

Pipeline Permit To Be Considered Without An Environmental Review

BY BOB MERCER
State Capitol Bureau

PIERRE — An environmental impact statement won't be required for the Dakota Access crude-oil pipeline through South Dakota.

The state Public Utilities Commission voted 2-1 Tuesday to reject a request from some pipeline opponents for an EIS.

The decision came as the commission began its permit hearing for the project.

The Yankton Sioux Tribe, the Rosebud Sioux Tribe, the Indigenous Environmental Network and Dakota Rural Action jointly filed the request for the EIS.

Their motion came two hours before the scheduled start of the hearing. They wanted the commission to put the hearing on hold until the EIS could be completed.

An EIS is optional under state law.

Federal review of the

project is being conducted in segments by individual agencies.

That approach is allowed under federal law.

State law gives the commission one year to make a permit decision. The deadline regarding Dakota Access is Dec. 15.

Commissioner Gary Hanson favored proceeding somehow with an environmental review within the time frame.

"I'm concerned about the environment here and why we don't have that EIS on this," Hanson said.

He then told Bret Koencke, the lead lawyer for Dakota Access: "I'm surprised you guys didn't have one to begin with."

Koencke said the commission's hearing process is more open and preferable to having a third party conduct an EIS.

Matthew Rappold, a lawyer representing the Rosebud Sioux Tribe, said

working without an EIS means the commission might miss evidence unless witnesses testify.

Chris Nelson, the commission's chairman, indicated he would have viewed the EIS request differently if it had been made in June. But, Nelson said, two hours before the hearing was "out of line."

The tie-breaker came from Rich Sattgast, who is state treasurer. He was appointed by the governor to participate in the Dakota Access proceedings as a substitute for commissioner Kristie Fiegen.

She recused herself months ago over a family conflict of interest.

"It's now up to the Public Utilities Commission to look into this matter," Sattgast said.

Hanson said Dakota Access must meet all of the requirements for the permit. He implied that might be difficult without an EIS.

"It seems like from the get-go that we're starting with the potential that we don't have what we need," Hanson said.

The commissioners also voted 3-0 to reject a request from Dakota Access. The company wanted to prohibit the Rosebud Sioux Tribe from presenting evidence at all.

Rappold previously had delayed revealing to the company what he planned to present at the hearing and told Dakota Access lawyers they had the burden to prove their case.

The various parties presented their opening statements Tuesday with the exception of PUC staff, whose attorney reserved hers for the presentation of the staff's case.

The first witness for Dakota Access spent the rest of the afternoon on the witness stand. Joey Mahmoud, vice president for engineering, said his plan is to start con-

struction in South Dakota in spring 2016.

He said the South Dakota segment would be built in three spreads simultaneously, with about 900 workers and 100 inspectors per spread.

The pipeline would transport oil from the Bakken and Three Forks production areas of northwest North Dakota across South Dakota and Iowa to Patoka, Illinois. It would carry 450,000 barrels per day initially and could reach 570,000 barrels.

Mahmoud said permitting is concluded in Illinois and North Dakota.

The total length of the pipeline across the four states would be 1,134 miles, with 271 miles in South Dakota. Mahmoud said easements are completed for 88.14 percent of the route in South Dakota.

The company's estimated cost for the South Dakota segment is \$820 million.

The route would enter

South Dakota through Campbell County and continue at a 45-degree angle southeasterly through McPherson, Edmunds, Faulk, Spink, Beadle, Kingsbury, Miner, Lake, McCook, Minnehaha, Turner and Lincoln counties on its way to Iowa.

Mahmoud said Sunoco Logistics would operate the pipeline.

The hearing at the Capitol continues today through Friday and resumes Tuesday through Friday if needed.

Dakota Access is the second pipeline permit under consideration at this time.

The commission earlier this year took testimony on whether TransCanada can fulfill requirements of the permit issued more than four years ago for its proposed Keystone XL pipeline, which still awaits federal clearance.

Commission chairman Nelson has said publicly he expects that decision by the end of this year.

German States Lower Housing Standards Amid Migrant Influx

BY FRANK JORDANS
Associated Press

BERLIN — Refugees coming to Germany can expect a roof over their head, a bed to sleep in and three meals a day. But with authorities struggling to find housing for tens of thousands of people each month, many new arrivals will find their lodgings a squeeze.

Smaller, in fact, than what's permitted for a German shepherd dog.

An Associated Press survey has found that several of Germany's 16 states have waived the usual rules expected of communal housing. As a result, migrants in some parts of Germany are finding themselves living in cramped conditions that rights groups say are unfit for human habitation.

"The situation is becoming dramatic," said Karl Kopp, an expert on refugee policy with the campaign group Pro Asyl. "If we put people up in undignified conditions then this will have long-term consequences for their health and their ability to integrate in the country."

On Sunday 14 people — including three police officers — were injured when a mass brawl involving hundreds of refugees broke out at a reception center in Calden, near Kassel. The

site is a tent city originally designed for 1,000 people but now housing 1,500.

"Improvised, often catastrophically overcrowded emergency shelters offer residents no privacy or place to retreat," Pro Asyl said following the incident. "Every trip to the canteen, to the toilets or the showers becomes a patience test in these mass shelters."

The warning came as the German government agreed on measures Tuesday aimed at helping authorities cope with this year's surge in migrants.

According to Bavaria's governor, 169,400 migrants have arrived in the southeastern German state since the beginning of September. Horst Seehofer said 10,000 people arrived on Monday alone, dpa reported.

Critics say that most of the new measures are focused on deterring people from coming to Germany and speeding up deportations, rather than providing immediate relief to ease overcrowding in refugee shelters.

Of the 14 states that responded to an AP questionnaire on housing standards, at least three - including Bavaria - have lowered their requirements for shelters, including for the minimum amount of space available to

each refugee. Six states had no minimum requirements, while two required that refugees have at least 7 square meters (75.4 square feet) of space each.

By comparison, animal protection laws stipulate that medium-sized dogs get at least 8 square meters (86.1 square feet) of kennel space.

Campaigners and refugees have also noted the lack of sufficient bathrooms, the absence of room locks, and the remote location of some shelters that make it hard for residents to come into contact with Germans.

"You can see what the situation is like," said Gabriel Hesse, a spokesman for the ministry of work and social affairs in Brandenburg, one state that recently suspended its minimum housing standards. "We'll see how things develop, but in the coming months they aren't going to get better."

German Interior Minister Thomas de Maiziere dismissed concerns, saying Friday that "we can't offer any luxury and we don't want to offer any luxury."

"Of course a gym with hundreds of people in it isn't nice, but it's better than no roof over the head," he said. "I think Germany doesn't have to be ashamed about the standards it offers

refugees."

Rights groups have been particularly critical of a new measure that extends the amount of time asylum seekers can be housed in reception centers from three to six months.

"There simply isn't enough time for these standards. Last week alone we opened five emergency accommodations," said Monika Hebbinghaus, a spokeswoman for Berlin's social affairs department. She noted that authorities are struggling to find enough staff for the many shelters they are opening.

One state, Thuringia, recently took steps to prevent unrest between different ethnic groups. It now attempts to house migrants separately by country of origin.

Women and children are particularly vulnerable in cramped accommodation.

Meanwhile, there are growing calls from within Chancellor Angela Merkel's party to make it clear that Germany can't take in unlimited numbers of refugees.

German President Joachim Gauck, who has no party affiliation, struck a similar note at the weekend: "We want to help. We have a big heart. But our possibilities are finite."

Vilsack Unveils Nearly \$2.6 Million In Grants For Pine Ridge

BY JAMES NORD
Associated Press

PORCUPINE — Nearly \$2.6 million in grants for economic development efforts on the Pine Ridge Indian Reservation are going to projects ranging from water and waste disposal at a tribal college to training businesses on buffalo meat processing, U.S. Agriculture Secretary Tom Vilsack announced Tuesday during a visit to the area.

The largest grant is \$1.85 million to construct a landfill, buy equipment and for construction and repairs at Oglala Lakota College, which is also receiving about \$160,800 for a communications system. The Thunder Valley Community Development Corp., where Vilsack made the announcement, received \$375,000 in part for a demonstration farm and education center.

"I think these grants are a recognition of the important partnership that we have nation-to-nation and the responsibility that we have to help young people understand that there is a bright future," Vilsack said. "This is a tremendously beautiful landscape and vista. I was struck by it when I traveled here today, and it occurred to me that there is an unlimited amount of potential here."

Vilsack said President Barack Obama's administration is "profoundly touched" by the reservation being an area of great promise, but

also "extraordinary poverty and challenges." Pine Ridge is home to about 35,000 people — nearly half of whom live below the poverty level.

The other grants include \$134,260 for training of agricultural producers; \$49,500 to provide assistance and training to businesses on buffalo meat processing; \$48,700 for purchasing two police vehicles in Oglala; and \$18,800 to purchase a police vehicle in Oglala Lakota County.

Vilsack attended a discussion at Oglala Lakota College before touring the development corporation's complex, where he also heard from members of a youth leadership development program.

Nick Tilsen, executive director of Thunder Valley, said the visit shows that the Obama administration is paying attention. He said there needs to be a partnership between the community and federal agencies, as well as extra attention for Pine Ridge from the federal government.

"This place needs rejuvenation, it needs a regeneration, to get federal partners, to get new folks excited about what the possibilities are for here, and for us to focus less on what the problems are and more focus on what the solutions are," Tilsen said after leading the tour with Vilsack. "I think that's what this has meant for us and the momentum we're trying to build here on Pine Ridge."

Islamic State Group Says It Guns Down Italian In Bangladesh

BY JULHAS ALAM
Associated Press

DHAKA, Bangladesh — The Islamic State group has claimed responsibility for gunning down an Italian aid worker in the diplomatic quarter of Bangladesh's capital, according to an intelligence group that monitors jihadist threats, while the government said it had no evidence to back up that claim.

The claim by the Islamic State group could not immediately be verified independently. If confirmed, it would mark the Sunni extremist group's first attack in Bangladesh, a secular country with a predominantly Muslim population. The South Asian nation has been struggling in recent months with the rapid rise of hardline Islamist groups, banning several that have been blamed for killing four bloggers this year.

Home Minister Asaduzzaman Khan said, however, that authorities had found no evidence that the Islamic State was involved in the killing.

"The claim has not been confirmed, there is no such evidence," Khan told reporters Tuesday afternoon in the capital, Dhaka.

Police said earlier that they had no leads in tracing the three unidentified assailants who, riding on a single motorcycle, drove up alongside Cesare Tavella, an Italian citizen, and shot him Monday night.

"We have no idea, we can't say anything definitively for now," police official Mukhlesur Rahman said. "Let the investigation happen."

Initial evidence suggested the attack was planned, police said, noting that nothing had been taken from Tavella.

The Islamic State said in a statement dated Monday that a "security detachment" had tracked and killed Tavella with "silenced weapons" in Dhaka, ac-

cording to the SITE intelligence group's website.

IS warned that "citizens of the crusader coalition" would not be safe in Muslim nations. Almost 90 percent of Bangladesh's 160 million people are Muslim.

Witnesses said they heard at least three gunshots and saw the attackers flee after Tavella fell to the ground, according to police. Tavella was taken to a nearby hospital, where doctors declared him dead.

It was not immediately clear how close the witnesses were to the attack or how the gunshots could have been heard if a silencer was used.

Italian Foreign Minister Paolo Gentiloni said Monday evening in New York that "we are working to verify" the Islamic State's claim.

The Italian Embassy in Dhaka said in a notice on its website Tuesday that "the responsibility for the murder claimed by ISIS is yet to be verified." It also asked Italian citizens to avoid public places such as hotels, restaurants and clubs usually frequented by foreigners.

Tavella had been working in Dhaka for ICCO, a Netherlands-based church cooperative, serving as program manager of a project focusing on food security and economic development for people living in rural areas in Bangladesh, according to ICCO's website.

A veterinarian in his early 50s, Tavella had spent extended periods of time traveling the world and giving instruction on how to raise animals, according to Italian media reports. He left for Bangladesh in late August and had a daughter.

Reports indicate he hadn't spent much time in Italy recently, at least extended periods, and that he last lived in central Italy above Ravenna.

Heleen Van Der Beek, country direc-

tor for the Bangladesh branch of the Interchurch Organization for Development Cooperation, or ICCO, said they were extremely shocked by the loss of their colleague.

"We miss him and we extend our deepest, deepest condolences to his family ... and loved ones," Van Der Beek told reporters.

She said the organization was waiting for the results of the police investigation.

The U.S. is working with Bangladeshi authorities and other partners "to assess who is responsible for this cowardly attack" and bring them to justice, the U.S. State Department said.

The U.S. and Britain warned their citizens to be cautious and limit their movements in Bangladesh, with both saying they had "reliable information" that Western interests could be targeted. The statements did not elaborate on the intelligence.

Over the weekend, Australia's national cricket team delayed its planned tour in Bangladesh over security concerns. The tour has not been rescheduled despite assurances from Bangladesh's government that the players would have a full security detail.

Dhaka police were questioning witnesses, including street beggars who allegedly heard the gunshots and saw the attackers flee.

One of the witnesses, Sitara Begum, said she was terrified upon hearing the shots while she was sitting on the road at an intersection near the scene of the attack.

"Hearing the gunshots, I looked at the west side and saw two men running to a waiting bike," Begum said. "They were very young, not more than 20 years old. ... There was another man on the bike and they fled."

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