



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVENUE
OMAHA NE 68102-4901

CENWO-OD-T

10 June 2016

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, Omaha District (Henderson)

SUBJECT: Dakota Access Pipeline Project, Garrison Project (Consent Flowage Easements), Oahe Project (Easement)

1. References:

a. EC 1165-2-216, Policy and Procedural Guidance for Processing Requests to Alter US Army Corps of Engineers Civil Works Project Pursuant to 33 USC 408.

b. NWDR 1110-2-5, Land Development Guidance at Corps Reservoir Projects

2. In accordance with reference 1.a., enclosed for District-level approval is the proposal for modification and alteration of the Garrison Project on Corps fee property. The modification has undergone an agency review (ATR) by the Omaha District (NWO) and is recommended for approval as the request has been determined to not be injurious to the public interest and not impair the usefulness of work built by the United States.

3. Background:

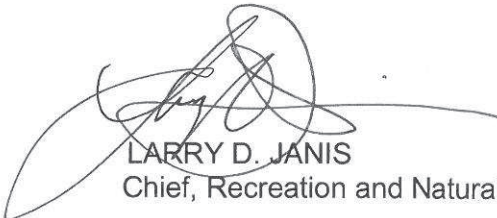
a. The Dakota Access, LLC, (Dakota Access) is requesting an easement on Corps-owned lands with a 30- inch light crude oil pipeline. The pipeline will cross under the Missouri River (Lake Sakakawea) via horizontal directional drill (HDD) and continues south to Lake Oahe and crosses under Lake Oahe with a second HDD. The project will begin near Stanley, North Dakota and end at Patoka, Illinois. The total length of the pipeline is about 1,100 miles.

b. Corps technical reviewers have reviewed and have determined the request to not be injurious to the public interest and not impair the usefulness of work built by the United States.

4. The point of contact for this project and/or issues regarding this application is Mr. Brent Cossette, Natural Resources Specialist, CENWO-OD-TN, 402-995-2712 or brent.j.cossette@usace.army.mil.

3 Encls

1. Summary of Findings
2. Technical Review Package
3. Finding of No Significant Impact



LARRY D. JANIS
Chief, Recreation and Natural Resources Branch

CENWO-OD-T

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**DISTRICT COMMANDER'S APPROVAL
OF
SECTION 408 DECISION DOCUMENT**

I attest that the Decision Document for the Dakota Access Pipeline Project is consistent with Army policy, and has been reviewed for legal sufficiency by District Counsel. Accordingly, I approve this Decision Document.



JOHN W. HENDERSON
Colonel, Corps of Engineers
District Commander

25 JUL 2016

Date