



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

Ms. Diane Gifford-Gonzalez
President, Society for American Archaeology
1111 14th Street NW, Suite 800
Washington, D.C. 20005

Dear Ms. Gifford-Gonzalez:

Thank you for your letter to Lieutenant General Todd Semonite, dated September 13, 2016, regarding the Dakota Access Pipeline (DAPL). We appreciate your continued interest in the U.S. Army Corps of Engineers and the Civil Works and Regulatory programs.

Since the Corps decisions associated with DAPL are currently in litigation, I cannot address specifics of the case, other than to note that in July and August the Corps, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act, issued approximately 200 Nationwide Permit #12 verifications authorizing water crossings associated with the pipeline. The Corps also granted permission at seven locations, under 33 U.S.C. Section 408, for installation of the pipeline across Corps projects. The final action requiring Corps approval is an easement for the Lake Oahe crossing. This easement requires Congressional notification and a 14-day waiting period, which has not occurred.

The Army values its long-standing relationships with Native American Tribes and has great respect for the cultures, traditions, and concerns of those Tribes. Prior to issuing authorizations, the Corps analyzed and coordinated the environmental impacts of the proposed activity in accordance with the National Environmental Policy Act and other applicable laws including Section 106 of the National Historic Preservation Act.

Again, thank you for your interest in this matter. Should you need further assistance, please feel free to contact Ms. Angela Dunn, Acting Deputy Chief, Northwestern Division Regional Integration Team, at Angela.E.Dunn@usace.army.mil, or (202) 761-1923.

Sincerely,

A handwritten signature in brown ink, appearing to read "Donald E. Jackson, Jr.", is written over a horizontal line.

Donald E. Jackson, Jr., P.E.
Major General, U.S. Army
Deputy Commanding General
for Civil and Emergency Operations