Legislation Details (With Text)

File #:	Res 31709	**Version:**	1	**Name:**	
Type:	Resolution (Res)			**Status:**	Adopted
				In control:	City Clerk
On agenda:	9/12/2016				
Final Action:				**Ord. No.**	
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.				
Sponsors:	Debora Juarez, Bruce Harrell				
Indexes:					
Attachments:	1. Summary and Fiscal Note, 2. Signed Resn 31709				

Date	Ver.	Action By	Action	Result
9/16/2016	1	City Clerk	attested by City Clerk	
9/16/2016	1	Mayor	returned	
9/16/2016	1	Mayor	Signed	
9/14/2016	1	City Clerk	submitted for Mayor's signature	
9/12/2016	1	City Council	referred	
9/12/2016	1	City Council	adopted	Pass
9/12/2016	1	Council President's Office	sent for review	
9/12/2016	1	City Clerk	sent for review	

CITY OF SEATTLE

RESOLUTION 31709

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.

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 and irrigates agricultural land in communities across the Midwest, serving nearly 10 million people; and

powered by Legistar™

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

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 all indigenous peoples, including 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, the UNDRIP Article 32 further provides that governments shall consult with indigenous peoples "in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources"; and

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

powered by Legistar™

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

WHEREAS, the U.S. Army Corps of Engineers failed to obtain the free, prior and informed consent of the Standing Rock Sioux Tribe as required by the Treaty of Fort Laramie, Executive Order 13175, the UNDRIP Article 10, and other federal and international laws, before issuing a "Mitigated Finding of No Significant Impact" that would result in an easement for horizontal directional drilling for the DAPL; and

WHEREAS, the United States Department of Justice, the United States Department of the Army, and the United States Department of the Interior issued a joint statement on September 9, 2016 that indicated that the "Army will not authorize constructing the Dakota Access pipeline on Corps land bordering or under Lake Oahe until it can determine whether it will need to reconsider any of its previous decisions regarding the Lake Oahe site under the National Environmental Policy Act (NEPA) or other federal laws;" 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, hundreds of activists from nearly 200 Indian Nations, environmental organizations, journalists, and other non-violent demonstrators have courageously faced down intimidation and repression, including: state authorities in North Dakota cutting off water and medical access, the issuing of warrants and the arrest of activists and journalists, and physical attacks on activists with dogs and pepper spray by the multinational paramilitary private security firm, G4S, hired by the pipeline's corporate backers;

and

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

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

Section 1. The City of Seattle 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.

Section 2. The City of Seattle recognizes the unique relationship Tribal Nations possess with the United States as one of political equality, among sovereigns, and calls upon 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.

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

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

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

powered by Legistar™

Adopted by the City Council the _____ day of _____, 2016, and signed by me in open session in authentication of its adoption this _____ day of _____, 2016.

_____

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2016.

_____

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2016.

_____

Monica Martinez Simmons, City Clerk

(Seal)