



OFFICE OF THE CITY ATTORNEY
Long Beach, California

NB-28

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

MONTE H. MACHIT
Assistant City Attorney

PRINCIPAL DEPUTIES

Gary J. Anderson
Charles M. Gale
Anne C. Lattime

DEPUTIES

C. Geoffrey Allred
Richard F. Anthony
William R. Baerg
LaTasha N. Corry
Haleh R. Jenkins
Monica J. Kilatta
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Howard D. Russell
Arturo D. Sanchez
Victoria A. Silcox
Linda T. Vu
Amy R. Webber
Theodore B. Zinger

December 20, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt Resolution of the City Council of the City of Long Beach Supporting the Standing Rock Sioux Tribe in Their Opposition to the Construction of the Dakota Access Pipeline.

DISCUSSION

Pursuant to your request of December 6, 2016, this office has prepared and submits the above-described resolution for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By

AMY R. WEBBER
Deputy City Attorney

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH SUPPORTING THE STANDING
ROCK SIOUX TRIBE IN THEIR OPPOSITION TO THE
CONSTRUCTION OF THE DAKOTA ACCESS PIPELINE

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 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

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

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

9 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
10 follows:

11 Section 1. The City of Long Beach, California stands in support of the
12 Standing Rock Sioux Tribe’s opposition to construction of the Dakota Access Pipeline
13 across the Tribe’s ancestral lands, waters and sacred sites.

14 Section 2. The City of Long Beach, California calls upon the President of
15 the United States and the Army Corps of Engineers to obtain the free, prior and informed
16 consent of the Standing Rock Sioux Tribe, prior to taking any federal action regarding the
17 Dakota Access Pipeline that would harm or destroy the Tribe’s ancestral lands, waters
18 and sacred sites.

19 Section 3. This resolution shall take effect immediately upon its adoption
20 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2016, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk