



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

November 25, 2016

District Commander

Chairman Dave Archambault II  
Standing Rock Sioux Tribe  
Bldg. #1, North Standing Rock Avenue  
P.O. Box D  
Fort Yates, North Dakota 58538

Dear Chairman Archambault:

Pursuant to 36 C.F.R. § 327.12, I am closing the portion of the Corps-managed federal property north of the Cannonball River to all public use and access effective December 5, 2016. This decision is necessary to protect the general public from the violent confrontations between protestors and law enforcement officials that have occurred in this area, and to prevent death, illness, or serious injury to inhabitants of encampments due to the harsh North Dakota winter conditions. The necessary emergency, medical, and fire response services, law enforcement, or sustainable facilities to protect people from these conditions on this property cannot be provided. I do not take this action lightly, but have decided that it is required due to the concern for public safety and the fact that much of this land is leased to private persons for grazing and/or haying purposes as part of the Corps' land management practices. To be clear, this means that no member of the general public, to include Dakota Access pipeline protestors, can be on these Corps' lands.

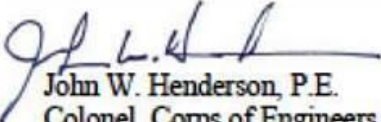
The Corps of Engineers has established a free speech zone on land south of the Cannonball River for anyone wishing to peaceably protest the Dakota Access pipeline project, subject to the rules of 36 C.F.R. Part 327. In these areas, jurisdiction for police, fire, and medical response is better defined making it a more sustainable area for visitors to endure the harsh North Dakota winter. For your reference, please find enclosed a map, marked as Exhibit A, which delineates this free speech zone area, as well as shows the Corps' lands north of the Cannonball River that will be prohibited from public use. Any person found to be on the Corps' lands north of the Cannonball River after December 5, 2016, will be considered trespassing and may be subject to prosecution under federal, state, and local laws. Furthermore, any person who chooses to stay on these Corps' lands north of the Cannonball River does so at their own risk, and assumes any and all corresponding liabilities for their unlawful presence and occupation of such lands. There currently are many Title 36 violations occurring on the Corps' lands north of the Cannonball River, including, but not limited to, unauthorized structures, fires, improper disposal of waste, and camping. Additionally, any tribal government that sponsors such illegal activity is assuming the risk for those persons who remain on these lands. See 36 C.F.R. § 327.

As I have publically stated, I am asking you, as a Tribal leader, to encourage members of your Tribe, as well as any non-members who support you who are located in the encampments north of the Cannonball River on Corps' lands to immediately and peacefully move to the free

speech zone south of the Cannonball River or to a more sustainable location for the winter. I am genuinely concerned for the safety and well-being of both the members of your Tribe and the general public located at these encampments.

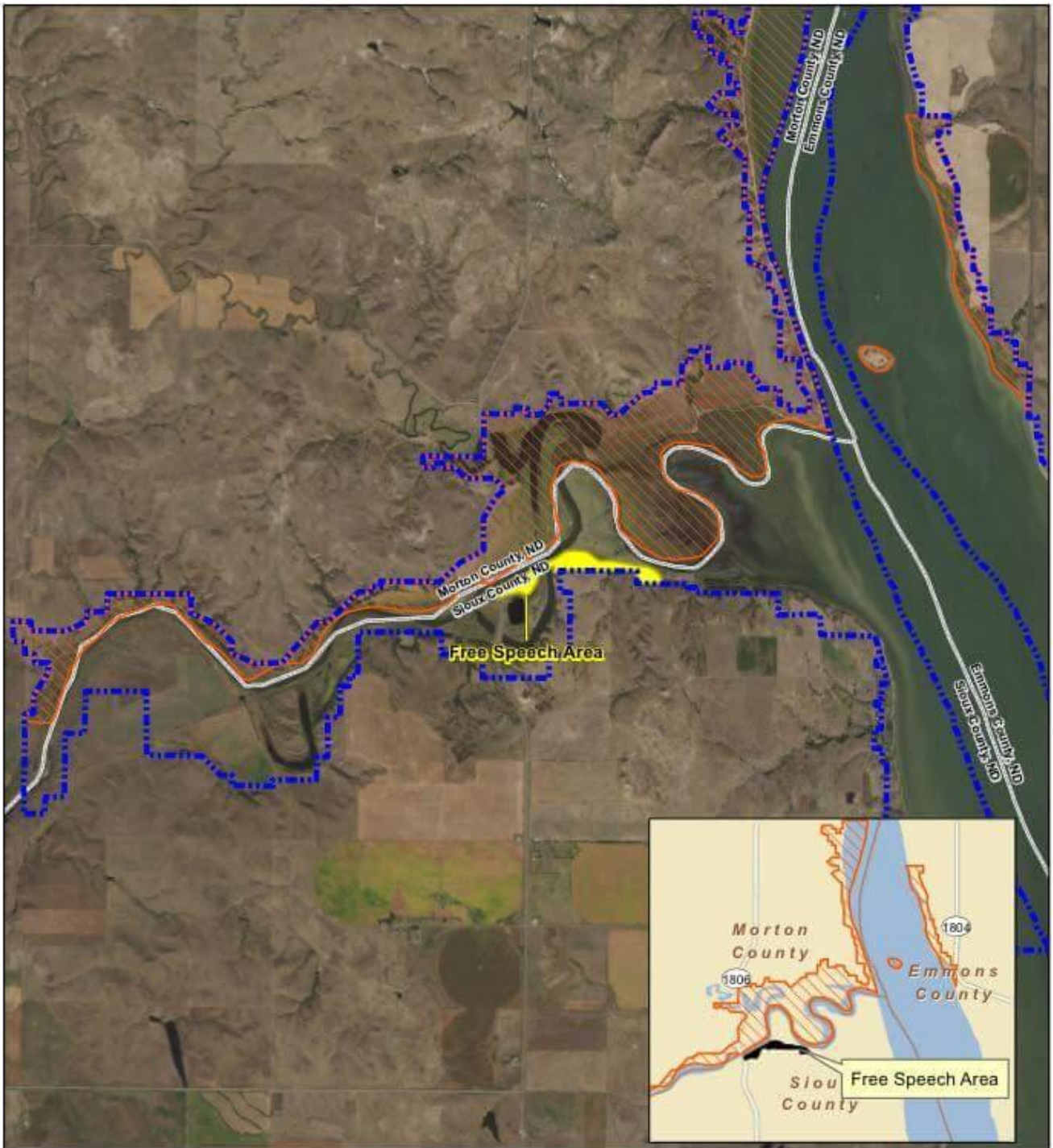
Please do not hesitate to contact me with any questions or concerns regarding this information.

Sincerely,

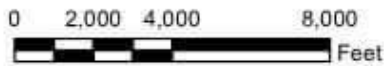


John W. Henderson, P.E.  
Colonel, Corps of Engineers  
District Commander





# Oahe Dam and Reservoir Free Speech Area



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### Legend

- USACE Project Boundary (Fee)
- Free Speech Area (±41.34 Acres)
- Prohibited Area
- Counties



## Exhibit "A"

Date: 21-November-2016

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## United States Senate

WASHINGTON, DC 20510-2309

November 21, 2016

The Honorable Loretta Lynch  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

Dear Attorney General Lynch,

I am extremely concerned after hearing reports of dangerous clashes between police and protestors of the Dakota Access Pipeline project near Cannon Ball, ND. The reported use of water cannons for crowd control in sub-freezing temperatures is excessive and unnecessary, and I urge you to take action to protect the First Amendment rights of protestors, and the physical safety of all involved parties.

Video of the incident appears to show that the water cannons were not simply being used for fire control, or even crowd control, but were often directed at small crowds or even individual protestors. Combined with the onset of wintry weather, water cannons are extremely dangerous and potentially lethal weapons, and I urge you to investigate their use on protestors.

On November 14, the U.S. Army Corps of Engineers announced that additional analysis of the Dakota Access Pipeline project is necessary and invited the Standing Rock Sioux Tribe to engage due to potential impact of a pipeline leak on the Tribe's drinking water supply. In the interim, the Army Corps has made clear that pipeline construction under Lake Oahe – where the Tribe gets its drinking water– cannot occur without a federal easement.

Native American populations have struggled for decades under the complex burden of historical trauma, and I have witnessed and admired how these communities have turned to their cultural foundations to build strength against that burden. These tactics against protestors exercising their Constitutional rights threaten to add another layer of trauma to these communities. I urge you to do everything in your power to prevent further escalation of violence. Thank you for your attention to this matter.

Sincerely,



Al Franken  
United States Senator





## Sunoco Logistics to acquire Energy Transfer Partners

Nov. 21, 2016 9:42 AM • SA Editor Carl Surran

- Sunoco Logistics Partners (SXL -1.6%) agrees to acquire Energy Transfer Partners (ETP -1%) in a unit-for-unit transaction.
- ETP unitholders will receive 1.5 common units of SXL for each common unit of ETP they own, which equates to a 10% premium to the volume weighted average pricing of ETP's common units for the last 30 trading days.
- The companies say the combined partnership will offer increased scale and diversification across multiple producing basins and have greater opportunities to more closely integrate SXL's natural gas liquids business with ETP's natural gas gathering, processing and transportation business; the companies also anticipate more than \$200M/year in commercial synergies and costs savings by 2019.
- Kelcy Warren, Chairman of parent company Energy Transfer Equity (ETE +10%), will be CEO of the combined company; ETE will continue to provide all incentive distribution right subsidies that are currently in effect for both partnerships.



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