeline which would threaten access to the primary source of drinking water for the Standing Rock Sioux Tribe and be constructed through a sacred burial ground. To date, over 19 cities including Berkley, Oakland, Portland, St. Paul, Seattle and others have already submitted similar resolutions.²

FISCAL IMPACT:

There is no fiscal impact.

¹ <http://www.daplpipelinefacts.com/resources/faq.html>

² <http://indiancountrytodaymedianetwork.com/2016/10/13/standing-standing-rock-19-cities-express-solidarity-against-dapl-166092>

DRAFT RESOLUTION LANGUAGE IN SUPPORT OF

WHEREAS, Indian Treaties such as the Treaty of Ft. Laramie are recognized by the U.S. Constitution as “the supreme law of the land,” and require consultation and cooperation by the United States with its Indian Treaty partner before any federal action is taken that affects Treaty lands, territories, waters or other resources; and

WHEREAS, the American Indian Religious Freedom Act of 1978 affirms the need to “protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions,” particularly in American Indian sacred places; and

WHEREAS, the proposed Dakota Access Pipeline (DAPL) is a 1,168-mile, 30-inch diameter pipeline being developed by of Energy Transfer Partners and its affiliates, which would carry as much as 570,000 barrels per day of Bakken crude from western North Dakota to Illinois; and

WHEREAS, the DAPL would run across or beneath 209 rivers, creeks and tributaries, including the Missouri River, which provides drinking water across the Midwest, serving nearly 10 million people; and

WHEREAS, the DAPL would also run through the ancestral lands and waters reserved for the traditional use of the Standing Rock Sioux Tribe by the Treaty of Ft. Laramie, including the Missouri River, burial grounds and gravesites, and other sacred sites of cultural, religious, and historical significance; and

WHEREAS, any spill of oil into the Missouri River would irreparably harm the Standing Rock Sioux Tribe’s Treaty reserved lands, territories, waters and other resources; burial grounds, gravesites and other sacred sites of cultural, religious, and historical significance; and spiritual relationships and indigenous ways of life; and

WHEREAS, On August 15, 2016 the Standing Rock Sioux Tribal Council led by Tribal Chairman David Archambault II called on Tribal nations and Indigenous people around the world to issue resolutions in support of the Standing Rock Sioux and the Sacred Stones Camp

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA, THAT:

The City of Long Beach, California stands in support of the Standing Rock Sioux Tribe's opposition to construction of the Dakota Access Pipeline (DAPL) across the Tribe's ancestral lands, waters and sacred sites; and

The City of Long Beach calls upon the President of the United States and the Army Corps of Engineers to obtain the free, prior and informed consent of the Standing Rock Sioux Tribe, prior to taking any federal action regarding the DAPL that would harm or destroy the Tribe's ancestral lands, waters and sacred sites.