

Standing Rock Sioux Tribe Wins Key Court Case in Dakota Access Pipeline Resistance

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by [Joe Martino](#)

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This is a huge victory for the Standing Rock Sioux Tribe of North Dakota. Their relentless energy towards having a full environmental impact statement (EIS) done with regards to the Dakota Access Pipeline that would run through their land and potentially impact their water supply, has finally paid off. This will bring the future of the Dakota Access pipeline into question entirely.

A Washington DC court ruled that the US army corps of

engineers must conduct a full EIS given that their existing permits violated the National Environmental Policy Act (Nepa).

“After years of commitment to defending our water and earth, we welcome this news of a significant legal win,” said the tribal chairman, [Mike Faith](#). “It’s humbling to see how actions we took to defend our ancestral homeland continue to inspire national conversations about how our choices ultimately affect this planet.”

You may recall from 2016, the Sioux Tribe rallied and inspired millions all over the world to help in getting behind the movement to raise awareness about the environmental impact of this pipeline. People travelled from all over the world to join the tribe on the ‘front lines’ as clashes sometimes became violent between water protectors and police, as well as pipeline workers.

I recall being down in North Dakota covering this story and was amazed by the sheer amount of people coming to support, as well as the efforts police were taking to silence journalists from covering the story. Cell phone jammers were used to stop those on-site from live streaming what was going on. Independent media were the only form of media in Standing Rock for months until eventually, mainstream media showed up. There appeared to be a long-standing solidarity within mainstream media to portray water protectors as violent and to avoid telling their side of the story when it came to the pipeline. This was why independent media was so important at that time.

In December 2016, the Obama administration denied permits for the pipeline to cross the Missouri River and effectively ordered a full EIS to be done in order to determine what alternative routes could be taken as well as what impact the pipeline may have on the tribe’s treaty rights. Yet, during the first week of Donald Trump’s presidency, he signed an executive order to expedite construction of the pipeline.

Construction of the 1,200-mile pipeline was completed in June 2017.

Not long after, the tribe challenged the permits and won. The Army corps of engineers were ordered to redo its environmental analysis, but they did so without taking into consideration tribal concerns or [expert analysis](#). This was likely to allow it's the transport of oil to continue until they were again sued.

Finally, as this Wednesday, federal judge James Boasberg determined that the environmental analysis by both the companies behind the pipeline and the corps was severely lacking, and the track record of Sunoco when it comes to oil spills is not promising, and "does not inspire confidence", he added.

The fresh court-mandated EIS will be more in-depth than the assessment already completed by the corps – and could take years to complete. Next, the court will decide if the pipeline will be shut down while the EIS is being completed and until the EIS is approved.

"This validates everything the tribe has been saying all along about the risk of oil spills to the people of Standing Rock," [said](#) Jan Hasselman, an EarthJustice attorney.

The Takeaway

The news of this Standing Rock victory may fall on distracted ears and minds at the moment considering the current global focus on the Coronavirus pandemic, but this is a big victory that shows the power of collective action and moving to stand up to actions of those who do not make the entirety of human 'thrivability' a part of their paradigm, but who instead operate from a space of disconnection and capitalization.

This news comes as I recently released my latest

film ***Regenerate*** to everyone for free. The film re-examines our current mainstream approach to climate change and instead looks at our relationship to land, life, nature, money and each other as a whole. I propose that it is here where we will find the solutions we are looking for to truly allow our environment and each other, to thrive. You can check out the trailer below, and [watch the full film here.](#)