



## **Ponca Tribe of Oklahoma**

20 White Eagle Drive • • (580)762-8104/Fax(580)762-2743 • • Ponca City, Oklahoma 74601

RESOLUTION # 30-08182016

### ***A Resolution to Support the Opposition of the Dakota Access Pipeline***

- WHEREAS, the Ponca Tribal Business Committee is authorized to conduct and transact all business of the Ponca Tribe of Oklahoma under the aegis of the Ponca Constitution duly adopted on September 20, 1950, and
- WHEREAS, the Ponca Tribal Business Committee is authorized to exercise all executive legislative and judicial powers of the Tribe, in accordance with the Tribal Constitution, and
- WHEREAS, the Ponca Tribe of Oklahoma agrees that the Standing Rock Tribe of North Dakota is a federally recognized Indian Tribe organized under a constitution and bylaws approved by the Secretary of Interior pursuant to section 16 of the Indian Reorganization Act of June 18, 1934, and
- WHEREAS, The Dakota Access Pipeline has been approved by the States of North and South Dakota Iowa and Illinois for a 36 inch pipeline to transport 570,000 barrels of crude oil from the Bakken to Midwest refineries, and
- WHEREAS, The Ponca Tribe shares the Standing Rock Sioux Tribe's concerns with the Dakota Access Pipeline, which include and are not limited to the protection of burials and other cultural resources from being harmed by the construction and or other activities, and that interest was largely ignored by the Draft Environmental Assessment published on December 9, 2015 by the Corps of Engineers from the Dakota Access Pipeline LLC, and
- WHEREAS, there is additional concern with the protection of waters in addition To the fish and wildlife through the proposed path of the Dakota Access Pipeline and failed to obtain their free, prior and informed consent according to Article 19 of the United Nations Declaration on the rights of Indigenous Peoples, and

**PRAIRIE BAND POTAWATOMI NATION  
TRIBAL COUNCIL RESOLUTION No. 2016-274**

**PRAIRIE BAND POTAWATOMI NATION SUPPORTS THE STANDING ROCK  
SIOUX IN THEIR OPPOSITION TO THE DAKOTA ACCESS PIPELINE**

- Whereas:** The Prairie Band Potawatomi Nation (the "Nation") is a duly organized Indian Tribal entity, with a Constitution and By-Laws approved by the Secretary of the Interior on February 19, 1976 and last amended on December 6, 2007; and
- Whereas:** Under Article V of the Constitution, the Tribal Council is the Nation's governing body with enumerated powers of authority to negotiate, consult, and contract with Federal, State, local and Tribal governments, private enterprises, individuals, or organizations; and
- Whereas:** Pursuant to the Prairie Band Potawatomi Constitution, the Tribal Council is charged with the duty of protecting the health, security and general welfare of the Nation and its members and of regulating law and order on the reservation; and
- Whereas:** The Nation opposes the construction of the Dakota Access Pipeline through the Missouri and Cannon Ball River because it poses a serious threat to the water and lands of the Standing Rock Sioux peoples; and
- Whereas:** The Nation believes that water is a sacred natural resource that must be protected and conserved and that there is no life without water; and
- Whereas:** Tribes and Nations of the Great Plains rely on the waters of the life-giving Missouri River for the present and future existence and the Dakota Access Pipeline construction poses a very serious risk to that continued existence; and
- Whereas:** The Dakota Access Pipeline threatens the safety of the areas of fish and wildlife, sacred sites and historic and archaeological resources that lie within and without the Standing River Sioux Reservation and associated lands; and
- Whereas:** The Nation calls on the Army Corps of Engineers to fully comply with the National Environmental Policy Act including the recognition of the Sovereign Tribes that would be impacted by the Dakota Access Pipeline; and
- Whereas:** The Nation hereby expresses strong unity with the Standing Rock Sioux and all the Sovereign Tribes that Tribal Nations must be recognized as sovereigns, government to government, and be included as participants in sufficient, timely and fair consultation.

**NOW, THEREFORE BE IT RESOLVED** that the Prairie Band Potawatomi Nation hereby stands with the Standing Rock Sioux Tribe and all of the Tribal Nations in opposing the Dakota Access Pipeline and hereby approves the Chair to send a letter to the Standing Rock Sioux Tribal Chairman and Council proclaiming the Prairie Band Potawatomi Nation's support; and authorizing the Chair to sign it.

### CERTIFICATION

This resolution was duly adopted on the 18th day of August 18, 2016 at a Meeting of the Prairie Band Potawatomi Tribal Council, during which ( 6 ) members were present, constituting a quorum, by a vote of ( 5 ) for, ( 0 ) opposed, ( 0 ) abstaining, ( 0 ) absent from voting and the Chair not voting.

ATTEST:

Camilla Chouteau

Camilla Chouteau, Secretary

Liana Onnen

Liana Onnen, Chairwoman

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal the day and year last above written.

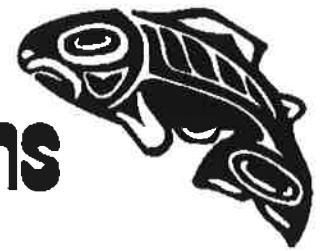


Pamela K. Bowman

Notary Public



# Puyallup Tribe of Indians



**PUYALLUP TRIBAL COUNCIL  
RESOLUTION NO. 180816-B**

WHEREAS, the Puyallup Tribe has existed since creation as the aboriginal people who are the owners and guardians of their lands and waters; and

WHEREAS, the Puyallup Tribe is an independent sovereign nation, having historically negotiated with several foreign nations including the United States in the *Medicine Creek Treaty*; and

WHEREAS, the Puyallup Tribal Council is the governing body of the Puyallup Tribe in accordance with the authority of its sovereign rights as the aboriginal owners and guardians of their lands and waters, reaffirmed in the *Medicine Creek Treaty*, and their *Constitution and Bylaws*, as amended and approved by the Tribe and the Assistant Secretary of the Interior; and

**The Puyallup Tribal Council declares its support  
for the Standing Rock Sioux Tribe in opposition to  
the Dakota Access Pipeline.**

WHEREAS, the Puyallup Tribe has a primary interest in protecting and preserving its environment and natural resources, which are integral components of the Tribe's economic, social, cultural and spiritual life, and the Tribal Council is aware that activities both on and near the Puyallup Reservation ("Reservation") may adversely affect these resources and values, and may impair the health and welfare of the Reservation population. Off-Reservation activities may adversely affect the Tribe's Treaty fishery rights and other cultural and spiritual interests of the Tribe; and

WHEREAS, the Puyallup Tribe has an interest in protecting resources of all tribes from exploitation and violations of Tribal Treaty Rights; protecting and preserving tribes' environment and natural resources; and recognizes that activities both on or near tribal reservations may adversely affect these resources and values, may impair the health and welfare of tribal populations across the country, and may adversely affect cultural and spiritual interests of tribes; and

WHEREAS, the Puyallup Tribe is aware that the Standing Rock Sioux Tribe is facing threats to its water, damage to sacred sites, and impacts to its culture and tribal members health as a result of the approval and construction of the Dakota Access Pipeline through the Missouri River;

NOW, THEREFORE, BE IT RESOLVED, that the Puyallup Tribe of Indians stands with the

**PUYALLUP TRIBAL COUNCIL**  
**RESOLUTION NO. 180816-B**  
**Page 2 of 2**

Standing Rock Sioux Tribe in opposition to the Dakota Access Pipeline and calls for federal regulators to reverse the approval of the pipeline and protect the Standing Rock Sioux Tribe's resources, Treaty Rights, members, and lands.

BE IT FINALLY RESOLVED, the Tribal Council of the Puyallup Tribe of Indians authorizes the Tribal Council Chairman (Bill Sterud), and in his absence, the Vice-Chairman (Lawrence LaPointe), to execute this Resolution and other implementing instruments, or amendments, required on behalf of the Tribe.

**CERTIFICATION**

I, Doreen Contreras, Secretary of the Puyallup Tribal Council of the Puyallup Reservation, do hereby certify that the above Resolution was duly adopted at a Regular Meeting of the Puyallup Tribal Council held on the Puyallup Indian Reservation on the 18 day of AUG 2016, a quorum being present, with a vote of 3 FOR, 0 AGAINST, 1 ABSTAINING, and 1 NOT VOTING its adoption.

Doreen Contreras  
Secretary, Puyallup Tribal Council

**ATTEST:**

Bill Sterud  
Bill Sterud, Chairman  
Puyallup Tribal Council

# Council Determination Report FY 2016 (253) 573-7828

Any questions - please contact Puyallup Tribal Council Offices at 573-7828; 7829; 7827; 7949 or 7982

Entered: 8/16/16 Time: 8:59 AM Status of Request: CLOSED CDR #: 2755  
CDRIDs: OTR010 Submitted By: David Bean BY: AR  
Department / Entity: Other/ Outside Agencies requests

The Standing Rock Sioux Tribe is asking all U.S. Indigenous People around the world to stand with the Standing Rock by issuing proclamations, resolutions, and/ or letters of support, which may be e-mailed to Steve Sitting Bear. How would Council like to proceed?

Meeting Date: 8/18/2016 CHAIR: Bill Sterud RECORDING SECRETARY: Doreen Contreras  
Method: Motion No. 6 Action by Council: Approved - See Comment Bow Below  
Motion by: David Z. Bean Second by: Tim Reynon  
Bill Sterud: Not Voting Lawrence W LaPointe: Not Present  
David Z Bean: FOR Tim Reynon: FOR  
Marguerite Edwards: FOR  
Annette M Bryan: Not Present Sylvia P Miller: ABSTAIN  
Tally Vote: 3 For 0 Against 1 Abstain Motion Carries RESOLUTION NO: 180816-B  
Document tracking and Council comments:

08/18/16dc-Approved to Add Lue Shippentower's name(to receive 7 days worth of perdiem, mileage, and hotel) as a driver with Nancy Shippentower - AND - Approving request to use \$2,000 for GAS CARDS of the \$10,000 unob-rev.  
08/18/16dc-Resolution approved by motion.

08/18/16dc-Resolution was submitted for APPROVAL - supporting the Standing Rock Sioux Tribe in opposition to the Dakota Access Pipeline.

08/16/16ks- Approved \$10,000 from unobligated revenue to purchase supplies. Approve for Nancy Shippentower-Games to transport the supplies in a GSA van. Nancy Shippentower to receive 7 days worth of perdiem, mileage, and hotel.

# QUAPAW TRIBE OF OKLAHOMA

P.O. Box 765  
Quapaw, OK 74363-0765

**RESOLUTION NO. 081816-A**

(918) 542-1853  
FAX (918) 542-4694

## **A RESOLUTION IN SUPPORT OF THE STANDING ROCK SIOUX TRIBE IN OPPOSITION TO THE DAKOTA ACCESS PIPELINE**

**WHEREAS**, the Quapaw Tribe of Oklahoma is a federally recognized Indian Tribe and is governed by a Governing Resolution that was duly adopted by the Quapaw Indian Council on August 19, 1956 and approved by the Commissioner of Indian Affairs on September 20, 1957; and

**WHEREAS**, the Governing Resolution delegates authority to the Quapaw Tribal Business Committee to speak and act on behalf of the Quapaw Tribe; and

**WHEREAS**, the Quapaw Tribal Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Tribe in all matters; and

**WHEREAS**, the Quapaw Tribe of Oklahoma is committed to supporting the Standing Rock Sioux Tribe against the Dakota Access Pipeline as it is a threat to the health, welfare, and safety of their people, as well as their livestock.

**WHEREAS**, we understand this Access Pipeline may seem as a more direct, and cost efficient solution, however the risks far outweigh the benefits.

**NOW THEREFORE, BE IT RESOLVED**, the Quapaw tribe of Oklahoma will continue to support the Standing Rock Sioux Tribe with their opposition to the Dakota Access Pipeline.

### **CERTIFICATION**

The foregoing resolution of the Quapaw Tribe of Oklahoma was duly adopted through telephone/electronic poll of the Quapaw Tribal Business Committee on August 18, 2016, with a vote reflecting 6 yes, 0 no, 0 abstaining, and 1 absent.

  
John L. Berrey, Chairman  
Quapaw Tribal Business Committee

  
Thomas Mathews, Vice-Chairman  
Quapaw Tribal Business Committee





**SAN CARLOS APACHE TRIBE  
SAN CARLOS APACHE INDIAN RESERVATION  
SAN CARLOS, ARIZONA**

**No. AU-16-155**

**(Supporting the Standing Rock Sioux Tribe's Opposition to the Dakota Access Pipeline)**

**WHEREAS**, the San Carlos Apache Tribe (the "Tribe") is a federally recognized Indian Tribe organized pursuant to the provisions of Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984); and

**WHEREAS**, the San Carlos Council ("Council") has the authority, among other things, to "represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to [the Tribe's] Constitution and Bylaws," pursuant to Article V, Sections 1(a) of the Amended Constitution and By-Laws of the San Carlos Apache Tribe; and

**WHEREAS**, Article 2 of the Treaty of Fort Laramie of 1868 provides for the "undisturbed use and occupation" of the Great Sioux Reservation by the Standing Rock Sioux Tribe; and

**WHEREAS**, the Dakota Access Pipeline, LLC, has proposed to construct a 1,100 mile pipeline, with a capacity of 570,000 barrels of crude oil per day, to cross the Missouri River immediately above the mouth of the Cannonball River on the Standing Rock Reservation, thus threatening the Standing Rock Sioux Tribe with the likely potential of an epic environmental catastrophe that would damage the environment and certain sacred sites within the Reservation and the Tribe's ancestral homelands, thereby causing the utmost cultural, spiritual, religious, ecological and economic harm to the Tribe and its members; and

**WHEREAS**, the Standing Rock Sioux Tribe has filed for injunctive relief against the U.S. Army Corps of Engineers for certain actions to permit and authorize the DAP's pipeline construction and operation; and

**WHEREAS**, by Resolution No. AP-15-086, the Council did oppose a similar effort under the Southwestern Arizona Land Exchange and Conservation Act, which was buried within the National Defense Authorization Act for Fiscal Year 2015 and which proposes an exchange of Chi'chil Bildagoteel, known as Oak Flat, a sacred site critical to the religious and cultural beliefs of the San Carlos Apache Tribe, to Resolution Copper, a subsidiary of foreign mining giants, Rio Tinto and BHP Billiton; and



# Santee Sioux Nation

## TRIBAL COUNCIL HEADQUARTERS

Chairman: Roger Trudell  
Vice Chairman: David Henry  
Treasurer: Frank Whipple  
Secretary: Stuart Redwing



108 Spirit Lake Avenue West  
Niobrara, NE 68760-7219  
Phone: 402-857-2772  
Fax: 402-857-2779

## RESOLUTION OF THE SANTEE SIOUX NATION

### OPPOSITION OF THE DAKOTA ACCESS PIPELINE AND SUPPORT FOR THE STANDING ROCK SIOUX TRIBE

Resolution No. FY2016- 43

**WHEREAS**, the Santee Sioux Nation is a federally-recognized Indian Tribe pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984), codified at 25 U.S.C. 476, *et seq.*, as amended by the Act of June 15, 1935, (49 Stat. 378); and

**WHEREAS**, the Santee Sioux Nation is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-Laws, amended on August 30, 2002 by Secretarial Election; and

**WHEREAS**, under Article III, Section 1 of the Tribal Constitution, the Santee Sioux Nation is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-Laws; and

**WHEREAS**, the Santee Sioux Nation Tribal Constitution authorizes the Tribal Council, under Article IV, Section 1 of the Tribal Constitution, the Tribal Council has the power to promulgate and enforce ordinance providing for the maintenance of law and order and general welfare of the nation; and

**WHEREAS**, the Santee Sioux Nation Tribal Constitution authorizes the Tribal Council, under Article IV, of the Tribal Constitution, the Tribal Council has the power to exercise all rights; and

**WHEREAS**, the Santee Sioux Nation, a Tribal Campfire of the Oceti Sakowin or 7 Council Fires of the Sioux, hereby support the efforts of the Standing Rock Sioux Tribe in opposition of the Dakota Access Pipeline or any other pipeline that threatens the future of our beautiful lands of the Great Sioux Nation; and

**WHEREAS**, The DAKOTA ACCESS PIPELINE THREATENS PUBLIC HEALTH AND WELFARE ON THE STANDING ROCK INDIAN RESERVATION AND ALL MISSOURI RIVER TRIBES; and

**WHEREAS**, THE MISSOURI RIVER TRIBES RELIES ON THE WATERS OF THE LIFE-GIVING MISSOURI RIVER FOR OUR CONTINUED EXISTANCE, AND THE DAKOTA ACCESS PIPELINE POSES A SERIOUS RISK TO MNI SOSE AND THE VERY SURVIVAL OF OUR MISSOURI RIVER TRIBES; and

**WHEREAS**, THE HORIZONTAL DIRECTION DRILLING IN THE CONSTRUCTION OF THE PIPELINE WOULD DESTROY VALUABLE CULTURAL RESOURCES OF THE STANDING

# Santee Sioux Nation

108 Spirit Lake Avenue West  
Niobrara, NE 68760-7219



ROCK SIOUX TRIBE AND ALL OTHER TRIBES AND PEOPLE DEPENDANT UPON THE RIVER & AQUAFIERS RESOURCES; and

**WHEREAS**, THE DAKOTA ACCESS PIPELINE VIOLATES ARTICLE 2 OF THE 1868 FORT LARAMIE TREATY WHICH GUARANTEES THAT THE STANDING ROCK SIOUX TRIBE SHALL ENJOY THE "UNDISTURBED USE AND OCCUPATION" OF THE PERMANENT HOMELAND; and

**WHEREAS**, the Tribal Council has determined that it is in the best interest of the Santee Sioux Nation to FULLY SUPPORT THE EFFORTS OF THE STANDING ROCK SIOUX TRIBE AND ALL OTHER TRIBES AND PEOPLE TO STOP THE DAKOTA ACCESS PIPELINE FROM THREATENING THE PEOPLE AND HOMELANDS.

**NOW THEREFORE BE IT RESOLVED** that the Santee Sioux Nation, acting through its Tribal Council, DOES HEREBY STRONGLY OPPOSE THE DAKOTA ACCESS PIPELINE AND WE OFFER OUR FULL SUPPORT OF THE STANDING ROCK SIOUX TRIBE'S OPPOSITION TO THE DAKOTA ACCESS PIPELINE; AND

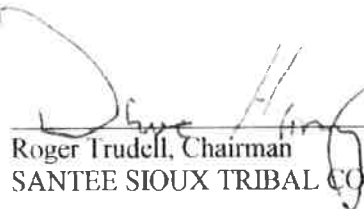
**BE IT FURTHER RESOLVED**, that THE SANTEE SIOUX NATION TRIBAL COUNCIL CALLS UPON THE SECRETARY OF THE INTERIOR, AS THE INSTITUTIONAL OFFICER PRIMARILY RESPONSIBLE FOR THE IMPLEMENTATION OF THE FEDERAL TRUST RESPONSIBILITY OF THE STANDING ROCK SIOUX TRIBE TO FULLY EXERCISE THE TRUST RESPONSIBILITY AND ENSURE THAT THE FEDERAL GOVERNMENT REJECTS THE DAKOTA ACCESS PIPELINE; AND

**BE IT FINALLY RESOLVED**, that THE CHAIRMAN AND SECRETARY OF THE TRIBAL COUNCIL HEREBY AUTHORIZED AND INSTRUCTED TO SIGN THIS RESOLUTION FOR AND ON BEHALF OF THE SANTEE SIOUX NATION, ISANTI BAND OF THE OCETI SAKOWIN.

## CERTIFICATION

This will certify that the foregoing resolution was considered at a meeting of the Santee Sioux Tribal Council of the Santee Sioux Nation, duly called and held on the 15<sup>th</sup> day of August, 2016, and was adopted by a vote of 7 FOR, 0 AGAINST and 1 NOT VOTING OR ABSENT. A quorum of 8 was present.

Dated this 15<sup>th</sup> day of August, 2016.

  
Roger Trudell, Chairman  
SANTEE SIOUX TRIBAL COUNCIL

ATTEST:

  
Stuart Redwing, Secretary  
SANTEE SIOUX TRIBAL COUNCIL

## RESOLUTION

**WHEREAS**, the Shoshone-Bannock Tribes has existed since creation as the aboriginal people who are the owners and guardians of their lands and waters; and

**WHEREAS**, the Fort Hall Business Council is the governing body of the Shoshone-Bannock Tribes (Tribes) in accordance with the authority of its sovereign rights as the aboriginal owners and guardians of their lands and waters, and

**WHEREAS**, the Tribes has a primary interest in protecting and preserving its environment and natural resources, which are integral components of the Tribe's economic, social, cultural and spiritual life, and the Tribal Council is aware that activities both on and near the Fort Hall Indian Reservation ("Reservation") may adversely affect these resources and values, and may impair the health and welfare of the Reservation population; and

**WHEREAS**, the Tribes is aware that the Standing Rock Sioux Tribe is facing threats to its water, damage to sacred sites, and impacts to its culture and tribal member's health as a result of the approval and construction of the Dakota Access Pipeline through the Missouri River;

**NOW, THEREFORE, BE IT RESOLVED BY THE FORT HALL BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES**, that approval is hereby given to support for the Standing Rock Sioux Tribe in opposition to the Dakota Access Pipeline and calls for federal regulators to reverse the approval of the pipeline and protect the Standing Rock Sioux Tribe's resources, Treaty Rights, members, and lands.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat., 984), as amended and under Article VI, Section 1 (r) of the Constitution and Bylaws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation of Idaho.

Dated this 17<sup>th</sup> day of August, 2016




Blaine Edmo, Tribal Chairman  
Fort Hall Business Council

SEAL

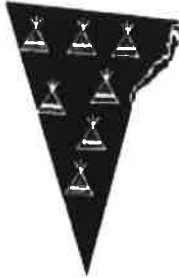
## CERTIFICATION

**I HEREBY CERTIFY**, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 5 in favor, 1 abstained (TB), and 1 not voting (BJE) on the date this bears.



Marcus Coby, Tribal Secretary  
Fort Hall Business Council

FHBC-2016-1195



## **Sisseton Wahpeton Oyate**

LAKE TRAVERSE RESERVATION

P.O. Box 509

100 Veterans Memorial Drive

Agency Village, South Dakota 57262-0509

Phone: (605) 698-3911

### **TRIBAL COUNCIL RESOLUTION NO. SWO-14-113**

#### **Sisseton-Wahpeton Oyate Opposition to Dakota Access Pipeline Project**

- WHEREAS,** The Sisseton-Wahpeton Oyate is organized under a Constitution and By-laws adopted by the members of the Tribe on August 1-2, 1988, and approved by the Commissioner of Indian Affairs on August 25, 1988, and last amended effective November 15, 2006; and
- WHEREAS,** The Constitution ARTICLE III, Section 1, states that, the Sisseton-Wahpeton Oyate shall be governed by a Council, and ARTICLE VII, Section 1, states that, the Council shall have the following powers: (a) to represent the Tribe in all negotiations with Federal, State and local governments; (b) to acquire, own, use, manage, lease and otherwise encumber and to dispose of Tribal property, both real and personal, wherever situated; (c) to engage in any business that will further the economic development of the Tribe and its Members, and to use Tribal funds or other resources for such purposes; (d) to make rules governing the relationship of the members of the Tribe, to Tribal property, and to one another as members of the Tribe; (e) to hire employees and agents, including legal counsel, directly or as independent contractors, and to compensate them for their services; (f) to deposit Tribal funds to the credit of the Tribe, without limitations of the amount in any account; (g) to take any action by ordinance, resolution, or otherwise which are reasonably necessary through committees, boards, agents or otherwise, to carry into effect the for-going purposes; (h) to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Sisseton-Wahpeton Oyate; (i) adopt resolutions regulating the procedures of the Tribal Council, its officials and committees in the conduct of Tribal Affairs, and
- WHEREAS,** Tribal Historic Preservation Office (THPO) was established in 2005 to promote, educate, enhance, identify, encourage and preserve cultural and traditional activities, materials and areas for the benefit of future generations; and
- WHEREAS,** The Office of Environmental Protection (OEP) was established in 1995 to protect, preserve and enhance the environment for the health and safety of the people of the Lake Traverse Reservation; and
- WHEREAS,** The Sisseton-Wahpeton Oyate, Tribal Council has the responsibility to insure the preservation and protection of their people residing on the Lake Traverse Reservation; and
- WHEREAS,** Although the Sisseton-Wahpeton Oyate understands that the Dakota Access Pipeline Project's stated goal is to avoid all tribal and public lands, the historical and environmental concerns still exist; and

**WHEREAS,** The Sisseton-Wahpeton Oyate Tribal Council is extremely concerned about the potential contamination of the waterways and wetlands that the Dakota Access Pipeline proposes to cross; and

**WHEREAS,** The Sisseton-Wahpeton Oyate Tribal Council is also extremely concerned about the potential for infringement on any traditional and historical lands within the route of the Dakota Access Pipeline Project that has been proposed and is in its preliminary stages.

**NOW, THEREFORE BE IT RESOLVED,** in furtherance of its cultural, historical, and environmental preservation obligations, the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation opposes to the Dakota Access Pipeline Project; and

**FINALLY, BE IT RESOLVED,** That the Tribal Council of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation hereby objects to any permits being issued by the Army Corp of Engineers or the State of South Dakota.


### CERTIFICATION

*We, the Undersigned duly elected Tribal Chairman and Tribal Secretary of the Sisseton-Wahpeton Oyate Tribal Council, do hereby certify that the above resolution was duly adopted by the Sisseton-Wahpeton Oyate Tribal Council, which is composed of 10 members (representing a total of 15 Tribal Council weighted votes and two Executive Committee votes for a total of 17 votes) of whom 9 constituting a quorum, were present at a Tribal Council meeting, duly noticed, called, convened and held at the TiWakan Tio Tipi, Agency Village, South Dakota, November 25, 2014, by a vote of 16 for, 0 opposed, 0 abstained, 0 absent from vote, 1 not voting, and that said Resolution has not been rescinded or amended in any way.*

Dated this 25<sup>th</sup> day of November 2014.

ATTEST

  
Robert Shepherd, Tribal Chairman  
Sisseton-Wahpeton Oyate

  
Robin Quinn, Tribal Secretary  
Sisseton-Wahpeton Oyate







PHONE (360) 598-3311  
Fax (360) 598-6295  
<http://www.suquamish.nsn.us>

## THE SUQUAMISH TRIBE

PO Box 498 Suquamish, WA 98392-0498

August 19, 2016

The Honorable Jo-Ellen Darcy  
Assistant Secretary of the Army for Civil Works  
108 Army Pentagon  
Washington DC 20310-0108

RE: Rescind the Army Corps Permit - Dakota Access Pipeline

Dear Assistant Secretary Darcy:

The Suquamish Tribe has been following the events leading up to the U.S. Army Corps of Engineers (Corps) approval of the permit for the Dakota Access Pipeline (DAPL). The Tribe strongly urges the federal government to rescind this permit. The DAPL permit approval is yet one more example to add to the unfortunate legacy of the Corps failure to engage in tribal consultation pursuant to Department of Defense Policies. The authorization of this permit also appears to violate the statutory requirements of the National Historic Preservation Act, the Clean Water Act, and the Rivers and Harbors Act as set forth in the Standing Rock Sioux Tribe's Complaint and Motion for Preliminary Injunction that was filed in the United States District Court for the District of Columbia. It is clear that the concerns of the Standing Rock Sioux Tribe concerning cultural, natural, and water resources have not been properly addressed or considered by the Corps.

The Corps Tribal Consultation Policies<sup>1</sup> provide six principles that guide Corps activities and operations and address the Corps consultation requirements with Tribes are:

- Meet the Trust responsibility;
- Honor the government-to-government relationship;
- Acknowledge the inherent sovereignty of Tribes;
- Engage in pre-decisional consultation;
- Protect natural and cultural resources when possible; and
- Find opportunities to use existing authorities to encourage economic capacity building and growth.

The Corps policy indicates that the local office "leads the way." In addition, the Corps website expressly addresses the Corps pre-decisional consultation requirements with Tribes, "The U.S. Army Corps of Engineers will involve Tribes collaboratively, before and throughout decision making, to ensure the timely exchange of information, the consideration of disparate viewpoints and the utilization of fair and impartial dispute resolution processes." Other key Department of Defense (DOD) consultation principles articulated

---

<sup>1</sup> "US Army Corps of Engineers (USACE) Update on Compliance with Policies and Directives of President Obama's Memorandum on Tribal Consultation, 5 Nov 2009" July 25, 2011; American Indian and Alaska Native Policy and Department of Defense Instruction Number 4710.02: DoD Interactions with Federally-Recognized Tribes (2006).

in DOD policies include, but are not limited to, building stable and enduring government-to-government relations with tribes and integrating consultation such as:

*Recognizing that there exists a unique and distinctive political relationship between the United States and the tribes that mandates that, whenever DoD actions may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands, DoD must provide affected tribes an opportunity to participate in the decision-making process that will ensure these tribal interests are given due consideration in a manner consistent with tribal sovereignty authority (m); (emphasis added)*

*Taking appropriate steps to remove any procedural or regulatory impediments to DOD working directly and effectively with tribes on activities that may have the potential to significantly affect protected tribal resources, tribal rights, and Indian lands; (emphasis added)*

*Providing timely notice to, and consulting with tribal governments prior to taking any actions that may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands; (emphasis added)*

The Corps failing to engage in meaningful and timely tribal consultation when federal actions impact tribal rights and resources has a long history that, sadly, remains true today. At the June 2016 Midyear meeting of the National Congress of American Indians (NCAI), the General Assembly adopted Resolution SPO-16-002 (attached) urging the Department of Defense to reaffirm its commitment to consult with Tribal Nations when its activities impact tribal interests. More specifically the resolution states in part:

**WHEREAS**, although the Department of Defense’s policy calls on it to “provid[e] timely notice to, and consult[] with, tribal governments prior to taking any actions that may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands” and to “consult [] in good faith throughout the decision-making process; and . . .

**WHEREAS**, tribal consultation is not just a procedural step in the Department of Defense’s planning and decision-making process but is a substantive federal trust obligation that requires heightened awareness and diligence; and . . .

**BE IT FURTHER RESOLVED**, that the Department of Defense should on a facility-by-facility basis ensure that a proper tribal consultation protocol is in place where appropriate and that the tribal consultation protocol is followed; and . . .

**BE IT FURTHER RESOLVED**, that the Department of Defense should proactively seek to minimize its impacts on tribal resources and mitigate any negative impacts; . . .

The passage of Resolution #SPO-16-002 offers a collective voice for 562 individually recognized Indian Tribes across the United States sounding the alarm that DoD’s written tribal consultation principles and policies are not being followed and are, therefore, inconsistent with DoD’s federal trust obligation and are not protective of tribal interests. The Corps approval of the permit for the DAPL without tribal

Ms. Darcy  
August 19, 2016  
Page 3

consultation is on point for this issue. The Tribe urges the Corps to re-examine the manner in which tribal consultation is inconsistent with DoD policies to ensure that reserved-treaty rights and resources can be protected not only in North Dakota but across the country, including the Pacific Northwest, the Suquamish Tribe's homeland since time immemorial.

The Corps is also aware that the Supreme Court has recognized the "undisputed existence of a general trust relationship between the United States and the Indian people." *United States v. Mitchell*, 463 U.S. 206, 225 (1983). The obligation of the trust relationship has been interpreted to impose the highest fiduciary duty owed in conducting "any Federal government action" which relates to Indian tribes. *Nance v. Environmental Protection Agency*, 645 F.2d 701, 711 (9th Cir. 1981) (EPA owes a fiduciary duty in its action); *Pyramid Lake Tribe v. Navy*, 898 F. 2d 1410, 1420 (9th Cir. 1990) (Navy owes fiduciary duty in its action); *Northwest Sea Farms v. United States Army Corps of Eng'r*, 931 F.Supp. 1515, 1520 (1996) (fiduciary duty applies to permit decisions by the Corps); *Muckleshoot v. Hall*, 698 F. Supp. 1504, 1510-11(1988) (fiduciary duty applies to permit decisions by the Corps).

In carrying out its fiduciary duty, it is the government's responsibility to ensure that Indian treaty rights are given full effect. See *Seminole Nation v. United States*, 316 U.S. 286, 296-97 (1942). Federal agencies have a duty to investigate potential adverse impacts of treaty-secured resources thoroughly, and not simply make a "judgment call" or balance competing interests in choosing the appropriate course of action. See *Pyramid Lake Paiute Tribe v. Morton*, 354 F. Supp. 252, 256 (D.D.C. 1973); *Northwest Sea Farms*, 931 F. Supp. at 1521. Unfortunately, here, the Corps has not upheld its trust obligation by ignoring the Standing Rock Sioux Tribe's concerns and blindly authorizing the DAPL permit.

We appreciated your consideration of our comments. The Tribe urges you take action and re-engage in a proper and meaningful process that addresses the sovereignty of the Standing Rock Sioux Tribe and its right to protect the health and welfare of its people.

Respectfully,

A handwritten signature in blue ink that reads "Bardow M. Lewis". The signature is fluid and cursive, with the first name "Bardow" being more prominent.

Bardow M. Lewis, Vice-Chairman  
Suquamish Tribe

cc: Steve Sittingbear, Standing Rock Sioux Tribe, External Relations

**Shelley Buck**  
President

**Edward Buck**  
Secretary



**Lucy Taylor**  
Vice President

**Johnny Johnson**  
Treasurer

**Audrey Bennett**  
Assistant Secretary/Treasurer

**Prairie Island Tribal Council  
(A Tribal Government)**

**RESOLUTION 16-08-17-128**

**PRAIRIE ISLAND INDIAN COMMUNITY TRIBAL COUNCIL RESOLUTION  
OF FULL SUPPORT OF THE STANDING ROCK SIOUX TRIBE AND ALL  
MISSOURI RIVER TRIBES IN THE FIGHT AGAINST THE SITING OF THE  
DAKOTA ACCESS PIPELINE**

**WHEREAS**, the Prairie Island Indian Community in the State of Minnesota (also known as the Prairie Island Mdewakanton Dakota Community) is a federally recognized tribe organized under 25 U.S.C. § 476, and is governed under the terms of a Constitution and Bylaws adopted by tribal members on May 23, 1936, and approved by the Secretary of the Interior on June 20, 1936, as amended (the "Constitution and Bylaws"); and

**WHEREAS**, the Constitution and Bylaws provide in Article IV, Section 1 that the Community Council (sometimes referred to as the Tribal Council) shall be the governing body for the Prairie Island Indian Community; and

**WHEREAS**, the Prairie Island Community Council (sometimes referred to as "Tribal Council") has the authority under the Constitution and Bylaws to promulgate resolutions; and

**WHEREAS**, the Tribal Council is the duly elected body and the only entity authorized to act or speak on behalf of the Prairie Island Indian Community; and

**WHEREAS**, a battle is being waged against our relatives—the Oceti Sakowin—of the Standing Rock Sioux Tribe of North Dakota, and several other Missouri River tribal communities, and the Tribal Council wishes to express its intent to stand in solidarity with Standing Rock and all other affected Native American communities; and

**WHEREAS**, the Dakota Access Pipeline LLC wishes to construct a 1,172 mile pipeline with a potential capacity of 570,000 barrels of crude oil per day, to cross the Missouri River immediately above the mouth of the Cannon Ball River on the Standing Rock Indian Reservation; and

**WHEREAS**, the people of the Standing Rock Sioux Tribe rely upon the waters of the Missouri River for their continued existence and way of life, and the current site of the Missouri River crossing of the Dakota Access Pipeline poses a threat to this existence and way of life, as well as the water intake systems for the Cheyenne River Indian Reservation, the Oglala, Rosebud, Crow Creek and the Lower Brule Sioux Tribes; and

**WHEREAS**, the potential for an oil spill from the proposed Dakota Access Pipeline poses unacceptable risk to the waters, fish and wildlife critical to the survival of our way of life; and

**WHEREAS**, the construction of the Dakota Access Pipeline threatens the integrity of sacred sites and historic and archaeological resources; and

**WHEREAS**, the Dakota Access Pipeline LLC once considered a route that would cross the Missouri River upstream of Bismarck, North Dakota, but that proposal was changed, according to sources, because the pipeline could potentially negatively impact drinking water for the (primarily Caucasian) people of Bismarck, so the route was relocated to place that risk upon the Standing Rock Oyate who also get their drinking water from the Missouri River; and

**WHEREAS**, the United States Army Corps of Engineers is responsible for the environmental review of the Missouri River crossing of the Dakota Access Pipeline under the National Environmental Policy Act (NEPA), and, based on information and belief, the U.S. Army Corps of Engineers has not indicated an intention to comply with NEPA or the National Historic Preservation Act (NHPA) in its oversight of the Missouri River crossing of the Dakota Access Pipeline; and

**WHEREAS**, based on information and belief the approval of the Dakota Access Pipeline Missouri River crossing is a significant action requiring consultation under applicable Treaties and under Executive Order 13175 on Government-to-Government Consultation, however, the U.S. Army Corps of Engineers has failed to engage in the requisite consultation on this destructive project; and

**WHEREAS**, the United States Department of the Interior stated in its March 29, 2016 letter to the U.S. Army Corps of Engineers that “[t]he routing of a 12- to 30-inch crude oil pipeline in close proximity to and upstream of the Reservation is of serious concern to the Department . . . A spill could impact the waters that the Tribe and individual tribal members residing in that area rely upon for drinking and other purposes . . . We believe that, if the pipeline’s current route along the edge of the Reservation remains an option, the potential impact on trust resources in this particular situation necessitates full analysis and disclosure of potential impacts through the preparation of an [Environmental Impact Statement;]”; and



**WHEREAS**, in addition to the Department of Interior, at least two other Federal Agencies, the Environmental Protection Agency and the Advisory Council on Historic Preservation, have criticized the U.S. Army Corps of Engineers for a lack of consultation with the affected tribal nations and called for the U.S. Army Corps of Engineers to comply with its legal obligations; and

**WHEREAS**, the Prairie Island Indian Community is intimately familiar with destruction at the hands of the U.S. Army Corps of Engineers. In 1938, the U.S. Army Corps of Engineers built Lock and Dam No. 3 approximately one-and-a-half miles downstream from the Prairie Island Indian Reservation. Lock and Dam No. 3 devastated the Community's land, flooding burial mounds, and creating an even larger floodplain which left the Tribe with only 300 livable acres. This Community is also under the constant threat of a catastrophic event at the nuclear power plant that was sited 600 yards from the Community's homeland, Tinta Wita, making us even more sympathetic to and outraged by the events at Standing Rock; and

**NOW THEREFORE BE IT RESOLVED**, that the Prairie Island Indian Community Tribal Council fully supports the Standing Rock Sioux Tribe, and the other Missouri River tribal communities, in the efforts to oppose the location of the Dakota Access Pipeline, and to challenge the improper actions of the U.S. Army Corps of Engineers through litigation and other means.

**BE IT FURTHER RESOLVED**, the Prairie Island Indian Community Tribal Council demands that the U.S. Army Corps of Engineers comply with all Treaties, Executive Orders, government-to-government consultation mandates, and federal laws in connection with the Dakota Access Pipeline and the affected Native American communities.

**BE IT FURTHER RESOLVED**, that the Prairie Island Indian Community Tribal Council calls on all United States' elected officials to speak out in opposition to the Dakota Access Pipeline Missouri River crossing, to put those words into action, and to use all available resources to ensure that the United States upholds its federal trust responsibility to the affected Native American communities.

### VOTE SUMMARY

President Shelley Buck	<input checked="" type="checkbox"/> for, <input type="checkbox"/> against, <input type="checkbox"/> abstain, <input type="checkbox"/> absent
Vice President Lucy Taylor	<input checked="" type="checkbox"/> for, <input type="checkbox"/> against, <input type="checkbox"/> abstain, <input type="checkbox"/> absent
Secretary Edward Buck	<input checked="" type="checkbox"/> for, <input type="checkbox"/> against, <input type="checkbox"/> abstain, <input type="checkbox"/> absent
Treasurer Johnny Johnson	<input checked="" type="checkbox"/> for, <input type="checkbox"/> against, <input type="checkbox"/> abstain, <input type="checkbox"/> absent
Asst. Sec./Treasurer Audrey Bennett	<input checked="" type="checkbox"/> for, <input type="checkbox"/> against, <input type="checkbox"/> abstain, <input type="checkbox"/> absent



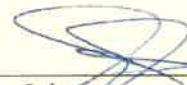
Shelley Buck  
Tribal Council President



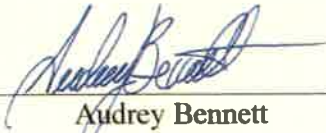
Lucy Taylor  
Tribal Council Vice President



Edward Buck  
Tribal Council Secretary



Johnny Johnson  
Tribal Council Treasurer



Audrey Bennett  
Tribal Council Assistant Secretary/Treasurer

# WINNEBAGO TRIBE OF NEBRASKA

P.O. Box 687 • Winnebago, Nebraska 68071 • PH: 402-878-2272 • Fax: 402-878-2963

Visit us at: [www.winnebagoTribe.com](http://www.winnebagoTribe.com)

WINNEBAGO AGENCY

## RESOLUTION #16- 58

2015 FEB 17 AM 10 12

### **WINNEBAGO TRIBAL COUNCIL HEREBY STRONGLY OPPOSES THE DAKOTA ACCESS PIPELINE.**

- WHEREAS;** the Winnebago Tribe of Nebraska is a federally recognized Indian Tribe organized pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984), (25 USC 476) as amended by the Act of June 15, 1935 (49 Stat. 378), and
- WHEREAS;** pursuant to Article I of the Winnebago Tribal Constitution and its inherent powers of self government, the Tribal Council is vested with the power, inter alia, "this Constitution shall apply to the territory embraced in the Winnebago Reservation in Nebraska, as the same as described by the Treaty of March 8, 1865 (14 Stat. 671) and the twenty (20) Sections included in the strip purchased in Nebraska for Wisconsin Winnebago's (18 Stat. 170, June 22, 1874) and such lands as may be added by Congress of the Tribe or reaffirmation of the title to lands through the courts to the Tribe except as otherwise provided by law", and
- WHEREAS;** pursuant to Article IV, Section I (c) of the Winnebago Tribal Constitution and its inherent powers of self government, the Tribal Council is vested with the power, inter alia, "to safeguard and promote the peace, safety, morals and general welfare of the Tribe", and
- WHEREAS;** The Dakota Access Pipeline LLC has proposed to construct a 1,100 mile pipeline with a capacity of 570,000 barrels of crude oil per day, to cross the Missouri River immediately above the mouth of the Cannon Ball River on the Standing Rock Indian Reservation; and
- WHEREAS;** recent oil spills, including the release of 840,000 gallons of oil near Tioga, N.D. in October, 2013; 51,000 gallons of oil released into the Yellowstone River upstream from Glendive, Montana, resulting in the shutdown of the community water system for 6,000 residents in January, 2015; as well as the release of 1,000,000 gallons of tar sands crude in Michigan's Kalamazoo River in July, 2010, demonstrate the danger in downstream communities and fish and wildlife from oil and gas pipelines such as Dakota Access; and
- WHEREAS;** the Tribes and Nations of the Great Plains Tribal Chairman's Association rely on the waters of the life-giving Missouri River for our continued existence, and the Dakota Access Pipeline poses a serious risk to Mni Sose and to the very survival of our Tribes and Nations; and
- WHEREAS;** the Dakota Access Pipeline poses a threat to water intake systems on the Standing Rock and Cheyenne River Indian Reservations and the Mni Wiconi intake serving the Oglala, Rosebud and Lower Brule Sioux Tribes; and
- WHEREAS;** The Dakota Access Pipeline threatens the integrity of sacred sites and historic and archaeological resources; and

**WHEREAS;** the potential for an oil spill from the proposed Dakota Access Pipeline poses unacceptable risk to the waters of the Great Plains Sovereign Tribes and Nations, and to fish and Wildlife critical to the survival of our way of life; and

**WHEREAS;** the approval of the Dakota Access Pipeline Missouri River crossing is a significant action requiring consultation with all the Great Plains Sovereign Tribes and Nations under our Treaties and under Executive Order 13175 on Government-to-Government Consultation, however, the Army Corps of Engineers has failed to engage in the requisite consultation on this destructive project; and

**WHEREAS;** the Army Corps of Engineers is responsible for the environmental review of the Missouri River crossing of the Dakota Access Pipeline under the National Environmental Policy Act (NEPA), and the Corps has not indicated an intention to comply with NEPA or the National Historic Preservation Act (NHPA) in its oversight of the Missouri River crossing Dakota Access Pipeline;

**WHEREAS;** the federal agencies responsible for the requisite environmental review under NEPA and the evaluation of adverse effects on cultural resources under section 106 of the NHPA have improperly segmented the project, in order to contravene the comprehensive environmental and cultural reviews that are required under federal law, thereby jeopardizing the land and waters of the Sovereign Tribes and Nations of the Great Plains Region.

**NOW THEREFORE BE IT RESOLVED,** that the Winnebago Tribal Council hereby strongly opposes the Dakota Access Pipeline.

**BE IT FURTHER RESOLVED;** that the Winnebago Tribal Council calls upon the Army Corps of Engineers to fully comply with the National Environmental Policy Act, through the preparation of an environmental impact statement on the entire Dakota Access Pipeline, including a comprehensive risk assessment from a potential oil spill at the crossing of the Missouri River and all other waterways.

**BE IT FURTHER RESOLVED;** that the Winnebago Tribal Council calls upon the Army Corps of Engineers to fully comply with section 106 of the National Historic Preservation Act for the entire length of the Dakota Access Pipeline.

**BE IT FURTHER RESOLVED;** that the Tribal Historic Preservation Officers of the Sovereign Tribes and Nations of the Great Plains Region are authorized to develop a common strategy to protect cultural resources from the Dakota Access Pipeline.

**BE IT FURTHER RESOLVED;** that the Winnebago Tribal Council calls upon the U.S. Senate Committee on Indian Affairs to conduct and oversight hearing on the failure of the Department of the Interior and the Army Corps of Engineers to respect Tribal Preservation Act, Executive Order 13175 and other Treaties, laws and executive orders that apply to the development of oil and gas pipelines on and near Indian land in the Great Plains Region.

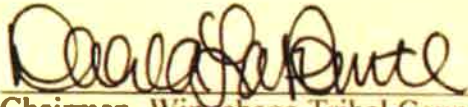
**BE IT FINALLY RESOLVED,** that this resolution shall be the policy of the Winnebago Tribal Council unless and until withdrawn by subsequent resolution.



## C E R T I F I C A T I O N

We, the undersigned Officers of the Winnebago Tribal Council, hereby certify that on the 15 day of February, 2016; at a meeting duly convened by the Winnebago Tribal Council, voted to adopt the above Resolution by a vote of 8 for, 0 against with 0 abstentions with the chairman and 0 members not voting.

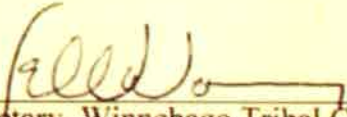
Dated this 15 day of February, 2016.



Chairman, Winnebago Tribal Council

Received:

*per. Darrell Ladner Jr.*  
Superintendent, Winnebago Agency



Secretary, Winnebago Tribal Council





**T-180-16**

**RESOLUTION**

**WHEREAS**, the Yakama Nation is a federally recognized Nation pursuant to the Treaty of 1855 (12 Stat. 951), and

**WHEREAS**, the Yakama Nation Tribal Council is the governing body of the Confederated Tribes and Bands of the Yakama Nation by the authority delegated by Resolution of 1944 and T-38-56, and

**WHEREAS**, the United States Army Corps of Engineers has authorized Dakota Access, LLC to construct a crude oil pipeline (the "Dakota Access Pipeline") in the natural territory of the Oceti Sakowin (Seven Council Fires); and

**WHEREAS**, the Dakota Access Pipeline, if built, will destroy sacred burial grounds and cultural sites, and undermine the cultural, heritage, and religion of the Indigenous Nation and Peoples that have a spiritual relationship to their territories and their ancestors, and

**WHEREAS**, the proposed Dakota Access Pipeline threatens two water sources, Lake Oahe and the Missouri River, that are essential to the environmental and economic wellbeing of the Standing Rock Sioux Tribe, and

**WHEREAS**, any oil spill from the Dakota Access Pipeline will have negative and potentially irreversible impacts upon the scared water sources of the Standing Rock Sioux Tribe and other Indigenous Nations, and

**WHEREAS**, the United States Army Corps of Engineers violated its trust responsibility by authorizing the construction of the Dakota Access Pipeline, which will destroy burial grounds and other culturally significant sites, and endanger the water sources of the Standing Rock Sioux Tribe, and

**WHEREAS**, the United States Army Corps of Engineers and other federal agencies have habitually violated their responsibility by violating rights Indigenous Nations reserved to their people in treaties between those nations and the United States of America, and

**WHEREAS**, the federal government has repeatedly violated, or failed to act to prevent violations of the Treaty of 1855 (12 Stat. 951) despite the recognition that Yakama Nation's reserved rights under the Treaty, and treaty rights in general, are the supreme law of the land under the United States Constitution.

**NOW, THEREFORE, BE IT RESOLVED**, by the Executive Committee of the Yakama Tribal Council, acting under authority delegated by Section III A of the Rules of Procedures, approved by Yakama Tribal Council Resolution T-10-61, dated July 13, 1960, and meeting at the Governmental Headquarters of the Yakama Nation, that the Yakama Nation opposes the authorization and construction of the Dakota Access Pipeline and stands with Standing Rock Sioux Tribe in their fight to protect their way of life, their water, their people, and their land from this threat.

**BE IT FURTHER RESLOVED**, the Yakama Nation calls upon the United States and its Army Corps of Engineers to fulfill its trust responsibility to the Standing Rock Sioux Tribe, and to protect the burial grounds, sacred sites, and water sources threatened by the Dakota Access Pipeline.

**BE IT FURTHER RESOLVED**, the Dakota Access Pipeline is an example of the ongoing environmental injustice suffered by indigenous communities throughout the United States, under which the adverse impacts of projects like this are inordinately shouldered by Native Americans while the scant benefits derived through such projects are almost never seen in any form, direct or indirect, in Indian Country.

**BE IT FURTHER RESOLVED**, the Yakama Nation will not sit idle while federal agencies, state governments, and private interests degrade and destroy the environment upon which our people and culture depend, we will take immediate and ongoing actions to prevent the continued decimation of our people, our lands, our waters, our culture, and our ways of life.

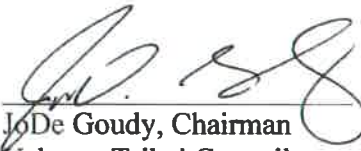
**BE IT FURTHER RESOLVED**, the Yakama Nation will also continue the fight and resist threatened violations of the rights reserved to indigenous people, including but not limited to the rights negotiated by our ancestors in the Treaty of 1855, to the greatest extent possible and permitted by law.


**BE IT FURTHER RESOLVED**, the Yakama Nation recognizes the Dakota Access Pipeline represents both an existential threat to the environment and indigenous people, and a threat of further violations of the rights of indigenous peoples, and therefore, will act immediately and vigorously to fight this threat.

**BE IT FURTHER RESOLVED**, that any member of the Executive Committee is authorized to negotiate and execute any associated contracts, agreements, amendments, as applicable, on behalf of the Tribal Council, as delegated by Section III A of the Rules of Procedures, and pursuant to T-10-61.

**BE IT FINALLY RESOLVED**, that the Yakama Nation does not waive, alter or otherwise diminish its Sovereign Immunity, whether expressed or implied, by virtue of this resolution for any and all administrative or legal actions which may arise directly or indirectly from the same; nor does the Yakama Nation waive, alter or otherwise diminish their rights, privileges, remedies or services guaranteed by the Treaty of 1855.

**DONE AND DATED** on this 17<sup>th</sup> day, of August 2016 by the undersigned members of the Executive Committee of the Yakama Tribal Council.

  
JoDe Goudy, Chairman  
Yakama Tribal Council

  
Delano Saluskin, Vice-Chairman  
Yakama Tribal Council

  
Athena Sanchez, Executive Secretary  
Yakama Tribal Council

Cc:

File  
Leg ca#030-2016  
Exe ca#120-2016



**OFFICERS:**  
ROBERT FLYING HAWK, CHAIRMAN  
JODY ZEPHIER, VICE CHAIRMAN  
GLENFORD "SAM" SULLY, SECRETARY  
LEO O'CONNOR, TREASURER

**COUNCIL**  
JASON COOKE  
GREGORY COURNOYER Jr.  
DIANE MERRICK  
ROSEANNE WADE  
MONA WRIGHT

**YANKTON SIOUX TRIBE  
GENERAL COUNCIL  
RESOLUTION NO. 2016-012**

**WHEREAS:** The Yankton Sioux Tribe is an unincorporated Tribe of Indians that is not subject to the Indian Reorganization Act of 1934; and

**WHEREAS:** The Yankton Sioux Tribe is an unincorporated Tribe of Indians operating under an amended Constitution and By Laws approved on April 24, 1963; June 16, 1975 and March 23, 1990; and

**WHEREAS:** The General Council of the Tribe is the duly recognized governing body of the Tribe under its Constitution and Bylaws and is empowered to adopt resolutions and ordinances to promote the general welfare of Tribal members; and

**WHEREAS:** As the Tribe's governing body, the General Council has inherent and constitutional authority to engage in formal consultation with federal agencies of the United States government; and

**WHEREAS:** The Yankton Sioux Tribe's Business and Claims Committee ("Business and Claims Committee") is the elected body constituted for the purpose of conducting the business of and serving the best interests of the Yankton Sioux Tribe and its membership; and

**WHEREAS:** The Yankton Sioux Tribe's Business and Claims Committee has contributed throughout the years to improving the standard quality of life on the Yankton Sioux Reservation; and

**WHEREAS:** The Yankton Sioux Tribe is a signatory to the 1851 Treaty of Fort Laramie and such Treaty serves as a binding, bi-lateral agreement with the United States as well as the basis for the United States' trust responsibility to the Tribe; and

**WHEREAS:** The proposed Dakota Access pipeline would transport up to 570,000 barrels of oil per day from the Bakken and Three Forks production areas in North Dakota through South Dakota, Iowa, ending up at Patoka, Illinois; and

**WHEREAS:** The Dakota Access pipeline if constructed would cut through areas of cultural and historical significance to the Yankton Sioux Tribe as well as other tribes, without due regard and consideration given to tribal interests including but not limited to: potential effects on Tribal reserved water rights; tribal consultation interests consistent with National Historic Preservation Act Section 106 requirements; the protection of numerous historic, archeological, and traditional cultural properties sites along the proposed route; the over 250 water crossings in South Dakota alone; and the environmental impacts and effect on wildlife species and habitat, including species protected under the Endangered Species Act, Migratory Bird Protection Treaty Act as well as the Bald and Golden Eagle Protection Acts; and

**WHEREAS:** Pursuant to the National Environmental Policy Act, a Final Environmental Assessment ("EA") was produced by the United States Army Corps of Engineers ("USACE") and a Finding of No Significant Impact was issued regarding the proposed Dakota Access Pipeline, which means that no Environmental Impact Statement will be prepared for the entire proposed pipeline in order to consider and examine the full environmental consequences of the proposed pipeline despite the requirement that the USACE consider the cumulative effects of the project; and

**WHEREAS:** The USACE has a trust relationship and duty to the Yankton Sioux Tribe and, as such, is required to consult with and fully protect the interests of the Yankton Sioux Tribe when carrying out decision-making such as evaluating the proposed Dakota Access Pipeline; and

**WHEREAS:** The EA was prepared without meaningful government-to-government consultation with the Yankton Sioux Tribe in violation of the National Historic Preservation Act and other federal laws; and

**WHEREAS:** A failure to engage in required consultation with the Yankton Sioux Tribe regarding historic, archeological, and traditional cultural properties sites and water crossings is a violation of the USACE's trust relationship.

**NOW THEREFORE BE IT RESOLVED,** that the Yankton Sioux Tribe's General Council hereby authorizes and directs Fredericks Peebles and Morgan LLP, general counsel for the Tribe, to initiate litigation against the Army Corps of Engineers to halt unlawful construction of the Dakota Access Pipeline and to hold the Army Corps of Engineers accountable for its violations of federal law and its trust responsibility to the Yankton Sioux Tribe.



**BE IT FINALLY RESOLVED**, that the Yankton Sioux Tribe's General Council hereby authorizes and approves it's Chairman or, in his absence, the Vice-Chairman, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

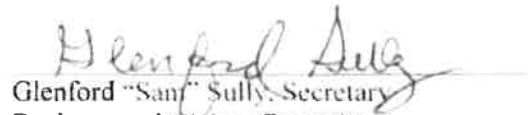
**CERTIFICATION**

**THIS IS TO CERTIFY AND AFFIRM**, the above and foregoing resolution was duly authorized and passed by the Yankton Sioux Tribe's General Council on the 8<sup>th</sup> day of August, 2016 at a meeting held at the Fort Randall Casino, Pickstown, South Dakota on the Yankton Sioux Reservation, by a vote of 25 in favor, 0 opposed, \_\_\_abstain, \_\_\_absent, **MOTION CARRIED.**

**ATTEST**



Robert Flying Hawk, Chairman  
Business and Claims Committee  
Yankton Sioux Tribe



Glenford "Sam" Sully, Secretary  
Business and Claims Committee  
Yankton Sioux Tribe

**OFFICERS:**  
ROBERT FLYING HAWK, CHAIRMAN  
JODY ZEPHIER, VICE CHAIRMAN  
GLENFORD "SAM" SULLY, SECRETARY  
LEO O'CONNOR, TREASURER



**COUNCIL:**  
JASON COOKE  
GREGORY COURNOYER Jr.  
DIANE MERRICK  
ROSEANNE WADE  
MCNA WRIGHT

**YANKTON SIOUX TRIBE  
BUSINESS AND CLAIMS COMMITTEE  
RESOLUTION NO. 2016-090**

**WHEREAS:** The Yankton Sioux Tribe is an unincorporated Tribe of Indians that is not subject to the Indian Reorganization Act of 1934; and

**WHEREAS:** The Yankton Sioux Tribe is an unincorporated Tribe of Indians operating under an amended Constitution and By Laws approved on April 24, 1963; June 16, 1975 and March 23, 1990; and

**WHEREAS:** The Yankton Sioux Tribe's General Council is the governing body of the Yankton Sioux Tribe; and

**WHEREAS:** As the Tribe's governing body, the General Council has inherent and constitutional authority to engage in formal consultation with federal agencies of the United States government; and

**WHEREAS:** The Yankton Sioux Tribe's Business and Claims Committee ("Business and Claims Committee") is the elected body constituted for the purpose of conducting the business of and serving the best interests of the Yankton Sioux Tribe and its membership; and

**WHEREAS:** The Yankton Sioux Tribe's Business and Claims Committee has contributed throughout the years to improving the standard quality of life on the Yankton Sioux Reservation; and

**WHEREAS:** The Yankton Sioux Tribe is a signatory to the 1851 Treaty of Fort Laramie and such Treaty serves as a binding, bi-lateral agreement with the United States as well as the basis for the United States' trust responsibility to the Tribe; and

**WHEREAS:** The proposed Dakota Access pipeline would transport up to 570,000 barrels of oil per day from the Bakken and Three Forks production areas in North Dakota through South Dakota, Iowa, ending up at Patoka, Illinois; and

including species protected under the Endangered Species Act, Migratory Bird Protection Treaty Act as well as the Bald and Golden Eagle Protection Acts; and

**WHEREAS:** Pursuant to the National Environmental Policy Act, a Final Environmental Assessment ("EA") was produced by the United States Army Corps of Engineers ("USACE") and a Finding of No Significant Impact was issued regarding the proposed Dakota Access Pipeline, which means that no Environmental Impact Statement will be prepared for the entire proposed pipeline in order to consider and examine the full environmental consequences of the proposed pipeline despite the requirement that the USACE consider the cumulative effects of the project; and

**WHEREAS:** The USACE has a trust relationship and duty to the Yankton Sioux Tribe and, as such, is required to consult with and fully protect the interests of the Yankton Sioux Tribe when carrying out decision-making such as evaluating the proposed Dakota Access Pipeline; and

**WHEREAS:** The EA was prepared without meaningful government-to-government consultation with the Yankton Sioux Tribe in violation of the National Historic Preservation Act and other federal laws; and

**WHEREAS:** A failure to engage in required consultation with the Yankton Sioux Tribe regarding historic, archeological, and traditional cultural properties sites and water crossings is a violation of the USACE's trust relationship.

**NOW THEREFORE BE IT RESOLVED,** that the Yankton Sioux Tribe Business and Claims Committee hereby authorizes and directs Fredericks Peebles and Morgan LLP, general counsel for the Tribe, to initiate litigation against the Army Corps of Engineers to halt unlawful construction of the Dakota Access Pipeline and to hold the Army Corps of Engineers accountable for its violations of federal law and its trust responsibility to the Yankton Sioux Tribe.

**BE IT FINALLY RESOLVED,** that the Yankton Sioux Tribe Business and Claims Committee hereby authorizes and approves its Chairman or, in his absence, the Vice-Chairman, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.


**BE IT FINALLY RESOLVED**, that the Yankton Sioux Tribe Business and Claims Committee hereby authorizes and approves its Chairman or, in his absence, the Vice-Chairman, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

**CERTIFICATION**

**THIS IS TO CERTIFY AND AFFIRM**, the above and foregoing resolution was duly authorized and passed by the Yankton Sioux Tribe's Business and Claims Committee on the 5 day of August 2016 at a meeting held at the Tribal Headquarters, Wagner, South Dakota on the Yankton Sioux Reservation, by a vote of 5 in favor, 0 opposed, 1 abstain, 3 absent.  
**MOTION CARRIED.**

**ATTEST**

Robert Flying Hawk, Chairman  
Business and Claims Committee  
Yankton Sioux Tribe

  
Glenford "Sam" Sully, Secretary  
Business and Claims Committee  
Yankton Sioux Tribe