

# Exhibit 3

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



**DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108**

FEB -7 2017

Director  
Office of the Federal Register  
National Archives and Records Administration  
800 North Capitol Street, N.W.  
Washington, D.C. 20408

Dear Mr. Director:

I am forwarding for publication in the Federal Register a Notice of Termination of the Intent to Prepare an Environmental Impact Statement in Connection with Dakota Access, LLC's Request for an Easement to Cross Lake Oahe, North Dakota. Three originals of the Memorandum are enclosed. I have also enclosed an electronic file that contains the text of the notice in a MS Word document. I certify that the information on the disk is identical to that in the signed originals. Please contact Mr. Gib Owen at (703) 695-4641 if assistance is required.

Sincerely,

A handwritten signature in black ink, reading "Douglas W. Lamont".

Douglas W. Lamont, P.E.  
Senior Official Performing the Duties of the  
Assistant Secretary of the Army  
(Civil Works)

Enclosure

**BILLING CODE: 5001-03**

**DEPARTMENT OF THE ARMY**

**Notice of Termination of the Intent to Prepare an Environmental Impact Statement  
in Connection with Dakota Access, LLC's Request for an Easement to Cross Lake  
Oahe, North Dakota**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.

**NOTICE:** In light of the President's memorandum to the Secretary of the Army dated January 24, 2017, published in the Federal Register on January 30, 2017 (82 FR 8661), this notice advises the public that the Department of the Army (Army), as lead agency, effective immediately, no longer intends to prepare an environmental impact statement (EIS) in connection with the Dakota Access, LLC's request to grant an easement to cross Lake Oahe, which is on the Missouri River and owned by the US Army Corps of Engineers (Corps). Therefore, the Notice of Intent announced in the Federal Register on January 18, 2017 (82 FR 5543) is terminated.

**AUTHORITY:** This notice is published in accordance with sections 1503.1 and 1506.6 of the CEQ's Regulations (40 CFR parts 1500-1508) implementing the procedural requirements of NEPA, as amended (42 USC 4321 *et seq.*), and the Army and Corps' NEPA implementation policies (32 CFR part 651 and 33 CFR part 230), and exercises the authority delegated to the Assistant Secretary of the Army (Civil Works) by General Orders No. 2017-1, January 5, 2017.

Brenda S. Bowen

Army Federal Register Liaison Officer