

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

STANDING ROCK SIOUX TRIBE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:16-cv-01534 (JEB)
)	
UNITED STATES ARMY CORPS OF)	
ENGINEERS,)	
)	
Defendant.)	

**UNITED STATES ARMY CORPS OF ENGINEERS’
NOTICE REGARDING RECENTLY ISSUED PUBLIC DOCUMENT**

Pursuant to this Court’s order at the December 9, 2016 status conference, the United States Army Corps of Engineers (“Corps”) hereby provides notice of a Memorandum issued by the Acting Secretary of the Army on January 31, 2017. *See* Exhibit 1. The Memorandum initiated the steps outlined in the January 24, 2017 Presidential Memorandum, which directs the Secretary of the Army to instruct the Assistant Secretary of the Army for Civil Works and the Corps, including the Commanding General and Chief of Engineers, to expeditiously review requests for approvals associated with the construction and operation of the Dakota Access Pipeline in compliance with the law. Issuance of the January 31st Memorandum does not mean that a final decision on the application for an easement to construct the Dakota Access pipeline under Corps-managed Federal land at Lake Oahe has been made. The Army will make any decisions once a full review and analysis is completed in accordance with the Presidential Memorandum.

Dated: February 1, 2017

Respectfully submitted,

JEFFREY H. WOOD
Acting Assistant Attorney General
Environment & Natural Resources Division

By: /s/ Erica Zilioli

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CERTIFICATE OF SERVICE

I hereby certify that, on the 1st day of February, 2017, a copy of the foregoing was filed through the Court's CM/ECF management system and electronically served on counsel of record.

/s/ Erica Zilioli
Erica Zilioli

Exhibit 1

Standing Rock Sioux Tribe v. United States Army Corps of Engineers,
Case No. 1:16-cv-1534 (JEB)
January 31, 2017 Department of the Army Memorandum




SECRETARY OF THE ARMY
WASHINGTON

31 JAN 2017

MEMORANDUM FOR THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS AND THE CHIEF OF ENGINEERS/COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS

SUBJECT: Presidential Memorandum — Construction of the Dakota Access Pipeline

1. On 24 January 2017, the President of the United States issued the enclosed memorandum to the Secretary of the Army that addresses the construction of the Dakota Access Pipeline. The Presidential Memorandum (PM) contains a policy statement (Section 1), a set of directives (Section 2), and several general provisions (Section 3).
2. In furtherance of the policies set forth in Section 1 of the PM, I hereby instruct you, pursuant to Section 2(a), entitled *Pipeline Approval Review*, to take all actions necessary and appropriate to fully and unequivocally comply with the specific directives listed in subparagraphs (a)(i) thru (a)(v) of this section. In fulfilling your joint responsibilities, you shall strictly comply with Headquarters, Department of the Army, General Orders No. 2017-01 (5 January 2017).
3. With regard to Section 2(b) of the PM, entitled *Publication*, a copy of the PM has already been sent to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Majority Leader of the Senate, and the Governors of each State located along the Dakota Access Pipeline. Additionally, the PM was published in the Federal Register on 30 January 2017 (82 FR 8661).
4. Given the sensitive issues and legal challenges that lie ahead regarding the approval of the remaining easement to cross Federal lands pursuant to Section 28 of the Mineral Leasing Act, it is imperative that I be kept apprised of any significant development, in a timely manner, especially when it bears on the Army's ability to execute the directives listed in Section 2(a)(i)-(v) of the PM.


Robert M. Speer
Acting

Enclosure