

Judge Allows Keystone XL Lawsuit To Proceed

LINCOLN, Neb. (AP) — A judge has ruled that opponents of the Keystone XL pipeline in Nebraska can proceed with their legal challenge to a state law that paved the way for a new project route. Lancaster County District Court Judge Stephanie Stacy on Tuesday rejected a motion by Nebraska state officials to dismiss the lawsuit.

The lawsuit filed by three Nebraska landowners asserts that Gov. Dave Heineman's decision to approve a new pipeline route was rooted in an unconstitutional state law. The law was passed during a special legislative session in 2011 as a way to reroute the pipeline away from Nebraska's environmentally sensitive Sandhills.

Stacy did not rule on the merits of the case, but said opponents should be allowed to present their evidence and arguments.

BPI Gets Lawsuit Back To State Court

SIOUX FALLS (AP) — A federal judge has moved a South Dakota beef processing company's lawsuit against ABC News for defamation back to state court.

Beef Products Inc. sued ABC News Inc. for defamation over its coverage of a meat product that critics dub "pink slime." The company is seeking \$1.2 billion in damages.

ABC argued that two of the companies listed in the lawsuit, BPI Technology Inc. and Freezing Machines Inc., are not true parties and the case should be thrown out.

But BPI argued that all three companies have a stake in making the product called lean, finely textured beef.

Judge Karen Schreier on Wednesday ordered the case back to the circuit court in Union County.

USDA Reduces Corn Crop To Reflect Wet Spring

DES MOINES, Iowa (AP) — Corn farmers are feeling the impact of a cool, wet spring but are still expected to bring in a record crop this year.

The U.S. Department of Agriculture said in its monthly report released Wednesday that farmers are expected to bring in 14 billion bushels of corn this year. That's 135 million bushels less than last month's estimate, reflecting the impact of the cooler spring.

But that would still beat the 13.1 billion bushel record, set in 2009. Last year, farmers harvested only about 11 billion bushels because of the drought.

The changes are not expected to significantly affect food prices for consumers.

The USDA said the amount of corn expected to be harvested per acre — the yield — will be reduced to 156.5 bushels per acre down from 158 bushels estimated a month ago. Last year's drought-withered corn yielded 123 bushels per acre.

Farmers in the Midwest received a short break from rain between May 13 and 19 and in that period corn planting advanced from 28 percent to 71 percent complete. That matched the weekly record of 43 percentage points sent in May 1992, the USDA said. However, rain and cool temperatures later in May further delayed progress.

In some parts of Illinois the corn looks as good as ever, said Jerry Gulke, an Illinois farmer who runs a farm management and market advisory business based in Chicago. He toured 400 acres of Illinois farmland on Tuesday.

"We have record or near record crops in some places," he said. "I saw some of the best stands in years."

The eastern corn belt states including Illinois, Indiana, and Ohio appear to have a very good corn crop. The question is how bad it will be for Iowa, Minnesota, Nebraska, and North and South Dakota, said Chad Hart, an agriculture economist at Iowa State University.

"A lot of us are saying it will be a better year than last year, but it won't be a normal year," Hart said.

It's possible the very good areas could end up harvesting a good enough crop to help offset the land that didn't get planted or suffers from too much water, he said.

The government left unchanged the 97.3 million acres planted in corn and the anticipated 89.5 million acres to be harvested.

Those numbers are likely to change, however, because it's clear in Minnesota, North Dakota, South Dakota and parts of northern Iowa that farmers couldn't get into the fields in time to plant what they thought they would this year.

Sioux Falls Ice Storm Cost Estimated At \$9M

SIOUX FALLS (AP) — Sioux Falls officials estimate that a three-day ice and snow storm in April cost the city \$9 million.

The storm that hit April 9 downed trees, tree branches and power lines in South Dakota's largest city, at one point knocking out power to more than 115,000 people in eastern South Dakota.

The Sioux Falls estimate includes the cost of snow removal, personnel overtime, damage to park property and the cleanup the branches, which took about two months.

Officials have asked the City Council to dip into the Sioux Falls' reserve fund, which has almost \$40 million. City Council members are still debating whether to accept federal help. Some officials believe other disaster-stricken areas of the country such as tornado-devastated Moore, Okla., might need the money more.

The city has recovered from the storm, Sioux Falls Mayor Mike Huether said Tuesday, when city officials held a news conference to announce the end of the tree branch cleanup project that was dubbed Operation Timber Strike.

"There wasn't a neighborhood, there wasn't a park, there wasn't a street that wasn't impacted in a major, major way. Now it's 60 days later, and you can barely tell that anything happened," Huether said. "That's the way Sioux Falls wanted it to occur, and that's what actually has happened. In fact, I think there's some people around town who have forgotten about that ice storm, and that's a big, big win."

Officials with the Federal Emergency Management Agency are in South Dakota meeting with applicants and reviewing cleanup costs in seven counties and the Pine Ridge Indian Reservation. President Barack Obama last month declared them disaster areas. The reservation in southern South Dakota got about 2 feet of snow during the storm, isolating some residents for a time.

South Dakota

Tribal Members To Vote On Alcohol Ban

BY KRISTI EATON

Associated Press

SIOUX FALLS — A Native American tribe that has long battled the devastating effects of alcoholism is planning to ask its tribal members whether it should legalize alcohol on its South Dakota reservation.

The Oglala Sioux tribal council voted 9-7 Tuesday to bring the question of legalizing alcohol on the Pine Ridge Indian Reservation to a public vote.

"I'm just really frightened for our children and our elders," said tribal council member Danielle Labeau, who voted no to bringing the issue to a public vote. "No amount of money can pay for the damages done to our babies, our children. When it comes to alcohol, when people are under the influence, they make horrible decisions. Not a million, billion dollars can ever undo the bad decisions people make when they are under the influence."

Federal law bans the sale of alcohol on Indian reservations unless the tribal council allows it. Alcohol was legalized on the reservation for two months in 1970, but the ban

was restored two months later. An attempt to allow it in 2004 died after an outcry.

A date for the vote has not been set, but Labeau said she anticipates it taking place in about six months.

Alcoholism is rampant on the reservation and is often identified as the culprit for the high rates of suicide, violence, infant mortality and unemployment among tribal members on the impoverished reservation. People sneak in beer and liquor from nearby border towns such as Whiteclay, Neb. A lawsuit the tribe brought last year against four beer sellers in Whiteclay and some of the nation's biggest breweries was ultimately dismissed. The tribe alleges that the businesses were profiting from the alcoholism on the reservation.

The question of legalizing alcohol for revenue for the tribe has caused deep division among tribal members. Tribal council member Lydia Bear Killer is opposed to alcohol, but it is already present on the dry reservation, so the tribe should focus on making revenue from it, she said.

"These off-reservation establishments are getting rich, and we're dealing with the social crisis," she said. "We need safe houses, we need

detox centers. They're selling to us and we're making them rich and a penny of it doesn't come back to us."

If tribal members decide to lift the ban, the Oglala Sioux Tribe would regulate and operate the alcohol sales, Bear Killer said.

The tribe could see as much as \$10 million a year in revenue from the sales, she said.

But profiting off of tribal members — even if it's to provide treatment — is disgraceful, said Olowan Sara Martinez, an activist who regularly holds protests in Whiteclay.

"I think they are a bunch of cannibals who want to live off the misery of their own people," she said of the tribal council members who supported the public vote. She added that she is certain tribal members will vote against allowing alcohol.

A message left with Oglala Sioux President Bryan Brewer was not immediately returned. He has said in the past that he opposes legalizing alcohol on the reservation.

The tribe also recently voted to create ports of entry at every reservation entry point to try to decrease the amount of alcohol coming on to the reservation.

Daugaard Cancels Special Legislative Session

BY CHET BROKAW

Associated Press

PIERRE — Gov. Dennis Daugaard said Wednesday he has canceled a special session of the South Dakota Legislature that was to deal with cost overruns in the construction of a new State Veterans Home in Hot Springs.

In a message to lawmakers, the governor said the special session set for June 22 is no longer necessary to avoid the loss of a \$23.6 million federal Veterans Administration grant for the project. He said the VA has extended the grant, giving the state time to review project plans and seek a scaled-back design.

"Now that we have received additional time, I am ordering that the entire project be re-evaluated, redesigned and rebid. We owe it to the taxpayers to be certain that we are building a durable, quality and affordable facility," Daugaard wrote in his message to legislators.

The South Dakota Legislature earlier this year approved a measure authorizing the spending of \$41.3 million in state and federal money to build a new 100-bed home on the same Hot Springs property where the current facility is located in the southern Black Hills. When bids



Daugaard

a special session to approve up to \$10 million in additional spending on the project. He had said that was necessary to avoid losing the \$23.6 million federal grant.

The Republican governor said Wednesday the VA has extended the grant so the state has until February next year, rather than this month, to finalize construction plans.

Daugaard said he earlier did not believe the project's cost could be cut by \$10 million and still build the facility that veterans need, but he said Wednesday he believes some cost savings are possible.

"I am hopeful that design changes could lead to a total cost that we can all feel more comfortable with, although I would caution you that construction costs in the Black Hills seem to be higher than many regions of the country," the governor wrote.

The effort will also target a larger audience, Lepisto said.

"We're looking at a sense of urgency with this issue," he said. "We may talk to groups and not just go to each boat. We're also looking at presentations for classes or organizations."

Lepisto noted a widely different level of public interest toward invasive species.

"People know about the Asian carp, because the fish are here and people can see them fly (out of the river), whereas there isn't as much interest in zebra mussels (around here) because they are found downstream," he said. "I would also like to see more interest in invasive species such as the salt cedar, purple loosestrife and Eurasian milfoil. Those are big game changers."

Smith has taken a different approach in organizing the river cleanup in recent years. Boat crews now survey the sites ahead of time, targeting areas of greatest need and also finding any safety concerns.

Even with a dip in volunteer numbers, this year's clean-up produced outstanding results, Smith said.

"Last year, we collected about 3.6 tons with 110 to 120 people," he said. "This year, we collected 3.3 tons with about 70 people. If we had another 40 people, we would have had another ton (of trash), easy."

Nebraska

Peru State College, Others Dropped From Lawsuit

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. — A federal judge has signed an order dismissing Peru State College, the state of Nebraska and other local officials as defendants from a lawsuit in which a mother blamed them in the disappearance of her daughter more than two years ago.

LaTanya Thomas filed the lawsuit last year accusing the college and officials of neglecting to protect her daughter, Tyler "Ty" Thomas, from fellow student Joshua Keadle, who is serving time in a Nebraska prison for sexual assault in a separate case.

Ty Thomas was 19 years old when she disappeared on Dec. 2, 2010, and authorities have said they believe Keadle was the last person to see her alive.

Last week, U.S. District Judge John Gerrard dismissed a bevy of defendants, including the college, state of Nebraska, local governments and law enforcement, with the consent of LaTanya Thomas, said one of her attorneys, Vince Powers of Lincoln. Powers referred other questions to Thomas' lead attorney, Timothy Ashford of

Omaha, who could not be reached Wednesday for comment.

The lawsuit now continues against Keadle, the Nebraska State Colleges Board of Trustees and ten unnamed people listed only as John Does.

Keadle is not listed as having an attorney in the lawsuit and could not be reached Wednesday for comment. An attorney for the Board of Trustees did not immediately respond to a message seeking comment.

Keadle, originally from Swansea, S.C., has not been charged in Thomas' disappearance, but authorities questioned him extensively when she went missing. Investigators have said Keadle told them he and Thomas had sex in Keadle's vehicle the night of her disappearance at a dock on the Missouri River. Keadle said they then got into an argument in which Thomas threatened to report that Keadle had raped her. Keadle said he returned to his dorm room and took a shower to wash off any physical evidence of their encounter, according to court documents filed by investigators.

River

From Page 1

tracts schools from within a 100-mile radius of Yankton in southeast South Dakota and northeast Nebraska.

The festival rotates groups of students among stations with river-related presentations. Because of the growing interest, this year's festival expanded to 16 stations.

"As far as the teachers and students, everyone said it was phenomenal," said Yankton city employee Mary Robb, who chairs the festival.

The organizing committee wants to keep the festival at 16 stations. The members believe all of this year's presenters were excellent, but they are also looking at new entries to replace those that cannot return next year.

The organizers discussed using more wildlife and conservation groups. They also looked at topics such as bees and other insects, archery, exotic weeds and plants, glaciers, sedimentation and the ecosystem in general.

The school festival has benefited greatly from word of mouth, Smith said.

"Once we get the schools to come, they see this is a really good opportunity to learn. Usually, they don't get such a wide variety of things all in one place," he said. "The schools keep coming back because they want to bring new kids who haven't experienced it before."

Paul Lepisto with the Izaak Walton League of America chairs the clean boat event, where volunteers inform boaters about combating invasive species — such as the Asian carp and zebra mussel — by properly maintaining their crafts.

"We're still looking at keeping the event in the spring and early summer," he said. "But we're taking a more flexible approach rather than locking into certain weekends or time frames. If the weather isn't good, it doesn't make sense talking to 20 people."

OBITUARIES

Larry Sylliaasen

Larry L. Sylliaasen, 80 passed away on Friday May 31, 2012 in Denver, Co.

A Military service was held at Ft. Logan National Cemetery on June 6, 2013.

Larry was born in Yankton, SD on July 12, 1932 and graduated from Yankton High School in 1950. He served in the US Air Force and retired after 20 years. In 1960 he married Geni Olson of Davey, Ne. Larry worked for Otis Elevator, the State of Colorado, Safeway Stores and the Isle of Capri at Blackhawk, Co. After retirement he volunteered at Bear Valley Library and Fort Logan Na-

tional Cemetery. He was a member of the Atonement Lutheran Church of Lakewood, Co., the VFW and a former Ruler of the Elks Lodge 607 in Idaho Springs, Co.

Survivors include daughter Rikke, grandsons, Broderick, Evan and Liam of Florida, sister Joan (John) Snow of Sioux Falls, SD and their sons, Gary Snow of Brookings, SD, Derek (Kim) Snow of Sioux Falls and Brian (Ann) Snow of Lakewood, Co.

He was preceded in death by his parents and a brother Emerald.

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As a reminder, all Memorial Day decorations in the Garden of Memories Cemetery will be removed three weeks after Memorial Day on June 17 and immediately discarded. Only flowers in a permanent vase and one iron decoration may remain. Vases will then be turned down for the winter on November 1st. Thank you for your cooperation and understanding.

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