



September 7, 2016

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Ms. Jo-Ellen Darcy  
Assistant Secretary of the Army (Civil Works)  
US Army Corps of Engineers  
108 Army Pentagon  
Washington, DC 20310

RE: Halt Construction and Repeal the Army Corps of Engineers Permit for the Dakota Access Pipeline Project

Dear President Obama and Assistant Secretary Jo-Ellen Darcy,

The California Indian Environmental Alliance (CIEA) stands in solidarity with the Standing Rock Sioux, other Indian Nations and communities throughout the United State in opposition to the Dakota Access Pipeline (DAPL) being built by Dakota Access LLC/Energy Transfer Partners.

The Dakota Access Pipeline will carry 450,000 barrels of oil per day through the Standing Rock Sioux Tribe's ancestral lands and aquatic systems. A spill from this pipeline is statistically probable. We are concerned that the Dakota Access Pipeline in North Dakota would run under the Missouri River and destroy sacred cultural resources. Families with children, women and elders of the Standing Rock Sioux Tribe, other Native Nations and allies are protecting and defending the water, sensitive wildlife habitat, sacred ancestral remains and other significant cultural sites. Such an episode will impact culturally sensitive areas and threaten natural resources integral to the physical health and cultural well-being of thousands of Tribal members of numerous Tribes, as well as the down-river communities and families who rely on the continued environmental health of this watershed

This project and other such pipelines should not be allowed under Nationwide Permit 12 given the risks to the environment and to Native American cultural resources. Any pipeline construction plan should be reviewed and go through a transparent Clean Water Act 404 permitting process, which includes a formal tribal consultation process, environmental review, public notice and a public participation process. Nationwide Permit 12 circumvents these requirement under the National Environmental Policy Act, the Clean Water Act, and is in violation of the Native American Graves Protection, Repatriation and the National Historic Preservation Acts.

Consultation with the Standing Rock Sioux Tribe should have been completed prior to implementation of the plan to construct the Dakota Access Pipeline. Such consultation is in accordance with Executive Order B-10-11 and federal trust responsibilities guaranteed in the 1851 and 1868 treaties between the Lakota, Dakota and Nakota tribes.

It is for all of these reasons that we support those taking action to peacefully block the construction of DAPL and who remind us that “Water is Life.” Water is our most precious and threatened resource and should be protected for the benefit of all people, including those most at risk from toxins: pregnant women, their fetuses and young children. CIEA provides health advice to families in California on how to avoid toxins in water, fish, shellfish and other traditional aquatic food sources. The best way to reduce exposure from toxins is to ensure that they are not introduced to aquatic systems.

In conclusion we call on your administration and the Army Corps of Engineers to:

- Immediately halt the construction of Dakota Access Pipeline
- Complete a full Environmental Impact Statement (EIS) for this and each associated stretch of pipeline
- Initiate and complete Tribal Consultation with all impacted Tribes, beginning with the Standing Rock Sioux Tribe
- Revoke the Nationwide Permit 12 which ignores the intent of state and federal environmental laws and to reinstate its prior practice of evaluating the environmental impacts of each pipeline through the completion of full Environmental Impact Statement (EIS) reports.

Thank you.

Sincerely,



Executive Director  
California Indian Environmental Alliance  
526 Grand Ave.  
Oakland, CA 94610

Cc:

Mr. Denis McDonough  
The White House Chief of Staff to the President  
1600 Pennsylvania Ave, N.W.  
Washington, DC 20500

Governor Jack Dalrymple  
Office of Governor  
State of North Dakota  
600 East Boulevard Avenue  
Bismarck, ND 58505-0100

Steve Sitting Bear  
Standing Rock Sioux Tribe  
PO Box D, Bldg #1, N. Standing Rock Ave  
Fort Yates ND, 58538