

Despite Opposition, Many Landowners Await XL Pipeline

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. (AP) — If the proposed Keystone XL oil pipeline ever gains approval, Ronald Weber will watch from his farmhouse as workers lay the line beneath a half-mile of his cropland in northeast Nebraska.

The 69-year-old retired farmer wishes the pipeline had missed his property, simply to avoid the difficulty of growing corn and soybeans around the construction work. But what leaves Weber exasperated are the repeated project delays.

"It's ridiculous that we haven't yet built this thing," he said. "It would have been nice if they had gone a mile over and missed me, but these kinds of things happen. It has to go through somewhere."

Weber has plenty of company in Nebraska, a state that has been an impediment to the 1,100-mile-long line almost since it was proposed 10 years ago, but where patience with the struggle seems to be running thin now that the pipeline company has reached financial settlements with three-quarters of the landowners on the route. Secretary of State John Kerry is expected to decide in the coming months whether to recommend White House approval of the project.

A group of environmental activists and farmers has cast the \$5.4 billion pipeline as a threat to the nation's efforts to curtail global warming, to the state's groundwater and to residents' property rights. The line's path through Nebraska also remains in legal limbo because of an ongoing court challenge.

But many property owners are now waiting for the pipeline trucks with a sense of apathy and resignation, eroding the grassroots resistance that had long bolstered the opposition. The settlement deals offered by TransCanada, the Canadian company behind the project, can run well into six figures and are providing residents here with their first share of the oil-boom money that had enriched those in the prime

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RONALD WEBER

drilling areas in other states.

Earlier this month, pipeline supporters sought to isolate opponents even more when they gathered signatures from 34 Nebraska lawmakers — a bipartisan, two-thirds majority — for a letter urging federal approval. Three Democrats signed a letter opposing the project.

Jane Kleeb, director of the anti-pipeline group Bold Nebraska, said local opposition remains alive. She pointed to 115 of the 515 landowners along the proposed route that she said joined the effort to stop it, despite what she described as high-pressure sales tactics by TransCanada.

"For the last three months, it's been very stressful on the landowners," she said.

But other landowners say they're ready for the dispute to end.

"Up here where the pipeline's going through, the people I've talked to don't have concerns with it," said Frankie Maughan Jr., who farms near the route in northeast Nebraska. "They just want the money."

Other states long ago signed off on the line, which would carry 830,000 barrels of oil per day from Alberta, Canada, to Texas Gulf Coast refineries, but nothing has come easy in Nebraska.

First it was complaints that the initial route would have burrowed through the fragile Sandhills region, which sits atop the massive Ogallala reservoir. After the company made changes, the state approved a new route, but in February a judge sided with pipeline opponents in finding that the wrong state officials approved the plan. The state has appealed the ruling.

Surveys commissioned by the University of Nebraska and independent polling firms have shown that most Nebraska residents support the project. The latest federal environmental impact report also was favorable. "Once we changed the route, the mood

in the state completely changed," said TransCanada spokesman Shawn Howard.

The newest offers to property owners promise a 50 percent up-front payment for access plus a signing bonus.

Weber, who owns land near Tilden, about 100 miles northwest of Omaha, said the company's offer to him equaled what he could have gotten in court. He said he'll still be able to grow crops on top of the strip where the pipe will be buried five feet underground.

Just a few miles away, 85-year-old Joseph Grosserode said TransCanada agreed to pay him about \$100,000 for an easement, and promised he could keep the money even if the project was never built.

"That was a big concern of mine," Grosserode said.

Tom Rutjens, a construction-company owner who also lives in Tilden, said he knew of two landowners who were dead-set against the pipeline, but more who were willing to accept the risks.

"Just about everyone else I've talked to has been tickled" with the offers, Rutjens said.

Local opposition declined as TransCanada's offers went up. Some landowners have received offers as high as \$250,000, with signing bonuses of \$60,000 to \$80,000, Kleeb said.

Kleeb said activists have taken heart from their recent successes, including the court ruling against the route's approval, and the refusal of some landowners to settle.

Jim Carlson, 59, who farms near the eastern Nebraska town of Osceola, said he's turned down two TransCanada offers, including one for \$244,000, and is more concerned than ever about chemical additives that could run through the pipe.

"I think a lot of people who have signed so far, especially in the beginning, didn't know a lot about the pipeline," Carlson said. "Initially, I thought it would be good for the country, that it would reduce our independence on foreign oil. But now? They could offer me \$344,000 today, and I wouldn't sign it."

SD Creates Task Forces For Sex Abuse, Tribes

BY NORA HERTEL
Associated Press

PIERRE — South Dakota lawmakers have passed bills creating three task forces this year instead of relying on the legislative executive board to set up summer studies.

The Legislature's executive board typically picks topics to study over the summer after the session ends. But legislators this year passed measures establishing a few studies rather than risk their topic being overlooked.

Two studies likely to be covered by the Legislature are on child sexual abuse and economic development within tribes. A third proposal to study autism may be taken over by the governor's office if it's signed into law.

State Sen. Ryan Maher, chair of the executive board, said the board has the funding for two more studies. Individuals and committees can contribute ideas to a list, and each legislator can rank his or her preferences. Maher said that will take place in the second half of April.

Rep. Don Haggar sponsored the provision to study and promote economic development among the tribes. Haggar said rather than conduct a study with legislators hearing testimony from tribal members, the bill sets up a

task force that includes members of the governor's office and tribal leadership.

"Although that difference is subtle, it's significant, because it sends a message to the tribes that we want to be equal players," the Sioux Falls Republican said.

His provision also adds tribes to the list of groups, among cities and counties, that can receive economic development grants from the state. The bill was approved by the Legislature with nearly unanimous support, but it has not yet been signed by the governor.

He said the topic has not been studied since the 1970s. He said Native American unemployment and poverty rates are significant problems that the state wants to help address, but he's not sure what the outcome will be.

"The state is not going to dictate to the different tribes what to do," he said.

Sen. Deb Sohlt initiated another study that has already been approved by the governor, Jolene's Law Task Force. She had been looking to propose legislation to address child sexual abuse.

"I came to understand that we didn't know what we need to do. And so that was the genesis of Jolene's Law task force, to bring professionals together," Sohlt, R-Sioux Falls, said.

Former Student Filed Paternity Claim Against Departed SDHSAA Board Member

BY BOB MERCER
State Capitol Bureau

MILLER — The abrupt departure of Michael Ruth as superintendent for the Miller school district and board member of the South Dakota High School Activities Association earlier this month came just weeks after a former student brought a paternity lawsuit against him in Hand County court.

Circuit Judge Jon Erickson has ordered Ruth to submit to paternity testing, according to a court notice filed Monday.

Jacqueline Maria St. John said in a sworn statement that she met Ruth when he was superintendent at the Miller high school. "We began a sexual relationship after I graduated high school, and I conceived a child as a result," she said.

St. John said in her Feb. 17 affidavit that she told Ruth he was the father but he denied and refused testing. She said Ruth wasn't present when the daughter was born Jan. 7, 2013.

She said her boyfriend at that time signed the statement of paternity but he isn't the father. She said Ruth hasn't asked to visit the child and he hasn't provided any money for the medical expenses or financial assistance.

St. John's lawyer, Michele Munson of Sioux Falls, is asking

the judge to order that the father's name be changed on the birth certificate and that past and future child support be awarded.

Ruth is represented by attorney Kent Shelton of Huron. Shelton hasn't filed any responses on Ruth's behalf. Judge Erickson said in his testing order that Ruth indicated through his attorney that he had no objection to the judge signing the order.

The Miller school board held a special meeting March 3 and after a 41-minute executive session accepted Ruth's resignation to take effect immediately.

Ruth was a member of the board of directors for the South Dakota High School Activities Association. The board accepted his resignation after an executive session at the association's March 5 meeting. Ruth didn't attend the meeting.

US Sends Offers To Buy Back Tribal Land

SIoux FALLS (AP) — The U.S. Department of the Interior on Tuesday announced that it has sent nearly 16,000 new offers to owners of parcels on the Pine Ridge Reservation in South Dakota as it tries to buy back land that was given to individual Oglala Sioux Tribe members more than a century ago and return it to the tribe as a whole.

The buyback program stems from the settlement of a nearly 17-year lawsuit over more than a century's worth of mismanaged trust royalties. The 1887 Dawes Act split tribal lands into individual allotments — 80- to 160-acre parcels, in most cases — that have been passed down to multiple heirs. The Interior Department said the Pine Ridge Indian Reservation is among the most fractionated in the U.S., with land interests owned by various individuals, including members of other tribes.

The Interior Department is now trying to buy back those lands, consolidate them and hold them in trust for the tribe. The offers announced Tuesday are the second round the department has sent to the reservation and total more than \$100 million. The buyback program is voluntary, meaning owners do not have to sell their so-called fractionated interests.

Virus Affecting Pigs On SD Farms

SIoux FALLS (AP) — A virus that state health officials say kills one in 10 piglets has been detected on 25 farms in South Dakota.

State Veterinarian Dusty Oedekeven (OH'-duh-koh-vuhn) says the farms have been affected by Porcine Epidemic Diarrhea Virus, or PED.

The virus does not affect humans. KELO-AM reports the virus has run rampant in Iowa and Nebraska. There is no vaccine to prevent the virus from spreading.

Oedekeven says the strain was first detected in the U.S. in April. He says bio-control standards are being put in place to keep the virus from spreading to other farms.

Watertown To Get \$24M Facility

WATERTOWN (AP) — Watertown will be getting a new \$24 million multi-purpose facility.

KWAT-AM reports that Watertown's city council has approved the project that would replace the existing rec center and swimming pool while adding flat floor space.

Mayor Steve Thorson says the project will be paid for with the city's 2nd penny sales tax. He says residents will have an opportunity to express their opinions about the building's design.

Thorson says he hopes crews will break ground in spring of 2015.

Neb. Juvenile Justice Changes Advance

LINCOLN, Neb. (AP) — More teenagers charged with crimes could have their cases processed in Nebraska's juvenile court system, under a bill headed to a final vote in the Legislature.

Lawmakers gave the measure second-round approval on Tuesday. It would require that juveniles charged with Class 3A felonies or a lesser offense first have their case heard in juvenile court. Cases could still be elevated to county or district courts.

Juveniles could continue to receive drug and alcohol treatment through the juvenile courts until they turn 21.

Supporters say the higher felony charges represent the most serious violent offenses, and it's time to treat kids like kids.

Lawmakers also voted to remove a requirement that schools contact county attorneys when students have repeated absences.

UNL Targets Raise Pool For Cuts

LINCOLN, Neb. (AP) — The University of Nebraska-Lincoln may drain off a third of its pool of money for raises in the next budget year to help cover a projected shortfall of \$4.65 million.

Chancellor Harvey Perlman on Monday released a list of proposed cuts that total about 1 percent of the university budget, the *Lincoln Journal Star* said. Included was \$3.2 million from the salary pool, a cut of about 1 percentage point of what was expected to be a 3 percent increase.

The level of cuts would still protect the university's "academic enterprise," Perlman said, but also would strain the university's salary structure. He said UNL pays its faculty members an average of 6 percent less than peer institutions pay their teachers.



Join the University of South Dakota School of Law in a discussion about the rapidly declining number of attorneys in rural areas across the nation.

This decline is not only contributing to lackluster small towns, but it is also seriously restricting access to justice for many U.S. citizens. The South Dakota Law Review will explore the problems facing rural practitioners and legal consultants across the country and examine new solutions for revitalizing rural America.

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How many times have you seen an opportunity for a good picture, pulled out your camera and fired away only to be disappointed the image did not match your vision? Maximize the photography equipment you have. Learn to think like a photographer as well as understand that the equipment does not make the picture, the photographer does!

Mario Suriani built a career as "the most famous photographer you never heard of." Based in New York City, Mario worked across a spectrum that included photo journalism, editorial and commercial photography from 1980 to 2000. Prior to 9-11, he relocated to Washington, DC where he worked for the US State Department until 2010. It was during that time Mario and his wife, Alex, came to Yankton for a brief vacation. They both recognized South Dakota as a special place and established Yankton as their home in 2008. Currently retired, Mario continues to produce images based on the vast palette that is South Dakota.

"From the Box Score to the Bookstore: Sports in Literature"

Dates: Wednesdays - April 2, 9, 23 and 30
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Take a closer look at writings that are about sports or use sports as a window into humanity. Look at fiction and non-fiction works, including historical accounts, biographies and autobiographies, as well as some non-traditional formats, such as poetry and spoken word.

A 1994 graduate of Mount Marty College, James Cimburek has devoted his career to sports coverage. A 21-year newspaper veteran, all at the Yankton Press & Dakotan, he has won a national award, the Distinguished Service Award from the South Dakota High School Activities Association, two South Dakota Sportswriter of the Year awards and 40 state newspaper awards.

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