

US Army Corps postpones confrontation over Dakota Access Pipeline construction

Our reporter
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The US Army Corps of Engineers announced on Sunday that it will not grant an easement for the final stage of construction of the Dakota Access Pipeline through Native American tribal lands in southern North Dakota.

The decision came a day before evacuation orders issued by the Corps and the Governor of North Dakota against thousands of protesters at the Standing Rock Indian Reservation. Hundreds of military veterans supporting the protests—led by Wes Clark Jr., the son of former Democratic presidential candidate General Wesley Clark—have traveled to the reservation in recent days and were planning a demonstration today.

The announcement was clearly aimed at preventing a further confrontation with protesters, who have been subject to brutal violence from police and National Guard units over the past several months and have won widespread support. At the same time, the order does not prevent construction, but is rather a move by the Obama administration to put off a final decision until President-elect Donald Trump takes office next January 20.

After the eruption of protests in the summer, the Obama administration delayed any final decision while standing by as police used water cannon, rubber bullets and concussion grenades against protesters. In September, the Army Corps, the Department of Justice and the Department of the Interior announced a temporary halt on pipeline construction after initial police violence against protesters generated widespread public outrage.

Sunday's announcement from the Army's assistant secretary for Civil Works, Jo-Ellen Darcy, states, "Although we have had continuing discussion and exchanges of new information with the Standing Rock Sioux and Dakota Access, it's clear that there's more

work to do. The best way to complete that work responsibly and expeditiously is to explore alternate routes for the pipeline crossing."

Darcy added that the consideration of alternate routes "would be best accomplished through an environmental-impact study with full public input and analysis." Such a study would take several months to complete.

The announcement reverses a decision made by the Corps earlier this year to override concerns from officials within the Environmental Protection Agency and the Advisory Council on Historic Preservation about the initial draft environmental assessment. The Corps issued a final environmental assessment in August approving construction of a tunnel under the Missouri River, threatening the primary water source for much of South and North Dakota, including the Standing Rock reservation.

Significantly, the Corps decision on Sunday does not assert that the current route—which passes under Lake Oahe, formed by a dam on the Missouri River—is not in the "public interest," only that a further assessment is required. The Obama administration also did not take further action that would block construction, such as declaring the region a national monument.

Nonetheless, the tribal chairman of the Standing Rock Sioux, Dave Archambault, who is closely aligned with the Democratic Party, issued a statement full of praise for the Obama administration. "We wholeheartedly support the decision of the administration and commend with the utmost gratitude the courage it took on the part of President Obama, the Army Corps, the Department of Justice and the Department of the Interior to take steps to correct the course of history and to do the right thing," Archambault said.

The decision actually does nothing to "correct the course of history," constituting only a brief delay

before the next administration takes office, committed to a full-blast development of oil, gas and coal deposits, regardless of cultural, environmental or democratic concerns.

Last week, the Trump transition team released a memo announcing the support of the president-elect for completion of the \$3.8 billion Dakota Access Pipeline, which is financed by a consortium of US and global banks and would transport 50,000 barrels of oil a day from the Bakken oil fields of North Dakota to southern Illinois. The statement asserted that Trump's position was not connected to his personal investment in Energy Partners, the Texas-based company leading the project.

"It's not over. It's never over," one Standing Rock member told *USA Today*. "They say one thing and do another."

North Dakota Governor Jack Dalrymple denounced the denial of the easement, calling it a "serious mistake" that "prolongs the dangerous situation." Craig Stevens, a spokesman for the industry consortium, Midwest Alliance for Infrastructure Now, responded, "With President-elect Trump set to take office in 47 days, we are hopeful that this is not the final word on the Dakota Access pipeline."

The maneuver to delay final construction of the pipeline and possibly make minor changes to its route was immediately hailed by sections of the Democratic Party. Vermont Senator Bernie Sanders, who has been elevated to the leadership of the Democratic Party in the Senate, issued a statement declaring, "I appreciate very much President Obama listening to the Native American people and millions of others who believe this pipeline should not be built."



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