



# SEATTLE CITY COUNCIL

## Legislative Summary

Res 31709

Record No.: Res 31709

Type: Resolution (Res)

Status: Adopted

Version: 1

Ord. no:

In Control: City Clerk

File Created: 09/09/2016

Final Action: 09/16/2016

**Title:** A RESOLUTION proclaiming the City of Seattle's Support for the Standing Rock Sioux Tribe's Opposition to the Construction of the Dakota Access Pipeline.

<b>Notes:</b>	<b>Filed with City Clerk:</b>	<u>Date</u> 9/16/2016
<b>Sponsors:</b> Juarez, Harrell	<b>Mayor's Signature:</b>	9/16/2016
	<b>Vetoed by Mayor:</b>	
	<b>Veto Overridden:</b>	
	<b>Veto Sustained:</b>	

**Attachments:**

Drafter: patrick.wigren@seattle.gov

**Filing Requirements/Dept Action:**

**History of Legislative File**

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/12/2016	sent for review	Council President's Office			
	<b>Action Text:</b> The Resolution (Res) was sent for review. to the Council President's Office						
	<b>Notes:</b>						
1	Council President's Office	09/12/2016	sent for review	Full Council			
	<b>Action Text:</b> The Resolution (Res) was sent for review. to the Full Council						
	<b>Notes:</b>						
1	Full Council	09/12/2016	adopted				Pass
	<b>Action Text:</b> The Motion carried, the Resolution (Res) was adopted by the following vote, and the President signed the Resolution:						
	<b>Notes:</b> Motion was made and duly seconded to adopt Resolution 31709.						
	In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant						
	Opposed: 0						
1	Full Council	09/12/2016	referred	Full Council			
	<b>Action Text:</b> The Resolution (Res) was referred. to the Full Council						

Notes:

1 City Clerk 09/14/2016 submitted for Mayor  
Mayor's signature

1 Mayor 09/16/2016 Signed  
Action Text: The Resolution (Res) was Signed.  
Notes:

1 Mayor 09/16/2016 returned City Clerk  
Action Text: The Resolution (Res) was returned. to the City Clerk  
Notes:

1 City Clerk 09/16/2016 attested by City Clerk  
Action Text: The Resolution (Res) was attested by City Clerk.  
Notes:

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**CITY OF SEATTLE**

**RESOLUTION 31709**

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3  
4 A RESOLUTION proclaiming the City of Seattle’s Support for the Standing Rock Sioux Tribe’s  
5 Opposition to the Construction of the Dakota Access Pipeline.  
6  
7

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

12 WHEREAS, the DAPL would run across or beneath 209 rivers, creeks and tributaries, including  
13 the Missouri River, which provides drinking water and irrigates agricultural land in  
14 communities across the Midwest, serving nearly 10 million people; and

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

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

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

1 WHEREAS, Washington State recognizes that American Indian burial grounds and historic  
2 graves are “a finite, irreplaceable, and nonrenewable cultural resource, and are an  
3 intrinsic part of the cultural heritage of the people of Washington” (RCW 27.44.030);

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

9 WHEREAS, the UNDRIP Article 32 further provides that governments shall consult with  
10 indigenous peoples “in order to obtain their free and informed consent prior to the  
11 approval of any project affecting their lands or territories and other resources, particularly  
12 in connection with the development, utilization or exploitation of mineral, water or other  
13 resources”; and

14 WHEREAS, the Seattle City Council proclaimed in 2012 by Resolution 31420 that Seattle is a  
15 Human Rights City and is committed to promoting human rights; and

16 WHEREAS, the Seattle City Council passed Resolution 31538 in 2014 to recognize the second  
17 Monday in October as Indigenous Peoples’ Day in the City of Seattle, in recognition of  
18 “the systematic racism towards Indigenous people in the United States” and in “honor  
19 [of] our nation’s indigenous roots, history, and contributions”; and

20 WHEREAS, the U.S. Army Corps of Engineers failed to obtain the free, prior and informed  
21 consent of the Standing Rock Sioux Tribe as required by the Treaty of Fort Laramie,  
22 Executive Order 13175, the UNDRIP Article 10, and other federal and international laws,

1 before issuing a “Mitigated Finding of No Significant Impact” that would result in an  
2 easement for horizontal directional drilling for the DAPL; and

3 WHEREAS, the United States Department of Justice, the United States Department of the Army,  
4 and the United States Department of the Interior issued a joint statement on September 9,  
5 2016 that indicated that the “Army will not authorize constructing the Dakota Access  
6 pipeline on Corps land bordering or under Lake Oahe until it can determine whether it  
7 will need to reconsider any of its previous decisions regarding the Lake Oahe site under  
8 the National Environmental Policy Act (NEPA) or other federal laws;” and

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

13 WHEREAS, hundreds of activists from nearly 200 Indian Nations, environmental organizations,  
14 journalists, and other non-violent demonstrators have courageously faced down  
15 intimidation and repression, including: state authorities in North Dakota cutting off water  
16 and medical access, the issuing of warrants and the arrest of activists and journalists, and  
17 physical attacks on activists with dogs and pepper spray by the multinational paramilitary  
18 private security firm, G4S, hired by the pipeline’s corporate backers; and

19 WHEREAS, the Mayor of the City of Seattle, City Councils of Portland, Oregon, St. Paul and  
20 Minneapolis, Minnesota, Affiliated Tribes of Northwest Indians comprised of 59 Indian  
21 Nations in the Northwest, and nearly 200 Indian Nations, are among the governmental  
22 bodies that have taken formal action to support the Standing Rock Sioux Tribe and  
23 oppose the DAPL; NOW, THEREFORE,

1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**  
2 **MAYOR CONCURRING, THAT:**

3           Section 1. The City of Seattle stands in support of the Standing Rock Sioux Tribe's  
4 opposition to construction of the Dakota Access Pipeline (DAPL) across the Tribe's ancestral  
5 lands, waters and sacred sites.

6           Section 2. The City of Seattle recognizes the unique relationship Tribal Nations possess  
7 with the United States as one of political equality, among sovereigns, and calls upon the United  
8 States and the Army Corps of Engineers to obtain the free, prior and informed consent of the  
9 Standing Rock Sioux Tribe, prior to taking any federal action regarding the DAPL that would  
10 harm or destroy the Tribe's ancestral lands, waters and sacred sites.

11           Section 3. The City of Seattle proclaims that October 10, 2016, Indigenous Peoples' Day  
12 in the City of Seattle, will commemorate and support the Standing Rock Sioux Tribe's  
13 opposition to the DAPL.

14           Section 4. The City of Seattle appreciates the recent decision by the United States  
15 Departments of Justice, the Army, and the Interior that construction of the DAPL on Army Corps  
16 land bordering or under Lake Oahe will not go forward at this time. Furthermore, the City of  
17 Seattle supports planned future national reform efforts to consider the views of tribes on federal,  
18 state, and local infrastructure projects.

19           Section 5. The City of Seattle requests the North Dakota state and local authorities drop  
20 all charges against the activists, journalists, and organizers with outstanding warrants issued in  
21 response to civil disobedience in opposition to the Dakota Access Pipeline in protection of the  
22 land and water, as well as those who have already been arrested or charged.

1 Adopted by the City Council the 12<sup>th</sup> day of September, 2016,  
2 and signed by me in open session in authentication of its adoption this 12<sup>th</sup> day of  
3 September, 2016.

4 

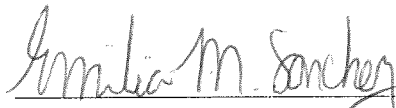
5 President \_\_\_\_\_ of the City Council

6 The Mayor concurred the 16<sup>th</sup> day of September, 2016.

7 

8 Edward B. Murray, Mayor

9 Filed by me this 16<sup>th</sup> day of September, 2016.

10 

11 for Monica Martinez Simmons, City Clerk

12 (Seal)