

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

YANKTON SIOUX TRIBE, et al.,

Plaintiffs,

v.

UNITED STATES ARMY CORPS OF
ENGINEERS, et al.,

Defendants.

Civil Case No. 1:16-cv-01796-JEB

YANKTON SIOUX TRIBE'S STATUS REPORT

COME NOW Plaintiffs Yankton Sioux Tribe, et al. (hereinafter, "Yankton" or "Tribe"), and hereby provide notice to the Court of the following:

1. By Minute Order dated December 13, 2016, production of the administrative record and briefing in this case matter has been held in abeyance.

2. On January 18, 2017, the Defendant U.S. Army Corps of Engineers ("Corps") issued a Notice of Intent to Prepare an EIS in Connection with DAPL's Request for An Easement to Cross Lake Oahe, North Dakota as required by the National Environmental Policy Act. 82 Fed. Reg. 5543 (January 18, 2017) (hereinafter, "Scoping Notice").

3. On Tuesday, February 7, 2017, Yankton was notified by U.S. Department of Justice ("DOJ") that the Corps had "terminated" the Environmental Impact Statement ("EIS") process and scoping notice.

4. After hours on Thursday, February 9, 2017, DOJ provided Yankton's counsel with a limited number of records dealing with the Corps' records on EIS termination.

5. Yankton has now notified DOJ of its intention to resume briefing in the present matter on an expedited basis.

6. Yankton has advised DOJ of the Tribe's intent to seek injunctive relief on separate but related grounds in the present matter and depending on the outcome of the Cheyenne River Sioux Tribe's *Motion for Temporary Restraining Order* in Case No. 1:16-cv-01534-JEB.

7. Finally, Yankton respectfully notifies the Court of the Tribe's support in principle of the *Motion for Temporary Restraining Order and Motion for Preliminary Injunction* filed with this Court by Intervenor-Plaintiff Cheyenne River Sioux Tribe in Case No. 1:16-cv-01534-JEB.

Respectfully submitted this 13th day of February, 2017,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 2017, a copy of the foregoing was filed electronically with the Clerk of the Court. The electronic filing prompted automatic service of the filing to all counsel of record in this case who have obtained CM/ECF passwords.

s/Jennifer S. Baker _____