

RESOLUTION NO. NS-29,XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
PROCLAIMING THE CITY OF SANTA CRUZ'S SUPPORT FOR THE STANDING
ROCK SIOUX TRIBE'S OPPOSITION TO THE CONSTRUCTION AND USE
OF THE DAKOTA ACCESS PIPELINE

WHEREAS, the Dakota Access Pipeline (DAPL), developed by Energy Transfer Partners and its affiliates, would carry up to 570,000 barrels of hydraulically-fractured ("fracked") crude oil per day over 1,134 miles from the Bakken oil fields of North Dakota to Illinois; and

WHEREAS, the DAPL has been constructed across or under 209 rivers, creeks, and tributaries, including the Missouri River, which provides drinking water and irrigates agricultural land in communities across the Midwest for over 10 million people, including the populations of seven of the nine reservations in South Dakota, and is the habitat for substantial wildlife; and

WHEREAS, the City of Santa Cruz has shown care in resolving its own water challenges in an environmentally-sound way, with a plan to achieve water security by 2025; and

WHEREAS, the DAPL has been driven through ancestral lands reserved for the traditional use of the Standing Rock Sioux Tribe by the Treaty of Ft. Laramie, which is recognized by the U.S. Constitution as "the supreme law of the land," desecrating burial grounds and gravesites and other sacred sites of cultural, religious, and historical importance; and

WHEREAS, the American Indian Religious Freedom Act of 1978 guarantees the need to "protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions," particularly on American Indian sacred sites; and

WHEREAS, on January 24, 2017, President Trump signed an executive memorandum to advance the construction of the DAPL despite the U.S. Army Corps of Engineers' refusal to grant a necessary easement on December 4, 2016, and on February 7, 2017, prematurely terminated the environmental impact assessment that was launched on January 18, 2017 by the U.S. Army Corps of Engineers; and

WHEREAS, Articles 11, 12, and 25 of the United Nations Declaration on the Rights of Indigenous People (UNDRIP), as endorsed by the United States in 2010, affirms that indigenous peoples like the Standing Rock Sioux Tribe possess the right to maintain and protect their culture, religion, practices, and relationship with their "traditionally owned or otherwise occupied and used lands, territories [and] waters"; and

WHEREAS, on August 31, 2016, the chair members of the United Nations Permanent Forum on Indigenous Issues released a statement finding that "The [Dakota Access Pipeline] project was proposed and planned without any consultation with the Standing Rock Sioux Tribe or others that will be affected by this major project. The lack of consultation with the Indigenous peoples concerned triggered the filing of the lawsuit against the U.S. Army Corps of Engineers, who approved its construction. The pipeline would adversely affect not only the security and

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access to drinking water of the Sioux and millions of people living downstream of the Missouri River, but it would also destroy archaeological, historical and sacred sites of the Sioux”; and

WHEREAS, these current threats to sovereign tribal lands evoke a host of injustices faced by American Indian tribes over the course of the 20th century, including the forced removal of children from their families to government-run boarding schools; the termination of federal recognition for scores of tribes, causing the loss of services promised by treaty; and a disregard for the sovereignty of tribes, including the building of infrastructure on American Indian land without good faith consultation or consent; and

WHEREAS, American Indian water protectors are engaging today in peaceful actions, teach-ins, leading toxic tour discussions and prayers to prevent the use of the DAPL; and

WHEREAS, the frontline direct action, peaceful prayer ceremonies, and organizing efforts led by the American Indians have been countered with intimidation, excessive show of force leading to substantial injury, violation of First Amendment rights and freedom of press, and inhumane treatment during arrest and detention; and

WHEREAS, on August 15, 2016, the Standing Rock Sioux Tribal Council called on Tribal nations, American Indians, and organizations around the world to issue resolutions in support of the Standing Rock Sioux and the Sacred Stones Camp; and

WHEREAS, the City Councils of San Francisco, Los Angeles, Malibu, Davis, Sacramento, Santa Barbara and many other cities across the United States and nearly 200 Indian Nations are among the governmental bodies that have taken formal action to support the Standing Rock Sioux Tribe in opposing the DAPL; and

WHEREAS, the Amah Mutsun Tribal Band, who are the indigenous people of the land on which the City of Santa Cruz stands, has supported and requested support for the efforts of the Standing Rock Sioux Tribe; now, therefore be it

NOW, THEREFORE, BE IT RESOLVED, that the City of Santa Cruz stands in support of the Standing Rock Sioux Tribe’s opposition to the construction and use of the Dakota Access Pipeline (DAPL) across the Tribe’s ancestral lands, waters, and sacred sites; and be it

BE IT FURTHER RESOLVED, that the City of Santa Cruz should communicate its support of the Standing Rock Sioux Tribe’s opposition to construction and use of the Dakota Access Pipeline to the Federal Government and representatives of the Standing Rock Sioux Tribe.

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PASSED AND ADOPTED this 4th day of April, 2017, by the following vote:

AYES: Councilmembers

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator