

In ‘Significant’ Win for Water Protectors, Judge Orders Review of DAPL Permits



“This decision marks an important turning point,” said Jan Hasselman of Earthjustice. (Photo: Joe Brusky/flickr/cc)

By Jake Johnson | [Common Dreams](#)

Water protectors celebrated a “[very significant victory](#)” on Wednesday as a federal judge deemed safety evaluations of the Dakota Access Pipeline insufficient and ordered the Army Corps of Engineers to “reconsider” its analysis of the risks the crude oil pipeline poses to the environment and the public.

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–Jan Hasselman, Earthjustice

In a 91-page [ruling](#) (pdf), U.S. District Judge James Boasberg

declared that the Corps “did not adequately consider the impacts of an oil spill on fishing rights, hunting rights, or environmental justice, or the degree to which the pipeline’s effects are likely to be highly controversial.”

While acknowledging the ruling—which resulted from a lawsuit filed by the Standing Rock Sioux Tribe—as a partial victory because the judge did not order the oil flow stopped, Native American tribes and activists across the country deemed it a substantial win nonetheless.

BREAKING: Court finds that Trump admin approval of Dakota Access Pipeline violated the law <https://t.co/h5HrTdSsL1> #NoDAPL <pic.twitter.com/dFHjescBMB>

– Earthjustice (@Earthjustice) [June 14, 2017](#)

JUST IN! Court rules that Dakota Access Pipeline needs further environmental review. @IENearth <https://t.co/lbSy0Yagmx> #NoDAPL

– 350 dot org (@350) [June 14, 2017](#)

Federal court: Dakota Access & Army Corps violated the law. Status conference next week to determine remedies. SHUT IT OFF. #NoDAPL

– tara houska (@zhaabowekwe) [June 15, 2017](#)

Huge news! We may kill that black snake after all!!! #nodapl #StandingRock <https://t.co/Kx4FuGYnla>

– Josh Fox (@joshfoxfilm) [June 15, 2017](#)

“The previous administration painstakingly considered the

impacts of this pipeline, and President Trump hastily dismissed these careful environmental considerations in favor of political and personal interests," [said](#) Standing Rock Sioux Chairman Dave Archambault II in a statement. "We applaud the courts for protecting our laws and regulations from undue political influence and will ask the court to shut down pipeline operations immediately."

Jan Hasselman, an attorney for Earthjustice, [said](#) the ruling should not be downplayed as merely exposing "minor, paperwork transgressions."

"This decision marks an important turning point," Hasselman said. "Until now, the rights of the Standing Rock Sioux Tribe have been disregarded by the builders of the Dakota Access Pipeline and the Trump administration—prompting a well-deserved global outcry. The federal courts have stepped in where our political systems have failed to protect the rights of Native communities."

Shortly after entering office, President Donald Trump made clear he would do everything he could to [ensure the \\$3.8 billion project moves forward](#). As environmental groups feared, the pipeline almost immediately began to [spring leaks](#).

The judge's ruling on Wednesday represents the "[first legal victory](#)" for those looking to cease the oil flow before more damage is done.

"We've been saying the Environmental Analysis was not in line with the law, and that based on treaty rights, this project should never have been built," Joye Braun, Cheyenne River Lakota community organizer with the Indigenous Environmental Network, [said](#) in a statement. "While we wish the flow of oil would be stopped until the hearings are completed, we trust that through prayer and continued vigilance we will stop the flow of oil and make Energy Transfer Partners and this administration keep fossil fuels in the ground."

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