



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Crow Nation • Eastern Shoshone Tribe
Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Navajo Nation • Northern Arapaho Tribe
Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
Shoshone Bannock Tribes • Sisseton Wahpeton Oyate • Spokane Tribe • Ute Indian Tribe

December 12, 2023

Attn: Brent Cossette
U.S. Army Corps of Engineers
CENWO-ODT-N
1616 Capitol Avenue
Omaha, NE 68102

Via Email: NWO-DAPL-EIS@usace.army.mil

RE: DAPL EIS Comments of the Coalition of Large Tribes

To Whom It May Concern:

The Coalition of Large Tribes (COLT) is a federally-chartered intertribal advocacy organization. COLT Tribes consist of tribes that have a land base of 100,000 acres of land or more, of which, of the 574 federally recognized tribes, more than 50 tribes meet this criterion; and these tribes control 95 percent of tribal lands and consist of one half of the Native population. COLT rejects the draft EIS consistent with COLT Resolution: 09-22-2023-Resolution #03 2023 (Washington DC) (Resolution Rejecting the United States Army Corps of Engineers' September 2023 Dakota Access Pipeline Lake Oahe Project Draft Environmental Impact Statement and Calling on the Biden-Harris Administration to shut down the Dakota Access Pipeline (attached)).

DAPL's system runs through Treaty lands of the Oceti Sakowin (the Great Sioux Nation). Constituent tribes of the Oceti Sakowin Sioux Nations oppose DAPL and their opposition is firmly rooted in the their several treaties; respect for Mother Earth; Indigenous Knowledge; and way of life, along with environmental justice concerns. DAPL's operation will cause significant and irreversible adverse impacts to the environment as well as cultural and sacred sites and drinking water sources of the constituent tribes of the Oceti Sakowin.

The United States Army Corps of Engineers' draft environmental impact statement contains serious and fundamental flaws including using a biased contractor, relying on redacted studies, failing to account for the input of tribes, and relying on flawed risk assessment, analysis and studies.

The failure of the Corps to consider Indigenous Knowledge violates the November 30, 2002 Presidential Memorandum on Implementation of Guidance for Federal Departments and Agencies on Indigenous Knowledge. See [IK-Guidance-Implementation-Memo.pdf \(whitehouse.gov\)](#). The Corps is not following the Administration's own guidance.



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The DAPL does not have an easement to cross Lake Oahe, but it is still in operation, and in trespass. This is intolerable. The EIS should be rejected and the DAPL shutdown.

Respectfully,

Hon. Marvin Weatherwax, Chairman, Coalition of Large Tribes; Member, Blackfeet Tribal Business Committee