

2010 Legal and Public Notices

ies of the staff report, recommendations, applications or other information. Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is January 14, 2013. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25:02; 74:02:01:35:01.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
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Year In Review

2012: Of Droughts And Foie Gras Angst

BY J.M. HIRSCH
AP Food Editor

Most Americans never will sip the watermelon margarita at Guy Fieri’s behemoth Times Square restaurant, nor savor the chicken Alfredo at the Olive Garden in Grand Forks, N.D.

Yet both eateries somehow shot to the top of the nation’s culinary zeitgeist in 2012, for this was the year of the viral restaurant review, when the rants and raves of seasoned pros and naive octogenarians alike got superstar treatment on the world wide smorgasbord.

It was a year when drought crippled farmers while Californians clamored for foie gras. Twinkies died and Paula Deen endorsed a diabetes drug. Which is to say, it was a year when the unlikely was the norm.

While restaurateurs bemoaned the influence of Yelp and other social media review sites, 85-year-old *Grand Forks Herald* restaurant columnist Marilyn Hagerty cut through the noise, heaping near rhapsodic praise on the fine dining at her community’s latest chain restaurant. All she wanted to do was get to her bridge game, but her review became a must-read sensation.

And lest they be considered elite for dissing her devotion to this fine fare, the nation’s culinary upper crust rushed to praise her. It was an amusing — and embarrassing — display of the food world’s split personality, an ever growing chasm between how real Americans eat, and how real foodies want real Americans to eat. Either way, Hagerty did OK for herself, landing a book deal with Anthony Bourdain.

Meanwhile, *New York Times* reviewer Pete Wells scored a celeb smackdown when he slammed Fieri’s New York restaurant, Guy’s American Kitchen & Bar, in a scathing 1,000-word review written almost entirely in questions. Wells took heat for beating on Food Network’s bad boy, but the review — which tore across Twitter the instant it was posted — certainly drove hordes to Fieri’s tables, even if only to rubberneck the culinary accident.

Speaking of restaurants taking a beating, the Chick-fil-A chain earned plenty of scorn — and some support — this summer when company president Dan Cathy came out about his opposition to same sex marriage. The dustup spawned online “Chick-fil-Gay



DAVID LIAS/VERMILLION PLAIN TALK
Marilyn Hagerty takes a close look at the AI Neuharth Award for Excellence in Media presented to her Oct. 4 on the campus of USD.

mockery, but ended with the company saying it would stop funding anti-gay marriage groups.

Another revelation — Twinkies may not last forever. Blaming a labor dispute for ongoing financial woes, Hostess Brands decided to close shop this year, taking with it lunch box staples such as Twinkies, Ding Dongs and Wonder bread. The company said it would try to sell off its many storied brands, so maybe there is hope for the mysteriously enduring snack cakes.

California’s foie gras fans may not get a similar second chance. Despite opposition by the state’s restaurant industry, as of July it became illegal to sell foie gras — which is made from goose or duck livers enlarged by force-feeding through funnel-like tubes.

Back in New York, the too-cool-for-you folks spent the summer angust over whether Brooklyn really did have a hip dining scene. Not that anyone outside New York gives a flying (artisanal bacon-wrapped) fig. But silly one-upmanship gave way to legit worry — and unity — when Superstorm Sandy dealt a devastating blow to the city’s restaurant scene.

For this year’s truly hot food scene, you needed to head south. Because THE South is where it’s happening. Hugh Acheson, Tim Love, John Besh and a gaggle of others are

putting a fresh face on what it means to eat well when you’re below the Mason-Dixon Line, and the rest of the country started to wake up to this.

And then there’s Paula Deen, the doyenne of butter, deep-frying and — at least this year — public relations travesties. Though diagnosed with diabetes several years ago, she waited until January — coincidentally when she also had lined up a lucrative drug endorsement deal — to go public with it. She came off looking money-grubbing, and an opportunity to educate Americans about a devastating disease was mostly lost.

But Americans did learn plenty about their hamburgers. In March, the Internet exploded with worry over so-called pink slime, or what the meat industry prefers to call lean finely textured beef. Though it had been part of the food chain for years, by the end of the kerfuffle the product had all but disappeared.

Filling your grocery cart was — and will continue to be — costly. This summer’s massive drought in the U.S. devastated famers and drove up global food prices. And the hardship isn’t over. Analysts say we can expect food prices here to go up by as much as 4 percent in 2013.

Food safety also was a headline grabber.

Bobcats

From Page 1A

of the Missouri River, Schelhaas said.

“I think there were a lot of really good comments from a lot of trappers,” he said. “They have been trapping for a number of years, and they knew there were bobcats around. Now, they had the opportunity to get a chance to trap them. Not everyone was successful, but that was part of the fun of it. The people I talked to were excited and happy.”

The seven Yankton County cats consisted of four females and three males, Schelhaas said. Six were trapped and one was shot.

The majority of cats in Yankton and Bon Homme counties were trapped among the river hills and along the Missouri River, primarily along Lewis and Clark Lake. The cats were large sized, with one cat weighing nearly 30 pounds and another one 20 pounds.

“Everybody I talked to considered it a trophy. Of the seven that were tagged in Yankton County, only one decided to sell the fur,” the game warden said.

“Out by the lake, we had one trapper who got two cats in legholds in two different traps. He was able to take one and release the other one.”

This initial year, the East River bobcat season was limited to one cat per hunter or trapper. Schelhaas wasn’t aware of any violations.

A REAL LEARNING EXPERIENCE

Johnson, like many hunters and trappers, was aware of bobcats from trail cameras, tracks and the available food supply. He actually trapped two cats, harvesting one and releasing the other. Surprisingly, he trapped his cats in areas where he expected to find fox and coyotes.

“I had seen some bobcats in several areas where I deer hunted in the past. There isn’t a high (bobcat) population, but I do think we have a pretty viable population,” he said.

“I talked to several friends, and they were real excited, especially at the beginning of the season. I didn’t hear much negative from anyone.”

“I have gained a lot more respect for the bobcats. A lot of people in Yankton County trapped for them, but it’s a tough animal to trap. They are very wary of traps and human activity in the area.”

SAM SCHELHAAS

Johnson characterized his harvested bobcat as a large male. He didn’t have it weighed, and the carcass was sent to officials in Sioux Falls for testing in accordance with regulations.

“What they learn will bring in lots of information about the cats,” he said. “I think they will pull quite a bit of valuable data.”

When it comes to the bobcat season, the data collection will prove as valuable as the sport itself, Schelhaas said. Biologists will compile data such as the bobcats’ age, gender, litter rates and food sources.

“We have known there were bobcats in the area for years. Most of the deaths came from roadkill or things of that nature,” he said. “This is the first time we will get some data and information on bobcats east of the (Missouri) river. I believe this season will have a positive impact and will help the future of the bobcat population.”

The five East River counties contain prime habitat, Schelhaas said. Those factors include large tracts of river hills, the Missouri River banks, the James River with trees and rolling hills, uninhabited areas and adequate food sources.

GF&P officials believe some of the South Dakota bobcats migrated from Nebraska, Schelhaas said.

“The bobcats are looking to expand their territories,” he said. “During the freeze, they go over the river (from Nebraska) and set up their home range in South Dakota. And right now, the river is way down (because of drought). We believe the bobcats are good swimmers. We imagine they are crossing the river at a smaller stretch like the Springfield area.”

With outdoors enthusiasts trapping among the hills this fall, the cats were aware of the human presence even before the East River sea-

son, Schelhaas said.

“I have gained a lot more respect for the bobcats,” he said. “A lot of people in Yankton County trapped for them, but it’s a tough animal to trap. They are very wary of traps and human activity in the area.”

PLANNING FOR THE FUTURE

The East River bobcat season was conducted as an experiment, Schelhaas said. The Division of Wildlife will now analyze the data and make its recommendations to the GF&P commissioners. Those recommendations could include changes in length of season, number of cats per license holder or some other variations.

“You don’t want to lose too many bobcats, so they kept it conservative this season,” the game warden said. “I think it will help determine whether we will have a more restrictive season, a more conservative season, a more liberal season or no season at all.”

Schelhaas remains optimistic that the East River season will continue into future years.

“I think we have more bobcats than people suspected,” he said. “We hope to continue managing the animals properly, and it looks like we can support another season.”

Johnson strongly supports continuing the East River bobcat season and the GF&P management practices so far.

“I do like how they went into it slow, with the one cat per person limit. I think it’s pretty important,” he said. “It’s a really secretive animal, and it’s hard to get a lot of data out here. I would like to see something similar next year.”

With the success of the recent season, Johnson sees the possibility of increasing the limit to two cats per person or some other formula. He strongly recommends holding another round of public meetings to gather input from landowners, outdoors enthusiasts and conservation officials.

“This season, these cats were considered once-in-a-lifetime opportunity for some people,” Johnson said.

“At the same time, if there is a viable population, there is no reason why we can’t have more opportunities in the future.”

You can follow Randy Dockendorf on Twitter at twitter.com/RDockendorf

For the first time ever, the Food and Drug Administration used newly granted authority to shutter a company without a court hearing. In November, the government shut down Sunland Inc., the country’s largest organic peanut butter processor, after repeated food safety violations.

Meanwhile, the nation’s kids seem to be sick of being told to eat healthier. Nutritionists praised the most significant overhaul of federal school lunch standards in years, but the kids in the lunch lines were less impressed; schools reported more food landing uneaten in the trash.

But the kids won’t get much sympathy in New York City, where a first-in-the-nation ban on eateries selling sodas larger than 16 ounces means slurping a monster gulper is going to require double fisting.

At times this year it felt like the food world belonged to the geeks, and the rest of us just eat in it. Nathan Myhrvold’s science chic approach to cooking continued to woo foodies, and even the more populist folks at Cook’s Illustrated magazine got in on the act with a new cookbook, “The Science of Good Cooking.”

Now let’s talk trends. Kale was the unlikely darling of 2011, but it started to lose its luster this year. Beets are making a bid for top slot, and would actually stand a chance if they didn’t stain your fingers so much. Americans fell in love with dark meat, finally realizing what chefs have known all along — chicken breasts are the tofu of the meat world. Dark meat actually has flavor.

Craft beer remains a growing market, but hipster drinkers know it’s the hard stuff that’s happening. Barrel aged cocktails and micro distilleries are raging hot. Chia seeds also are trying to be hip, and though they’ve wormed their way into numerous bottled drinks, they will forever suffer from the Ch-ch-ch-chial effect. If you want to seem impossibly hip, saute or bake something with coconut oil. But don’t be caught dead sipping coconut water. That’s so 2011.

By the way, we get it! Any food served out of a truck or from a restaurant that “pops up” is outrageously better than any other food. And eating it makes you impossibly cool. Now can we please move on to another food world flavor of the week?

And would somebody please, for the love of all that is good, please kill off the cake pop phenomenon?

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By THOMAS JOSEPH

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1-4

A X Y D L B A A X R
is L O N G F E L L O W

One letter stands for another. In this sample, A is used for the three L’s, X for the two O’s, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

1-4

CRYPTOQUOTE

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G F ’ E S A L F N H X B L X O L B

Y X H S F G A T S A K I C S R G A T Z G F N

Y L C L X E . — L E Y S X K H C S

X H A F S

Yesterday’s Cryptoquote: NOT THE POWER TO REMEMBER, BUT ITS VERY OPPOSITE, THE POWER TO FORGET, IS A NECESSARY CONDITION FOR OUR EXISTENCE. — SHOLEM ASCH

County

From Page 1A

thing in the next year will be maintaining roads and bridges. We’ll try to get some more money put away for that. We also need to upgrade our computer systems to stay with the times.”

The commission attended to a variety of business related to the new year. The *Press & Dakotan* and *The Observer* were designated as the official newspapers for the county, polling centers were established and an annual strategic planning session was set for 8 a.m. Jan. 22.

It was also decided that members of the drainage board formed in 2012 will be eligible for \$25 plus mileage for each meeting — the same as planning commission members.

A variety of zoning requests were also approved, including:

- a conditional-use permit for a lagoon

at the old Jo Dean’s facility north of Yankton along Highway 81 to serve the trucking business located there. The request was made by Doug Marquardt;

- a variance for a camping unit along Summer Street. Warren White requested to live in a camper due to his house burning down last year. The commission decided to allow