

Competing Geographic Interests...



Eminent Domain?



Conflicting Geographic Interests



2008

2016

Atlantic Yards, Brooklyn

Eminent Domain



The right of the government to take over private property if it can be better put to public use.

Common uses of property taken by eminent domain are for government buildings, utilities, highways and railroads.

Holders of property taken under eminent domain are usually compensated.



Eminent Domain

The right of the government to take over private property if it can be better put to public use.

Common uses of eminent domain are for highways, bridges, and railroads.

But who decides what is “better use”?

Holdings of property taken under eminent domain are usually compensated.

Barclays Center, Atlantic Yards



November 2009, New York courts rule in favor of granting eminent domain to take over Atlantic Yards area for building of Barclays Center.

Nearly 3,000 people directly or indirectly displaced (forced to move).

\$1.6 billion in public funding (for a for profit project)

Barclays Center, Atlantic Yards



Is this for the public good?

- Rises in rent
- Rises in traffic, congestion, noise, construction, pollution
- Forces old businesses out
- Brings influx of tourists

Barclays Center, Atlantic Yards



Is this for the public good?

It's not good for the public?

It's good for growing the economy?

Barclays Center, Atlantic Yards



Is this for the public good?

It's not good for the public?

It's good for growing the economy?

(even though it's losing money)

Barclays Center, Atlantic Yards



“Sweetheart deals...”

- Winning bid by Forest City Ratner offers \$100 million less to the city.
- MTA only asks for \$20 million upfront



It's not
It's good for growi



public?
omy?
it's losing money)

Barclays Center, Atlantic Yards



Public interest being determined by private company – Forest City Ratner.

Affordable Housing?

Barclays Center, Atlantic Yards



“To build the Atlantic Yards from scratch meant you first had to wipe part of an existing neighborhood off the map. This meant evicting residents and businesses which had been a part of the community for decades.”

— WATER —
Is Life



— WATER —
Is Life

Dakota Access Pipeline



Who decides what is “better use”?

Dakota Access Pipeline

**Public interest being determined
by private company**

Historical Context

1803: Louisiana Purchase

Thomas Jefferson oversees deal to buy land from Napoleon's France (largest real estate deal ever).

The French had come into possession of the land from the Spanish.

The Spanish had “rights” to the land by decree of the Pope, based on the non-Christianity of the indigenous population

1851: Treaty signed creating Great Sioux Reservation

1876: Congress passes Indian Appropriations Act, which allows U.S. to nullify treaties without consenting Native Americans.

1944: Congress okays building of dams that devastate Standing Rock water supply, forcing them to abandon subsistence economy.

←Time →

Historical Context

Map No.4.



TERRITORY OF LOUISIANA 1803-1819
"LOUISIANA PURCHASE" TERRITORY
ceded by FRANCE to the UNITED STATES by
treaty of April 30, 1803, as asserted and
maintained by the American Government

DAPL Timeline

March 2016: Last of permits required to build pipeline granted.

April 2016: Protestors gather near planned construction site along Missouri River

July 2016: Injunction filed by Standing Rock tribe to halt construction

August 10, 2016: Construction begins prior to injunction hearing.

September 2, 2016: Tribe pinpoints location of burial grounds, next day company begins developing this land

October 22, 2016: Peaceful March ends with protestors being pepper-sprayed and beaten, and 140 arrests.

←Time →

DAPL Timeline

December 4, 2016: Army Corps of Engineers announces it will not grant easement for construction under Lake Oahe.

January 24, 2017: New president signs executive order advancing construction

February 22, 2017: Last remaining protestors are removed by arrest.

←Time →

DAPL Timeline

North Dakota gov. says: “...Refusing to leave when they’re asked to leave, that’s not a protest,”

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←Time →

DAPL Timeline

North Dakota gov. says: “...Refusing to leave when they’re asked to leave, that’s not a protest,”

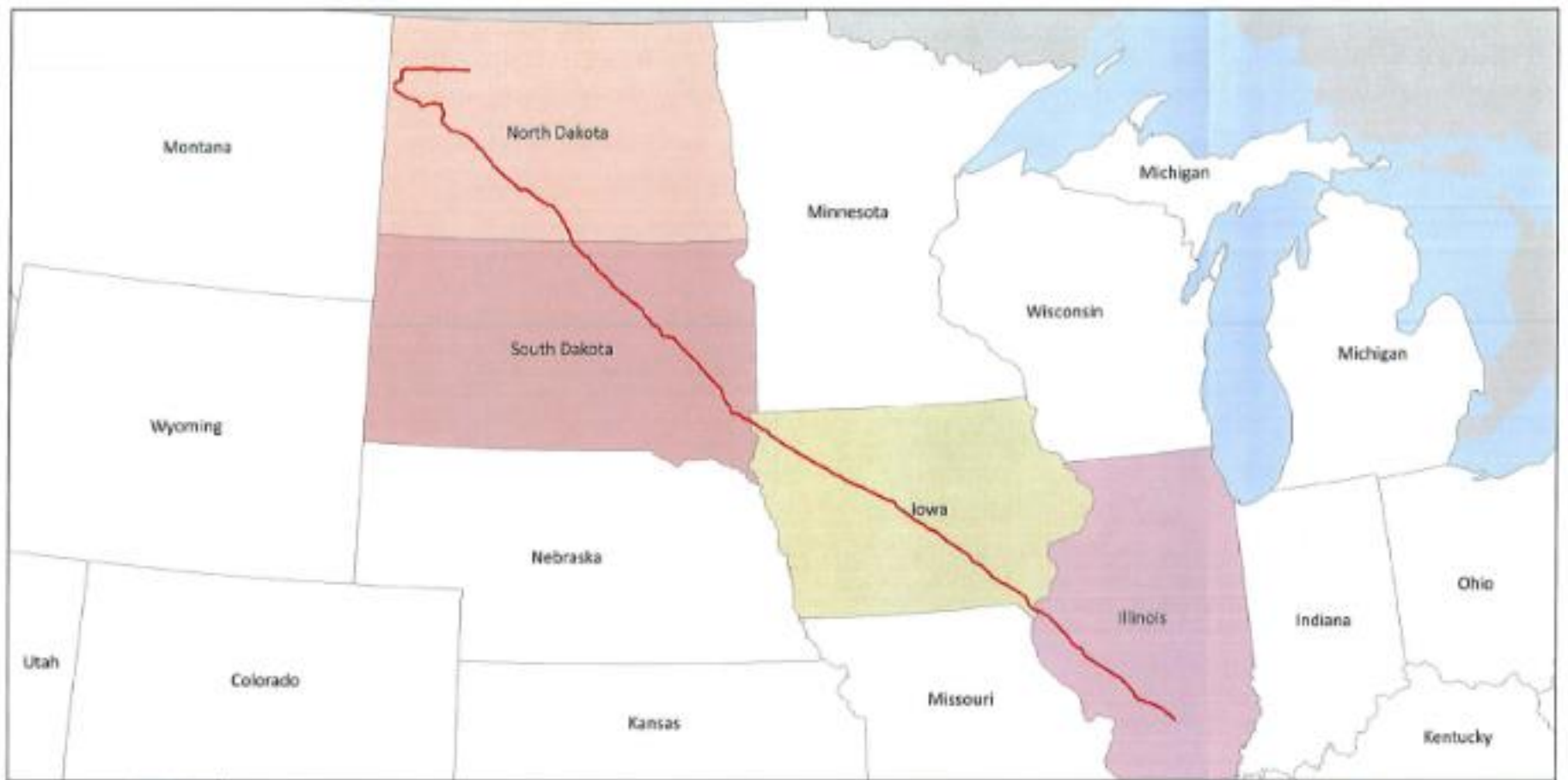
Well what is a protest then?!

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←Time →



 DAKOTA ACCESS, LLC

**Dakota Access, LLC
Dakota Access Pipeline Project
Project Vicinity Map
South Dakota**

Page 1 of 1	Scale: 1:9,000,000
NAID: SD South Dakota South H	Date: Dec 08, 2014





Source: Energy Transfer Partners

LARIS KARKKLIS/THE WASHINGTON POST

Eminent Domain?

Who decides what is
“better use”?

Why is it assumed that “better use” always equates with monetary gain?

Better use for who? The “economy” or humans?

Eminent Domain?

**Who decides what is
“better use”?**

“Landowners across Iowa have expressed concern about the implications of allowing the state to use eminent domain to condemn privately owned land, particularly agricultural land, on behalf of a company that has not demonstrated any substantial public benefit to the residents of Iowa.”

