APPENDIX E
ADDITIONAL MISREPRESENTATIONS THAT DAPL WAS ROUTED AND APPROVED WITHOUT ADEQUATE CONSULTATION WITH SRST OR REQUISITE ENVIRONMENTAL REVIEW

Date	Author	Description	Statements
4/18/2017	Earthjustice (Rebecca Bowe)	Website Publication: "Paddling Side by Side," from Standing Rock to the Lower Snake River	"[T]he rights and interests of tribes were barely acknowledged before the construction of massive, environmentally harmful infrastructure."
4/14/2017	Earthjustice (Stephanie Tsosie)	Reveal News Publication: Is nothing sacred? How archaeological reviews imperial tribal lands	[quoting Stephanie Tsosie, Earthjustice:] "The consultation wasn't, 'Hey, we are thinking about putting this pipeline a half-mile upstream of your reservation. What do you think about it?' It was, 'We're building this. Let us know if you have any sites around.'"
3/22/2017	Earthjustice (Jan Hasselman)	Teleconference: Standing with Standing Rock	"I've never seen a balder case of environmental justice concerns than this one. The alternative route proposed by the company for this pipeline would have crossed just north of Bismarck, North Dakota. Bismarck is the capital city. It is 92 percent white, according to the Census. And it's a relatively wealthy community. People said, 'Oh no, you can't put a pipeline there.' So they moved it to the doorstep of the Standing Rock Sioux Tribe's reservation. They crossed the Missouri, literally, half a mile upstream. The Standing Rock reservation is on the lowest-income communities in the country….The idea of moving a pipeline to place the risk on top of the people who can manage that risk the least is really galling."
3/22/2017	Earthjustice (Jan Hasselman)	Teleconference: Standing with Standing Rock	"We do EIS's for dog parks. We do EIS's for restoration activities and drinking water plants. The idea that we will be routing a 30-inch pipeline, carrying almost six hundred thousand barrels a day of crude oil, underneath a waterway that serves 17 million people, <u>without</u> an EIS, is completely nuts. That's not a technical legal term—that's just a statement of fact. The law requires a full EIS. They can't issue the permit until they have that 'hard look' at all the risks and the consequences, particularly to the Tribe." (emphasis in original)

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3/7/2017	Greenpeace USA (Cassady Craighill)	Website Publication: Greenpeace Responds to Court's Ruling Against Standing Rock	DAPL "violates the sovereignty of the Standing Rock Sioux Tribe, the National Environmental Protection Act . . . and crystal clear moral imperatives that place the value of human life and the natural resources it depends upon over the interests of corporations."
2/14/2017	Earthjustice	Website Publication: The Standing Rock Sioux Tribe's Litigation on the Dakota Access Pipeline	"[T]he lawsuit challenges the Corps' hasty and unexplained departure from its previous decision, and explains how the Corps ignored the Tribe's treaty rights and seeks to destroy culturally significant and sacred sites. It also explains how the Corps violated federal statutes requiring close environmental analysis of significant and controversial agency actions."
2/9/2017	Sierra Club (Catherine Collentine)	Website Publication: Disgraceful: Trump's Actions on Dakota Access and What's Next	"This blatant disregard for the rights of the Standing Rock Sioux -- they rerouted the pipeline away from Bismarck, a more affluent and predominantly white community, after concerns were raised about their water supply . . ."
2/8/2017	350.org (Bill McKibben)	Website Publication: Trump's Pipeline and America's Shame	"[T]his pipeline had originally been set to carry its freight of crude oil under the Missouri River, north of Bismarck. But the predominantly white citizens of that town objected, pointing out that a spill could foul their drinking water. So the pipeline's parent company, Energy Transfer Partners, remapped the crossing for just north of the Standing Rock Sioux Reservation. This piece of blatant <u>environmental racism</u> . . . ." (emphasis in original)
2/7/2017	Greenpeace USA (Mary Sweeters)	Website Publication: It's Time for DAPL Funders to Decide Which Side of History They Want to Be On	DAPL is "a project that violates Indigenous rights and threatens our climate"; The "original plans [for DAPL] included rerouting the pipeline from its original path near Bismarck, North Dakota over concerns about the threat of a spill to the city's water supply."; Funding banks are companies "that disregarded Indigenous sovereignty."

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2/3/2017	350.org	Tweet	"Demand a full environmental review of the Dakota Access pipeline today: http://bit.ly/2jMlEpb #nodapl #StandWithStandingRock #DeFundDAPL …"
2/2/2017	Rainforest Action Network (Tess Geyer)	Website Publication: Over 500,000 People Tell Banks, No DAPL!	"The pipeline was approved without: environmental reviews, adequate assessment of cultural properties and sacred sites . . . ."
2/1/2017	350.org	Tweet	"Demand a full environmental review of the Dakota Access pipeline today: https://act.350.org/letter/dapl-comment … #nodapl #StandWithStandingRock #DeFundDAPL"
2/1/2017	350.org (Bill McKibben)	Tweet	"Crucial movement task of the day: submit a comment demanding full environmental review for Dakota pipeline #NoDAPL https://act.350.org/letter/dapl-comment/?ak_proof=1&akid=.2942676.BqxTCD&rd=1&t=1&utm_medium=email&utm_source=actionkit …"
2/1/2017	350.org (Sabelo Narasimhan)	Website Publication: #NoDAPL: We Fight On	"[T]he federal government would be abandoning their own rules and procedures by illegally forcing the project through."
1/27/2017	Greenpeace USA (Jesse Coleman)	Website Publication: Pipe Dreams: Why Trump's Dakota Access and Keystone XL Plans Don't Add Up	DAPL is a "[p]roject[] that trample[s] Indigenous treaties and rights . . . ."
1/25/2017	Greenpeace USA	Tweet	"If this administration is going to fast track environmental destruction then relentless resistance will be the response. #NoDAPL #NoKXL"
12/16/2016	Earthjustice (Jan Hasselman)	Website Publication: Where Do We Go From Here?	"[O]ne of the unfortunate--and incorrect--narratives that emerged from the early stages of the Tribe's litigation [is that SRST did not take opportunities to engage with the Corps]."

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12/5/2016	Greenpeace USA (Mary Sweeters)	Website Publication: 3 Things You Need to Know About the Dakota Access Pipeline Win	"[T]he Army Corps of Engineers will undertake the full environmental impact statement it should have conducted in the first place"
12/4/2016	350.org (Bill McKibben)	Website Publication: U.S. Army Corps Blocks Final Permit Needed for Dakota Access Pipeline	"[E]nvironmental racism implicit in this misbegotten pipeline."
12/4/2016	Earthjustice	Website Publication: Victory For Standing Rock: DAPL Easement Not Granted	"This pipeline never should have been routed near these sacred lands in the first place, and it absolutely never should have received permits without a thorough and meaningful discussion of the risks and benefits to affected Indian Tribes." (quoting Jan Hasselman, Earthjustice)
12/4/2016	Earthjustice	Website Publication: Victory For Standing Rock: DAPL Easement Not Granted	The Corps' process "circumvents any kind of close environmental review and public process."
12/1/2016	Bold Alliance (Jane Kleeb)	Tweet	"Dakota Access CEO flat out lying http://bismarcktribune.com/news/state-and-regional/audio-tribe-objected-to-pipeline-nearly-years-before-lawsuit/article_51f94b8b-1284-5da9-92ec-7638347fe066.htm … Chairman with Standing Rock and other Sioux Nations objected from day 1 #NoDAPL"
12/1/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline Loans	"The original permitting for the pipeline was fast tracked without adequate tribal consultation and consent or environmental review."
11/25/2016	Greenpeace USA	Website Publication: Another Major Norwegian Investor Divests From Companies Behind Dakota Access Pipeline	[quoting Mary Sweeters:] "The financial institutions behind the pipeline are realizing that it is bad business to invest in companies willing to disregard Indigenous sovereignty to destroy sacred Native lands and water supply"; "If [banks] continue to allow human rights abuses to occur on their dollar, despite their own policies against financing projects

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			that violate Indigenous rights, we intend to bring a strong message to their doorsteps across the country."
11/14/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Greenpeace Responds to Army Corps' Decision to Engage Standing Rock Sioux Tribe on Dakota Access Pipeline	"It is abundantly clear that the tribe was not adequately consulted in the permitting process . . . ."; There is a "need to respect the Tribe's rights and sovereignty moving forward. The previous decision to reroute the pipeline from Bismarck, a city that is mostly white, to just north of Standing Rock is a clear case of environmental racism." (quoting GP spokesperson Lilian Molina)
11/6/2016	350.org (Bill McKibben)	Website Publication: There Is Still Time to Stop the Injustice at Standing Rock	DAPL is "the perfect example of America's casual racism and endless money-worshipping. The pipeline was, for instance, rerouted away from Bismarck when residents of the capital worried it might pollute that city's water."
11/4/2016	350.org (Lee Chisholm)	Website Publication: #NoDAPL: KEEP IT IN THE GROUND: Reflections on the Call of Standing Rock at this Moment in History	"The Corps fast-tracked everything . . . ."
11/4/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	The "government has unjustly restricted Indigenous communities' rights and ability to access their own land, repeatedly ignoring Native sovereignty."
11/2/2016	Earthjustice (Jan Hasselman)	Website Publication: Why It's Right To Keep The Brakes On The Dakota Access Oil Pipeline	"No such thoughtful consideration [of alternatives] has occurred to date. Initial federal permits, and partnership with affected tribes, were treated as 'check the box' exercise. Nowhere was there a careful analysis of how much the Missouri River crossing threatened water quality and tribal treaty rights. Nowhere was there a thoughtful public discussion of whether a new major oil pipeline should be placed in a river providing drinking water to 17 million people."

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11/2/2016	Earthjustice (Jan Hasselman)	Website Publication: Why It's Right To Keep The Brakes On The Dakota Access Oil Pipeline	"[T]he original route of the pipeline crossed the river just north of Bismarck, N.D. -- a capital city that is nearly 90 percent white -- and was moved to Standing Rock only when regulators expressed concern over the risk of a spill to the city's water supply."
11/2/2016	Earthjustice (Jan Hasselman)	Website Publication: Why It's Right To Keep The Brakes On The Dakota Access Oil Pipeline	Dakota Access "didn't have needed federal permits, hoping either that the permits would be an afterthought or that it could pressure regulatory agencies into acquiescing."
11/2/2016	Earthjustice	Website Publication: Earthjustice Echoes Standing Rock Sioux Tribe's Leader, Applauds President Obama	"We also want to reiterate the Chairman's call for a full environmental impact statement. No such careful review has occurred to date. Considering all that's at stake, that's simply unacceptable."
10/29/2016	350.org (Bill McKibben)	Tweet	"NYTimes reminds us that Dakota pipeline was originally going to go by Bismarck. But, white people. #NoDAPL http://nyti.ms/2dUFMTt"
10/28/2016	350.org (Bill McKibben)	Website Publication: Why Dakota Is the New Keystone	"Originally, the pipeline was supposed to cross the Missouri just north of Bismarck, until people pointed out that a leak there would threaten the drinking water supply for North Dakota's second biggest city. The solution, in keeping with American history, was obvious: make the crossing instead just above the Standing Rock reservation, where the poverty rate is nearly three times the national average."
10/6/2016	Earthjustice (Trip Van Noppen)	Website Publication: Making History at Standing Rock: Tribes Are Leading Action To Preserve The Planet	"[T]he pipeline's original route was shifted toward Standing Rock when it became clear that a leak or a spill would contaminate drinking water in the relatively prosperous, overwhelmingly white city of Bismarck."
9/13/2016	Sierra Club (Timothy Hill)	Website Publication: A Tribal Activist War Rages On: The Dakota Access Pipeline and The Fight for Justice	Permits for DAPL were subject "fast-track approval . . . [which] seems to be the oil companies' perfect skirt around the fervent backlash from opposing parties"; the Corps demonstrated "flagrant disregard for both tribal and

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			environmental rights, as well as a lack of compliance with federal consultation policies."
9/13/2016	Sierra Club	Website Publication: Thousands Nationwide Show Solidarity with the Standing Rock Sioux and #NoDAPL	The Corps "rushed to approve this dangerous pipeline using a process that deliberately avoids adequate environmental reviews or consultation with the tribe . . ."
9/9/2016	Sierra Club (Jonathan Berman)	Website Publication: Obama Administration Sides With the Standing Rock Sioux	"While construction will be halted on a portion of the project, the U.S. Army Corps of Engineers should finish the job and reject this dirty and dangerous pipeline once and for all. It should never have taken legal action by the Tribe to require that this or any pipeline receive a common sense, thorough environmental and climate review of the effects they pose, but we are thankful that the Administration acted swiftly after the deeply flawed decision was made."
9/9/2016	Greenpeace USA (Rachel Prokop)	Website Publication: How You Can Help Standing Rock Activists Stop the Dakota Access Pipeline	"The pipeline was approved without adequate environmental reviews or consultation from the community . . . ."
9/9/2016	Bold Iowa (Mark Hefflinger)	Website Publication: Pipeline Fighters React to Obama Administration's Call for Construction Halt on Dakota Access Pipeline at Key Areas Near Sacred Stone Camp That Threaten Water, Sacred Sites	"[P]roper consultation was never done with Tribes . . . ."
9/1/2016	Bold Iowa (Mark Hefflinger)	Website Publication: 30 Iowans Arrested in Peaceful Demonstration Against Dakota Access Pipeline and Risks to Water	"With Dakota Access moving aggressively to build the pipeline while ignoring . . . the concerns of the Standing Rock Sioux . . . ." (quoting Ed Fallon, Bold Iowa)

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9/1/2016	Earthjustice	Website Publication: Standing with Standing Rock	"[T]he pipeline wasn't originally supposed to take this route. The original route crossed the Missouri River upstream of Bismarck. An oil spill at that location would have threatened the drinking water supply of the state capital. The pipeline route was moved south--to just a half-mile upstream of the Tribe's reservation."
9/1/2016	Michael Brune (Sierra Club)	Website Publication: Time to Stop a Bad Idea	"[T]he Army Corps of Engineers granted the general permit that allowed construction to begin (using a little-known loophole called Nationwide Permit 12 that allows the process to be fast-tracked without adequate environmental review, tribal consultation, or public input)."

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8/25/2016	Rainforest Action Network; Bold Alliance; 350.org; Minnesota 350; 350 Madison; Greenpeace	Letter: Halt Construction and Repeal the Army Corps of Engineers Permits for the Dakota Access Pipeline Project	"DAPL is yet another example of an oil pipeline project being permitted without adequate public engagement or sufficient environmental review . . . . DAPL is a major project that should have required more thorough review and analysis under the Clean Water Act and the National Environmental Policy Act, the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act, as well as federal trust responsibilities guaranteed in the 1851 and 1868 United States treaties with the Lakota, Dakota and Nakota tribes. . . . Given the size, scale, environmental risks and controversy of this project, Nationwide Permit 12 should not have been applied. The Corps' individual permit process is the only way to ensure that the risks and impacts from these projects have been identified, analyzed and properly mitigated, and ensure that the families and communities that stand to be impacted by a disaster have an opportunity to have their voices heard in the pipeline review process. As long as Nationwide Permit 12 is being used to rubberstamp oil pipelines, it ignores the intent of our laws and presents an ongoing threat to our water resources, our communities, and our climate. Pipelines must be evaluated fully and in a transparent manner with opportunity for public input in order to be held to the same national interest and climate standards as the Keystone XL tar sands pipeline, which we applaud you for rejecting last year."

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7/27/2016	Earthjustice	Website Publication: Standing Rock Sioux Tribe Takes Action to Protect Culture and Environment From Massive Crude Oil Pipeline	"The Corps effectively wrote off the Tribe's concerns and ignored the pipeline's impacts to sacred sites and culturally important landscapes."
7/27/2016	Earthjustice	Website Publication: Standing Rock Sioux Tribe Takes Action to Protect Culture and Environment From Massive Crude Oil Pipeline	"There have been shopping malls that have received more environmental review and Tribal consultation than this massive crude oil pipeline." (quoting Jan Hasselman, Earthjustice)
5/18/2016	Earthjustice (Niria Garcia)	Website Publication: Opposing the Dakota Access Pipeline: An Inter-Tribal Spiritual Relay	"The Standing Rock Sioux Tribe . . . is one of many tribes that weren't consulted properly under the National Historic Preservation Act and other laws . . . ."
5/18/2016	Earthjustice (Niria Garcia)	Website Publication: Opposing the Dakota Access Pipeline: An Inter-Tribal Spiritual Relay	"[I]t's not just Standing Rock that wasn't consulted; none of the Sioux tribes were consulted. For example, the Oglala Sioux tribe, they get the majority of their water intake from the Missouri river and they were not consulted. The lack of tribal consultation is a violation of the relationship that tribes have with the federal government." (quoting Waniya Locke, People Over Pipelines)
Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Indigenous Youth Travel From Standing Rock to Clinton Headquarters to Demand Answers on Dakota Access Pipeline	"The fast-track process of approval disregarded key U.S. legislation, including the Clean Water Act . . . . And no proper Environmental Impact Statement, with substantive tribal consultation, was performed."
Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Greenpeace Statement of Solidarity With Standing Rock Water Protectors	"The fast-track process of approval disregarded key U.S. legislation, including the Clean Water Act, the National Environmental Policy Act, and the National Historic Preservation Act, and offered no proper Environmental Impact Statement or substantive tribal consultation."