

# Dakota Access LLC: Army Corps Denies Final Easement for River Crossing, but the Battle Is Not Over!

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[Honor the Earth](#)

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*Today, the US Army Corps announced that it would not grant Dakota Access LLC the last remaining easement it needs to drill under the Mni Sose (Missouri River) at Lake Oahe and complete construction of the pipeline. The [statement](#) implies that the Army Corps will conduct a limited Environmental Impact Statement (EIS) on the river crossing and explore possibilities for alternative routes.*

The decision comes as thousands of veterans are arriving from across the country to stand with the water protectors and join the frontlines of resistance in the face of extreme and escalating violence at the hands of law enforcement.

This is an enormous victory for our movement to protect the water. It shows what is possible when we come together and take action. We have fought this battle with all of our hearts. We have been maced, tased, demeaned, beaten, and hit with water cannons in below freezing temperatures. We have drawn on the strength of our ancestors and refused to back down. Today our courage and determination were finally rewarded.



But the battle is not over. Many questions remain about the Army Corps decision and the path forward, and we need to be asking these in the days and weeks ahead:

1. Will the Army Corps actually conduct an Environmental Impact Statement? If so, on what portion of the project – just the river crossing, or the whole pipeline?
2. What issues will the EIS take into account? (for example, will it include an analysis of spill risk? how about sacred sites? will it reassess the economic need for the pipeline now that the Bakken is busting?)
3. Which alternative routes will be considered? Will a “no-build” option also be meaningfully considered?
4. How long will the EIS take?
5. What input will the tribe have? What will the public participation process look like?
6. In what way(s) was the original Environmental Assessment prepared by the Army Corps deemed inadequate?
7. What was the result of the tribal consultation process exploring possible changes to the regulatory process for pipelines in general? Have any changes been proposed?
8. How easily will these decisions be reversed by a Trump administration?
9. How will these decisions be affected by the outcomes of DAPL’s lawsuit against the

Army Corps, scheduled to be heard on Friday?

10. Is the US government prepared to use force to stop the company from drilling under the river without a permit, if necessary?

The [statement](#) issued today from project owners Energy Transfer Partners and Sunoco gives us plenty of reason to worry that Dakota Access may drill anyway, even without a permit...or simply wait for a new rubber stamp from Trump. The statement concludes:

“The White House’s directive today to the Corps for further delay is just the latest in a series of overt and transparent political actions by an administration which has abandoned the rule of law in favor of currying favor with a narrow and extreme political constituency. As stated all along, ETP and SXL are fully committed to ensuring that this vital project is brought to completion and fully expect to complete construction of the pipeline without any additional rerouting in and around Lake Oahe. Nothing this Administration has done today changes that in any way.”

It is critical that we maintain our unrelenting resistance. Our coalition continues to call for [a month of action](#) against the investors of the Dakota Access Pipeline. Over 100 solidarity actions worldwide have already been registered for the coming weeks as the water protectors at the encampment continue to stand their ground. We ask you to move your money, and help cut off financing for the project so that we can kill the black snake once and for all.

Let us take a moment to celebrate this victory, and the resurgence of Indigenous Nations that has erupted at Standing Rock. But let us also remember, this is just the beginning. We cannot rest until our water is safe.

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