

## Response Natixis on open letter DAPL

Received on: December 5, 2016

Dear Mr. Frijns,

Please find hereafter Natixis' position with regards to the Dakota Access Pipeline :

- We confirm that Natixis participates in the credit agreement related to the Dakota Access Pipeline (DAPL) project, together with a group of other international banks (17 banks in all).
- From the beginning, the design and construction of the project have been led in compliance with the US legislation and regulation, as dictated both by the US Federal Government and by the States and local public authorities concerned by the project's route. In particular, the US Army Corps of Engineers (USACE), which is the public authority in charge of delivering permits, has been fully involved from the origin.
- Over the last few months, representatives of the Standing Rock Sioux community have expressed strongly their concerns about the project's impacts, in particular relating to the lake Oahe crossing. Some complaints have also been expressed with regards to the consultation process lead with this community, which some have stated to be in violation with the US regulation, and notably with the Treaty of Fort Laramie relative to Native Americans.
- The matter has been referred to Courts of Justice on several occasions, but on each occasion the Court has decided to reject the plaintiffs' claims and has confirmed the legality of the project.
- In its efforts to help find a solution that is accepted by all the parties involved, the Federal administration has requested the USACE to suspend the delivery of permits relative to the Oahe lake, thereby interrupting the construction. Besides, the USACE has invited all the parties to resume discussions and to consider a potential option of an alternative route avoiding the lake Oahe crossing.
- To get a detailed insight, the lending banks, among which Natixis, have obtained that an expert on matters relating to indigenous communities and human rights be mandated to assist them. The aforementioned expert will deliver recommendations to Energy Transfer Partners and Sunoco, the two promoters of the project, to ensure the outcome is in compliance with international standards with regards to indigenous peoples rights, community engagement, and cultural heritage.
- Natixis will observe carefully the expert's diligence to ensure this outcome.

Best regards

Agnès Guiral

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**Natixis**

Head of CSR

Communication and CSR