

STATE OF NORTH DAKOTA )  
COUNTY OF MORTON )  
 )  
IN THE DISTRICT COURT  
SOUTH CENTRAL JUDICIAL  
DISTRICT

State of North Dakota )  
 )  
 )  
CASE NO. 30-2017-CR-00223  
 )  
v. )  
 )  
Chase Alone Iron Eyes )  
 )  
 )  
Defendant )

I, DOUG CROW GHOST, declare the following to be true and correct to the best of my knowledge and belief:

1. My name is Doug Crow Ghost.
2. I am the Water Administrator for the Standing Rock Sioux Tribe.
3. In 2014 we became aware of a pipeline that was coming across international borders called Keystone XL that was bringing tar sands from Canada all the way to the states.
4. It was going through aboriginal territories west of our reservations, which we also feel is our responsibility to protect as well.
5. We knew that pipelines break and we were getting a lot of reports of pipeline breaks all over the nation.
6. We knew that KXL was going to cross the north fork of the Grand River and a couple of our water source tributaries and the potential impacts of creating or destroying a lot of our natural resources including our water.
7. We opposed it.
8. At that time Phyllis Young, a former tribal council member, historian, and elder, Waste Win Young, who at the time was our Tribal Historic Preservation Officer ("THPO"), myself and a couple others from Standing Rock went down to the Public Utilities Commission in South Dakota and we gave depositions.
9. And at that same time there was a camp down at the Rosebud reservation against the Keystone XL pipeline and they were asking for people to come down and pray and stop the pipeline.
10. Though I didn't go, many people from Standing Rock went down there and supported it.
11. So from various offices of the Standing Rock Sioux Tribe we continued to oppose the Keystone XL pipeline officially.
12. We passed resolutions from the Standing Rock Sioux tribal council, began researching information about water quality and the effects of pipeline spills and on water hydrocarbons and how that can affect a waterway.
13. In early 2015 we then received some information about another pipeline, the Dakota Access

Pipeline, that is going to cross the Missouri River now, which was not an international pipeline but instead a domestic one originating from the Bakken, starting in North Dakota and going down to Illinois.

14. Planning documents for DAPL indicated that the original route under consideration was North of Bismarck.
15. We know that a leaking pipeline could affect us no matter where it is, if it is north of us.
16. We continued to listen to and started seeing letters coming in from the Army Corps of Engineers and also the Public Utilities Commission for North Dakota, which were asking for public comments on the pipeline.
17. The Standing Rock Sioux Tribe made clear our opposition to DAPL through correspondence and meetings with appropriate state and federal officials.
18. I coordinated the preparation and submittal of correspondence and assisted with the analysis of flaws in the plans and specs for DAPL.
19. I also know that the same type of claim is true of the Army Corps of Engineers, who contacted Waste Win Young, eventually claiming that the tribe was non-responsive and delayed the process.
20. My office is next to her next office and we collaborated weekly on the Dakota Access Pipeline coming through the Missouri River, and I know that she responded back to the Army Corps regularly.
21. In a formal deposition, a member of the Army Corp of Engineers stated that Ms. Young didn't respond to phone messages and emails on a timely basis.
22. The Army Corps of Engineers also claimed they tried to have meetings with the tribe but that they didn't get phone messages returned or e-mails back in order to effectively coordinate meetings.
23. I know that to be false testimony on behalf of the Army Corp in formal deposition.
24. I know they're lying as some kind of tactic to hide something.
25. There should have been a formal consultation early on in the decision making process with the Standing Rock Sioux Tribe about the potential impacts of the DAPL pipeline, including the 106 process, there is a cultural resources process, there's the 404 permitting, and of course involvement by EPA that by law requires a full Environmental Impact Statement.
26. The Tribe should have received all of this information with full assurances of the process and timetable, yet we received none of that information from them, which we consider to be negligent.
27. And then they turned around and blamed the lack of coordination on the THPO Ms. Waste Win Young in deposition, and that's wrong and unfortunate that it happened.
28. I have known Waste Win Young for over 10 years prior to her having this job here as a THP officer and find her to be very energetic, open minded, aware of our history, and fully aware

of what it means to be a Lakota woman and the importance of family and Tribal involvement.

29. She was very professional and a good THP officer.

30. The above statements are regarding early events regarding the KXL and DAPL pipelines that occurred in 2014 and 2015 leading up to the 2016 Standing Rock events.

Dated this 20th day of August, 2018

/s/ Doug Crow Ghost

Doug Gray Ghost