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NAVAJO NATION JOINS THE EFFORT AGAINST THE EASEMENT GRANTED FOR THE DAKOTA ACCESS PIPELINE

WINDOW ROCK – On Feb. 22, The Navajo Nation filed an amicus brief in the United States District Court for the District of Columbia with 34 Federally Recognized Indian Tribes against the Lake Oahe Easement for the Dakota Access Pipeline granted by the U.S. Army Corps of Engineers.

The federal government is required to be held accountable in its trust responsibility to the Standing Rock Sioux Tribe.

“The federal government must be held accountable for its treaty obligation and in good faith must upholds nation-to-nation relationship with all tribes, including the Navajo Nation,” said President Begaye. “We expect nothing less.”

In granting of the Lake Oahe Easement, the U.S. Army Corps violated fundamental trust duties.

“The Dakota Access Pipeline was a flashpoint for Indian Country in 2016, uniting tribes and other segments of the American population to stand in opposition to big business interests. Preservation of water sources for native and American populations outweighs the need to transport oil,” said Vice President Jonathan Nez.

The Navajo Nation will continue to stand alongside other Native American tribes who face environmental injustice and threats of encroachment on sacred lands, he said.

If an oil spill would occur in Lake Oahe it will negatively impact the treaty rights in fishing, hunting and water for the Standing Rock Sioux Tribe.

The Amicus Brief cited, there will remain no other contiguous land to which the Tribe can resort, the ability to survive as a sovereign community within a defined territory will be placed in serious jeopardy, should the natural resources be negatively impacted.

“Due diligence for the environmental impact study is a must for high risk projects that could have a major impact on both the natural resources and sacred sites on tribal lands,” said President Begaye.

Ensuring pipeline safety protects against oil spills that could tribal natural resources. This amicus brief provided technical and scientific information on the many occurrences of oil spills as well as disruptions to the environment, local residents and economies.

Because the federal government has acted here in derogation of its solemn trust duties, the motion of the Standing Rock Sioux Tribe for partial summary judgment should be granted.

The Nation is all too familiar with these tragedies as it has experienced the devastation by the Gold King Mine spill, where over 3 million gallons of toxic waste washed downstream into the San Juan River. The Nation is currently in litigation with the U.S. EPA for its role in the Gold King Mine spill.

The Nation has a strong interest in preventing future similar incidents through enforcement of robust trust responsibilities for federal agencies.

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