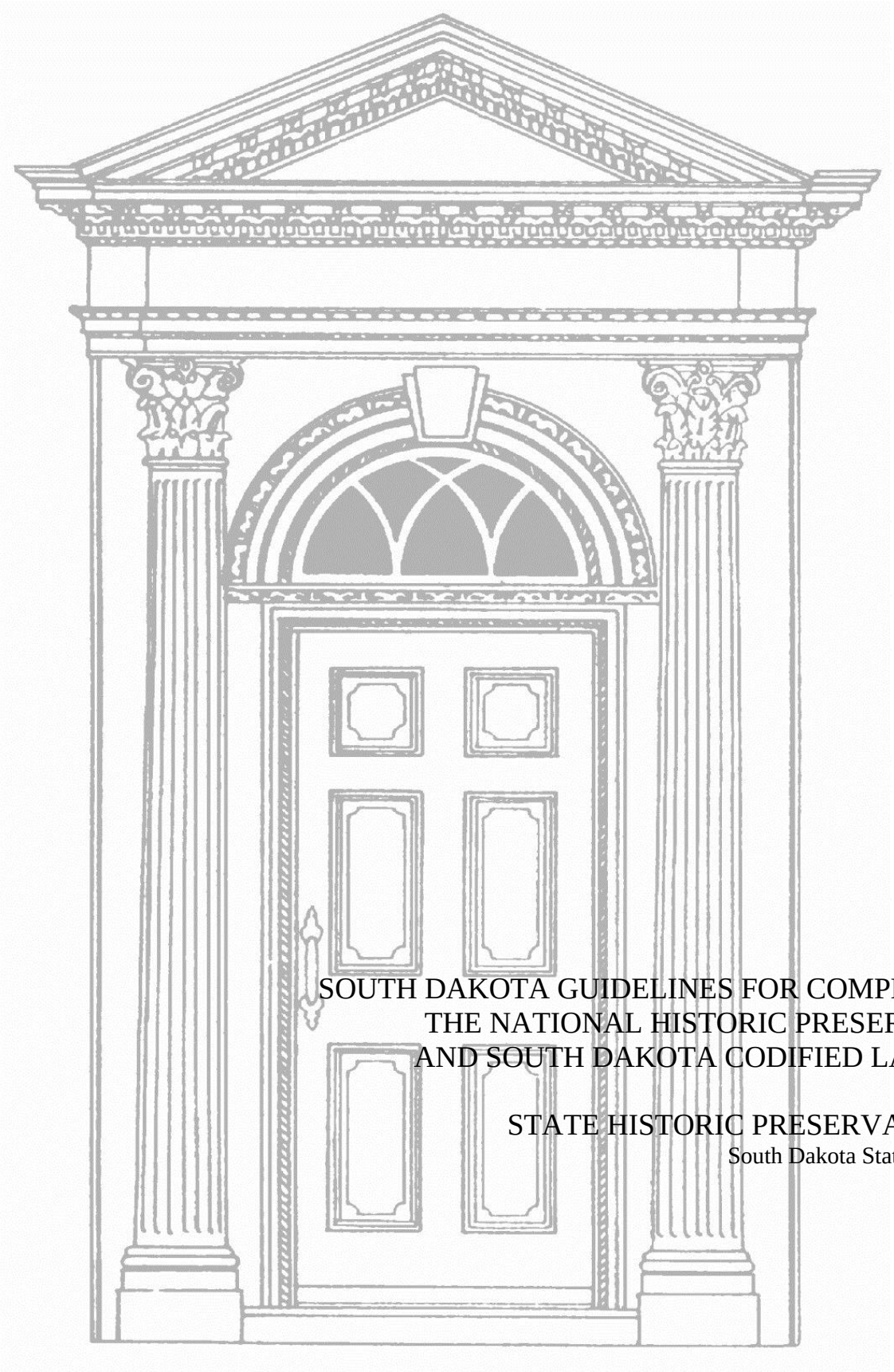

SOUTH DAKOTA GUIDELINES FOR COMPLIANCE WITH THE NATIONAL HISTORIC PRESERVATION ACT AND SOUTH DAKOTA CODIFIED LAW 1-19A-11.1

STATE HISTORIC PRESERVATION OFFICE
South Dakota State Historical Society
2012

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South Dakota Guidelines for Compliance with the National Historic Preservation Act and South Dakota Codified Law 1-19A-11.1

-- 2012 --

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I. INTRODUCTION

Purpose of this Document

The purpose of these guidelines is to clarify existing regulations, to promote consistency in methods, and to assist federal and state agencies, or political subdivisions of the state, in carrying out their legal responsibilities under the National Historic Preservation Act (NHPA) of 1966 (as amended) and South Dakota Codified Law (SDCL) 1-19A-11.1 (11.1). These guidelines describe standard procedures for projects in South Dakota but do not necessarily fulfill the requirements of the sponsoring agency. It may be necessary to contact the federal agency directly for guidance. Please note that these guidelines are not intended for use on lands where Indian tribes have been designated by the National Park Service as a Tribal Historic Preservation Office (THPO), and have assumed the responsibilities of the State Historic Preservation Officer (SHPO) for Section 106 of NHPA. The federal agency must consult with the THPO in lieu of the SHPO for all federal undertakings occurring on or affecting historic properties on tribal lands. According to 36 CFR part 800 – Protection of Historic Properties, the implementing regulations for Section 106 of NHPA, "an undertakings is a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to state or local regulation administered pursuant to a delegation or approval by a Federal agency."

The Role of the South Dakota State Historic Preservation Officer

The role of the SHPO in the Section 106 process is to advise and assist federal agencies in carrying out their Section 106 responsibilities. The SHPO reflects the interest of South Dakota and its citizens in the preservation of their cultural heritage and ensures that agencies make a reasonable and good-faith effort to consider the effects of their undertakings on historic properties. The SHPO has no official role in other federal legislation such as the National Environmental Policy Act (NEPA), although 36 CFR Part 800 encourages federal agencies to coordinate their NHPA compliance with NEPA.

Similar to Section 106, the role of the SHPO in SDCL 1-19A-11.1 is to comment on projects with the potential to damage, destroy, or encroach upon any historic property listed on the State or National Register of Historic Places.

Address questions, requests for documents or submission of information for Section 106 or SDCL 1-19A-11.1 to:

Review and Compliance Coordinator
South Dakota State Historical Society
900 Governors Drive
Pierre, SD 57501-2217
Phone: (605) 773-3458
Fax: (605) 773-6041

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II. THE NATIONAL HISTORIC PRESERVATION ACT

Review and Compliance Procedure for Section 106 - Summary

As mentioned in the introduction, NHPA requires federal agencies to take into account the effects of their undertaking on historic properties. The federal agency is responsible for the identification of historic properties that may be affected by the undertaking and to find ways to avoid, minimize, or mitigate such effects. Common undertakings that may affect historic properties include ground-disturbing activities, alterations of buildings, and the removal or demolition of structures. The following is a summary of those identified as consulting parties by the regulations and a brief explanation of the Section 106 process. A full explanation of the regulations and process can be found at http://www.achp.gov/.

Steps to Compliance Overview

The information below is an overview of 36 CFR Part 800 – Protection of Historic Properties, August 5, 2004, Subpart A – Parts 800.2 through 800.7.

Participants in the Process (36 CFR part 800.2)

The regulations identify the following parties as having a consultative role in the Section 106 process:

- SHPO/THPO
- Indian tribes
- Representative of local governments
- Applicant for federal assistance, permits, licenses and other approvals
- Additional consulting parties with a demonstrated interest in the project
- Public

Additional information about local preservation groups and other preservation organizations may be found at http://history.sd.gov/Preservation/TechAssist/TechnicalAssistance.aspx.

The federal agency may use the assistance of applicants, consultants, or designees to prepare information, analyses, and recommendations. However, the federal agency remains legally responsible for all required findings and determinations. When a non-federal party prepares a document or study, the federal agency must ensure that its content meets applicable standards and guidelines. The federal agency must notify the SHPO in writing, prior to the submission of information, of its intent to have the applicant, consultant, or designees submit information directly to the SHPO to begin the consultation process. The federal agency remains responsible for submitting the final determination of effect for the undertaking.

Initiation of the Section 106 Process (36 CFR part 800.3)

It is the responsibility of the federal agency to determine if the undertaking has the potential to cause effects on historic properties. If so, it must identify the appropriate SHPO/THPO and additional consulting parties who will participate in the process. However, if the federal agency determines the undertaking does not have the potential to cause effects on historic properties, the federal agency has

no further obligation under Section 106. For example: the use of federal funds to purchase computer equipment versus the use of federal funds to demolish a building. The purchase of computer equipment with federal funds is an undertaking but does not have the potential to affect historic properties. The demolition of a building with federal funds is an undertaking with the potential to affect historic properties.

Identification of Historic Properties (36 CFR part 800.4)

If the federal undertaking has the potential to affect historic properties, the federal agency, in consultation with the SHPO, determines the scope of appropriate identification efforts and then proceeds to identifying historic properties in the project's area of potential effects (APE). The APE is the geographic area where the undertaking may directly or indirectly cause alterations in the character or use of historic properties and will vary based on the project. The federal agency must make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigations, and field surveys. The SHPO may recommend a cultural resource survey to identify historic properties that may be affected by the undertaking. The survey may be archaeological, architectural, or a combination of both. The manual entitled "*South Dakota Historic Resource Survey Manual 2006"* located at history.sd.gov/Preservation/OtherServices/HistoricSitesSurvey.aspx will provided additional guidance regarding architectural surveys. If archaeological properties are identified, additional guidance for completing archaeological site forms is available through the Archaeological Research Center at http://www.sdsmt.edu/wwwsarc/resources.html, (605) 394-1936 or PO Box 1257, Rapid City, SD 57709-1257. Finally, the Secretary of Interior's Guidelines for Identification are available at http://www.nps.gov.

If SHPO review of the information results in the request for a survey, it will be based on the need for adequate documentation consistent with 36 CFR Part 800.11 of the regulations. The need for a survey is determined by several factors, including the amount and kind of survey work previously completed in the project area, the need to assess the undertaking's potential effect on historic properties, and the potential of the project APE to contain historic properties.

Types of Survey for Archaeology

Level I Record Search

A record search is needed to reveal the location of previously recorded surveys, properties and determinations of eligibility. A record search may be conducted through the Archaeological Research Center (ARC) a division of the South Dakota State Historical Society located in Rapid City, South Dakota. The examination of information should include all known properties located within the APE. A staff member of ARC or any qualified individual meeting the minimum professional qualifications as an archaeologist may conduct the record search for a nominal fee. If the search reveals that a Level III survey has already been completed for the APE, consult the SHPO regarding the need for further survey work. Information on structure surveys is also available at the Archaeological Research Center or on line at http://arcgis.sd.gov/server/dtsd/shpoCRGRID/. A record search older than six months must be updated before submission of the report to ensure that no additional properties have been identified within or near the proposed APE.

Level II Sample Survey

Sample surveys are conducted for any linear project that exceeds 100 consecutive miles, such as fiber optic lines, telephone, and electrical power lines. In such cases, an extensive Level I records search will be needed to identify the nature and distribution of existing properties and to identify areas with a high-, moderate-, and low-probability for containing properties. The Principle Investigator (PI) must justify a sample strategy with a written proposal submitted to SHPO for review in advance of the survey. The Level II sample survey allows the federal agency to focus survey efforts on areas that contain known properties or that have the highest potential for containing previously undocumented properties.

Level III Intensive Survey

Intensive surveys require a visual inspection of the APE. Survey transects must be no more than 30 meters (100 feet) apart. The survey report must explain actual methods used and the rationale for their use. For instance, why the archaeologist did or did not conduct subsurface testing.

Based on professional judgment, the PI may carry out minimal subsurface testing as necessary. If the PI feels more information is required than what is revealed by the ground surface or minimal subsurface testing, e.g. shovel probing, augering, or some other preliminary subsurface testing method, the PI should consult SHPO and others consulting parties to develop an appropriate strategy for gaining necessary information with minimal damage to the property. Though some testing is often warranted as an exploratory tool within and between features or activity areas to determine boundaries extensive testing is not recommended. Extensive testing has the potential to result in an adverse effect to the historic property, if determined as such. All decisions to test or not to test should be justified.

Generally, archaeological data, surveys, and reports completed within the last twenty years are valid and may not require a new survey. This twenty-year allowance does not validate inadequate surveys. Areas surveyed more than twenty years before the current date may require additional survey coverage if previous surveys do not meet the Level III standard, if the undertaking is located along waterways, or if other factors warrant resurvey. Additional survey may also be needed to reevaluate known properties for listing to the National Register of Historic Places or if a known property has been impacted by natural or cultural processes.

As noted above, the purpose of the survey is to identify historic properties within the APE. Ultimately, it is the federal agency's responsibility to make a reasonable and good faith effort to carry out appropriate identification efforts. However, the SHPO does not consider the following activities to constitute a reasonable and good faith effort:

1. Conducting a surface inspection from a motorized vehicle.
2. Conducting survey work under conditions of excessive snow cover, heavy vegetation, or any other conditions that would hinder ground surface visibility, unless subsurface testing is conducted.
3. Conducting subsurface testing when the ground is frozen.

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Testing Standards

Intensive level survey testing is used to identify boundaries of archaeological properties based on presence/ absence of cultural material. Site evaluation testing is used to determine integrity and significance and should meet the following four basic standards:

1. Testing should occur in areas of a property with the best potential for intact subsurface deposits.

2. Testing should include all high-potential areas of a property. For example, on a terrace or bench, tests should include areas near the lip, in the center, and at the back of the terrace. If cultural materials are well-exposed in a cutbank at the front of the terrace, then cleaning the exposed bank will substitute for a test unit. These areas are likely to vary in depth of deposits and amount of disturbance to the site deposits. In a rock shelter, test units should be placed near the back wall and in the center and outside the dripline of the likely "toss zone".

3. Testing should cover all deposits that may date to the period of human occupation. Generally, this means that test units extend down to culturally sterile soils, bedrock or glacial till, depending on the vertical APE.

4. Testing should be based on reasonable expectations of artifact density. For example, it is not reasonable to make decisions on site significance based on a lack of artifacts in a 1 inch diameter soil probe.

Survey for Architecture

Architectural surveys can be classified as either reconnaissance or intensive. A reconnaissance level survey provides a minimal amount of information about a large number of sites. This process is generally used for determining which resources should receive closer scrutiny. An intensive survey is designed to gather all available information about a particular structure. This process addresses specific questions about a limited number of properties. Other survey types include resurvey projects and surveys of properties that do not appear to be eligible for listing on the National Register of Historic Places. Specific information about architectural surveys can be found in the document entitled "South Dakota Historic Resource Survey Manual" at history.sd.gov/Preservation/OtherServices/HistoricSitesSurvey.aspx.

Evaluating Properties for Listing on the National Register of Historic Places

The National Register of Historic Places is the official list of properties recognized by the Secretary of the Interior as having national, state or local importance in American history, architecture, archaeology, engineering, and culture. The National Register Criteria (36 CFR Part 60 of NHPA), developed by the National Park Service, are the standards by which properties are evaluated for their importance.

Guided by the Secretary of Interior Standards and Guidelines for Evaluation, the federal agency applies the National Register criteria in consultation with the SHPO and any Indian tribe that attaches religious and cultural significance to identified properties within the APE. Please note evaluation of the property

may not be necessary if the property can be avoided. If the property cannot be avoided, the evaluation of properties identified within the APE must be documented in sufficient detail to provide an understanding of the historical values they represent. This aids in the nomination of resources to the National Register of Historic Places, the management of the resources, and/or planning for the mitigation of adverse effects if mitigation becomes necessary.

National Register Criteria 36 CFR part 60

To be considered eligible, a property must meet the National Register Criteria. This involves examining the property's age, integrity, and significance. To qualify for the National Register, a property must possess integrity of location, design, setting, material, workmanship, feeling, and association. In addition, a property must represent a significant part of history, architecture, archeology, engineering, or culture, and meet one of the following criteria:

A. That are associated with events that have made a significant contribution to the broad patterns of our history; or

B. That are associated with the lives of persons significant in our past; or

C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that posses high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria Considerations: Usually cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years are not considered eligible for the National Register. However, these property types may qualify if they fall within one of the following categories:

a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

b. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his [or her] productive life; or

d. A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has

invested it with its own exceptional significance; or

g. A property achieving significance within the past fifty years if it is of exceptional importance.

Determining Property Eligibility

If the federal agency determines that a property meets any of the National Register criteria and the SHPO agrees, the property will be considered eligible for listing to the National Register of Historic Places for Section 106 purposes. If the federal agency determines the criteria are not met and the SHPO agrees, the property will be considered not eligible for listing to the National Register of Historic Places. If the federal agency and the SHPO do not agree, or if the ACHP, or Secretary of Interior requests, a determination can be obtained from the Keeper of the National Register (Keeper). In addition, if an Indian tribe that attaches religious and cultural significance to a property located off tribal lands does not agree with the determination, the tribe can ask the ACHP to request the federal agency obtain a determination of eligibility from the Keeper.

All determinations of eligibility must be fully explained and justified applying all of the National Register criteria pursuant to 36 CFR part 63. In addition, previously developed contexts such as the *South Dakota State Plan for Archaeology* should be consulted as an aid to evaluating the significance of properties. A list of context documents is located in Appendix E.

Site Numbers for Properties

All newly recorded properties must have a number, which will help our office track properties across the state enabling us to provide the most up-to-date information to all users. Site numbers for archaeology properties may be obtained from the Archaeological Research Center at (605) 394-1936 or http://history.sd.gov/Archaeology/index.html. SHPO ID numbers for structures may be obtained from SHPO at http://history.sd.gov/Preservation/OtherServices/HistoricSitesSurvey.aspx.

Determination of No Historic Properties Affected (36 CFR part 800.4(d)(1))

If the federal agency determines there are no historic properties in the APE, the federal agency documents their findings and submits the information to the SHPO and consulting parties with a No Historic Properties Affected determination of effect.

Assessment of Adverse Effects (36 CFR part 800.5 (a)(1))

If historic properties are identified in the APE, the federal agency, in consultation with the SHPO, and any Indian tribe who attach religious and cultural significance to identified historic properties, shall apply the criteria of adverse effect to historic properties within the APE. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association. Consideration should be given to all qualifying characteristics of a historic property, including those

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that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

Examples of adverse effects, include, but are not limited to:

- Physical destruction of or damage to all or part of the property;
- Alteration of a property that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines;
- Removal of the property from its historic location;
- Change in character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
- Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe;
- Transfer, lease, or sale of property out of federal ownership or control.

Determination of No Adverse Effect (36 CFR part 800.5(b))

A federal agency in consultation with the SHPO may propose a determination of No Adverse Effect if the undertaking's effects do not meet the criteria of adverse effect in 36 CFR part 800.5(a)(1), the undertaking or project can be modified or conditions are imposed to avoid an adverse effect to historic properties. The federal agency may proceed with the undertaking based on agreed upon conditions which are spelled out in writing from the SHPO. Conditions must be agreed upon in writing prior to project activity.

Determination of Adverse Effect (36 CFR part 800.5(d)(2))

If the federal agency and SHPO find that there is an adverse effect on historic properties, or if the consulting parties cannot agree and the ACHP determines there is an adverse effect, the federal agency must begin consultation to find ways to resolve the adverse effect.

Resolution of Adverse Effects (36 CFR part 800.6)

The federal agency continues consultation with SHPO and other consulting parties including Indian tribes, to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate the adverse effect on historic properties. The federal agency must notify the ACHP of the adverse effect and invite them to participate in consultation. The ACHP may participate in consultation when there are substantial impacts to important historic properties, when a project

presents important questions of policy or interpretation, when there is a potential for procedural problems, or when there are issues of concern to Indian tribes.

Please note in cases where an undertaking will have an adverse effect on a National Historic Landmark (NHL), the federal agency must notify the NPS pursuant to 36 CFR part 800.10. A list of NHL's in South Dakota is located in Appendix F.

In most cases, consultation results in the development of a Memorandum of Agreement (MOA), which outlines agreed upon measures that the agency will take to avoid, minimize, or mitigate the adverse effects. An example MOA from the ACHP is located in Appendix H.

Failure to Resolve Adverse Effects (36 CFR part 800.7)

In very rare cases, the federal agency, SHPO, or ACHP may fail to reach a resolution. If SHPO terminates consultation, the federal agency and ACHP may conclude an MOA without the participation of the SHPO.

Timing

The regulations allow SHPO 30 calendar days from the date of receipt of a request for review of a finding or determination. The ability of the SHPO to complete the review is dependent upon the federal agency, applicant, consultant or designee submitting complete information. Every reasonable effort is made to review project information in a timely manner. This process may be frustrating to agencies and their applicants if, for example, they are eager to let bids or get construction under way. Early consultation with the SHPO and other consulting parties can help avoid this frustration. Failure to submit complete information may result in delays.

SHPO Project Numbers

When project information is submitted by the federal agency, applicant, consultant or designee, the SHPO will issue a project number that will be identified on correspondence from the SHPO. The SHPO number will begin with a two-digit year, two-digit month, two-digit day, three-digit project number, and the letter F (federal) for review under the NHPA, or S (state) for review under SDCL 1-19A-11.1. The number for the first project received on June 16, 2005, would be 050616001F for federal or 050616001S for state. If the SHPO has assigned a project number to a specific project, that number should be included in all correspondence and reports.

Consultants

The SHPO maintains a list of architecture and archaeology contractors. Listing does not guarantee that contractors meet professional standards or conduct quality work. Contractors request placement of their names and companies on this list. We provide the list as a service with no endorsement. Check references before you hire. The consultant list is located at history.sd.gov/Preservation/TechAssist/TechnicalAssistance.aspx.

Summary of Information Needed to Review Section 106 Undertakings

When submitting a request for undertaking review, the information must be consistent with the documentation standards established in 36 CFR Part 800.11. The following is the information needed to review the project.

1. Name of federal agency funding, licensing, or assisting the undertaking: Every federal undertaking has a federal funding, licensing, or permitting agency. Include the name, mailing address, e-mail address, and telephone number of the contact person at the federal agency. Without this information, the request for review may be delayed. If there is no federal involvement Section 106 does not apply; however, SDCL 1-19A-11.1 may still be applicable.

2. Name of state agency funding, licensing, or assisting the undertaking, if applicable: Include the name, mailing address, e-mail address, and telephone number of the contact person at the state agency. If this is a grant program, note the name of the program (for example, CDBG, SRF, etc.).

3. Consultant contact person, if applicable: If your organization is not a federal or state agency, include the name, mailing address, e-mail address, and telephone number of the contact person to whom questions may be directed. Remember that the federal agency remains responsible for all findings and determinations.

4. Undertaking description: The undertaking description should explain all anticipated work. A description should include all ancillary facilities such as access roads, placement of utilities, additional outbuildings, fences, material borrow areas, staging areas, etc. If the area of potential effects (APE) has been previously disturbed, include a brief explanation of ground disturbance.

5. Location: Provide the address, city, county, legal location (section, township, range), and maps of the APE, including a United States Geological Service 7.5 minute quadrangle map. Show the exact location of the project. If the project is in an urban area, show the location(s) on a city map. Photocopies are acceptable, but poor-quality maps or insufficient information will cause review delays.

6. Area of Potential Effect (APE): The APE consists of the geographic area or areas where a project may directly or indirectly cause changes in the character or use of historic properties. In most instances, the APE is not simply the project's physical boundaries but includes all ancillary facilities such as access roads, placement of utilities, additional outbuildings, fences, material borrow areas, staging areas, etc. The APE may include visual and audible effects. Describe the steps taken to identify the APE, and justify the boundaries chosen. [800.4(a)(1) and 800.16(d)] The SHPO can assist determining the APE.

7. Identification of Historic Properties: The identification of historic properties may include, but is not limited to, background research, consultation, oral-history interviews, sample field investigations, and field surveys. [800.16 (1)(l)] [800.4(b)(1)]

   Documentation for undertakings potentially affecting archaeological properties may include, but is not limited to: [800.4(b)(1)] [800.11]:

- Record Search: Search of all previously known properties and surveys within the APE and within one mile of the APE. This information can be obtained through the Archaeological Research Center at (605) 394-1936, PO Box 1257, Rapid City, SD 57709-1257 or http://history.sd.gov/Archaeology/recordsearches.html.
- On-the-ground survey: Survey of APE if the area has not been previously surveyed. Survey type depends on the scope of the undertaking. A list of contractors is available at history.sd.gov/Preservation/TechAssist/TechnicalAssistance.aspx.
- Site Form: Updated archaeology site form for all previously identified properties affected by the proposed undertaking. Site forms are available at (605) 394-1936, PO Box 1257, Rapid City, SD 57709-1257 or http://www.sdsmt.edu/wwwsarc/resources.html.
- Photographs: Photographs of the APE. Photographs should include the area of direct effects and surrounding area.

Documentation for undertakings affecting buildings or structures may include, but is not limited to: [800.11]:

- South Dakota Site Forms: Complete a site survey form for each building or structure to be affected by the proposed undertaking. Forms are available on the website at history.sd.gov/Preservation/OtherServices/HistoricSitesSurvey.aspx.
- Photographic documentation: Clear, original photographs of any affected building/structure. Photographs should include an overall front view of each structure and any other views necessary to fully describe the structure(s) and the proposed undertaking.
- Architectural drawings: Drawing as necessary to describe the undertaking and its impact to the property.

8. Determination of Effect: The federal agency must submit a determination of effect. Choose the **one** determination that best represents the effect of the undertaking on historic properties.

- For a determination of *no historic properties affected* [36 CFR Part 800.4(d)(1)], the agency official finds no historic properties present or that the undertaking will have no effect upon historic properties as defined in Sec. 800.16(i).

- For a determination of *adverse effect* [36 CFR Part 800.5(a)(1)], the undertaking may directly or indirectly alter any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects may include reasonably foreseeable effects that may occur later in time, be farther removed in distance, or be cumulative.

- For a determination of *no adverse effect* [36 CFR Part 800.5], the undertaking effects do not meet the criteria of 36 CFR part 800.5(a)(1), the undertaking is modified or conditions are imposed to avoid adverse effects.

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Information submitted by the federal agency will not be returned. Original documents with original signature must follow faxed and electronic submissions. This documentation is kept on file at the South Dakota State Historical Society. Faxed and electronic submissions are reviewed in the same manner as any other submission and with the same considerations for clarity and completeness. However, the submission of incomplete or unclear information may result in unnecessary delays in the review process.

Professional Qualifications

The Principle Investigation (PI) provides professional direction for every cultural resources survey carried out in South Dakota. The PI must have an advanced degree in archaeology, architectural history, historical architecture, or history, as appropriate to the particular survey requirements, and meet other academic and experience requirements for his/her discipline as found in *Archaeology and Historic Preservation: Secretary of Interior's Standards and Guidelines* [As Amended and Annotated], Code of Federal Regulations, 36 CFR Part 61.

The federal agency must ensure that its PI meets these requirements. The PI must sign every report and, in so doing, attest to its completeness, accuracy, professional adequacy of content, and the competence of survey personnel.

Recommended Report Format

Ideally, the survey identifies every property located within the APE that has the potential to be impacted by the undertaking. Once the survey is complete, the PI prepares a report detailing the outcome of the survey, the eligibility of any properties located in the APE, the effects of the undertaking on historic properties, and strategies to avoid, minimize, or mitigate those effects.

A cover letter prepared by the federal agency must be submitted with each survey report. The letter should: identify all agencies participating in the undertaking, provide a brief description of the undertaking, contain agency determinations concerning the eligibility for properties located during the survey, and a determination of the undertaking's effect to historic properties. Because the federal agency is responsible for all findings and determinations, the SHPO cannot comment unless these items are included.

For the sake of consistency, the federal agency may use one of two report formats. If no properties are identified during an inventory, the letter format report may be utilized. If the inventory results in the location of properties, the agency must submit a full survey report. The SHPO requests the federal agency send a copy of the letter format or full survey report to ARC. ARC is the official repository for all archaeology survey reports completed in South Dakota, while the SHPO is the official repository for all documentation associated with buildings and structures.

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Letter Reports

A letter report must include:

1. A title that includes the name of the county (a letter format report of the survey in ___ County);
2. A brief description of the undertaking (pipeline, borrow area, building restoration, etc.) and its legal location (section, township, range);
3. Total acreage surveyed;
4. The date and location of the records search and the name of the person who conducted the search, including bibliography of known surveys and historic properties located within the APE and within one mile of the APE;
5. Description of consultation efforts, provide a list of federal/state agencies, tribes, local organizations, and private individuals consulted as part of the undertaking and an indication of the results of such efforts, including the identification of any places of religious and cultural significance or traditional cultural place that may be affected;
6. The name of the individual(s) who conducted the survey, date survey was conducted, ground-surface visibility, field conditions, survey and testing methodology employed including the extent of survey coverage, transect width, and other types of coverage examined (cut banks, rodent burrows, road cuts, animal trails, and so forth), as well as a discussion of the testing strategy (shovel testing, auger tests, and so forth), if applicable;
7. Photographs of properties located within the APE and several photographs of the surrounding area;
8. Statement of findings and determination of effect;
9. USGS 7.5 (1:24,000) minute quadrangle map showing the location of the survey, labeled with the project name, USGS quadrangle name, and legal location (section, township, range), do not enlarge or reduce the map; and
10. Signature of the qualified PI attesting to the accuracy and content of the report findings.

Full Format Report

A full archaeological survey report must include:

1. Title Page
   a. Type of investigation
   b. Undertaking name
   c. Location: city, county, legal location (section, township, range)
   d. Author(s)
   e. Name of institution, company, or federal/state agency with which the author is associated
   f. Name of contracting firm or federal/state agency funding or sponsoring the investigation
   g. Date of report
   h. Federal agency or consulting party project number (optional)

2. Abstract
   a. Purpose of the investigation
   b. Summary information about properties located within the APE and their eligibility for listing to the National Register of Historic Places
   c. Description of the potential effect of the undertaking on properties located within the APE

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and a determination of effect: No Historic Properties Affected, No Adverse Effect, or Adverse Effect (36 CFR Part 800.4)

3. Table of Contents (appropriate for larger projects)

4. Introduction
   a. Statement of the purpose of the report
   b. Description of the scope of work to be performed and citation of the appropriate legislation or regulations with which the work will comply
   c. Description of the proposed project, including the total number of acres surveyed, date survey was conducted, and weather conditions

5. Background Research: A summary of previous work obtained from the record search, including:
   a. List of sources examined
   b. List of institutions visited or individuals consulted and the date of visit/consultation
   c. List and map of recorded sites and previous survey work in APE or within one mile of the APE
   d. A brief environmental history of the APE within its regional context
   e. A brief cultural history of the APE within its regional context

6. Survey Methods and Results
   a. Description of the survey methodology and procedures
      - Justification for the survey method(s)
      - Description of any remote sensing techniques used
   b. Description of the survey area(s)
      - Definition of the boundaries of the survey area(s) and indication of boundaries on a map
      - Statement of survey and field conditions, including the amount and kind of vegetation present, present-day land use, and any limiting conditions affecting the survey, such as adverse weather or lack of landowner cooperation
   c. Description of properties found, including their boundaries, relation to topographic and cultural landmarks, and justification for omission of any portion of the property boundary
   d. Name and location of the permanent repository for artifacts and records collected during the survey
   e. Photographs of general APE and identified properties

7. Statement of Significance
   a. Description of the property's research potential based on survey information and the presence of permanent features, buried components, and so forth
   b. Evaluation of each property according to National Register Criteria as well as the South Dakota State Plan for Archaeology

8. Assessment of Undertaking's Effect
   a. Descriptions of the expected effect of the undertaking on historic properties if the undertaking is completed as planned
   b. Assessment of the potential loss of information about South Dakota history and prehistory if the historic property is destroyed

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c. The federal agency official must provide a determination of the undertaking's effect on historic properties: No Historic Properties Affected, No Adverse Effect, or Adverse Effect.

9. Resolution of Adverse Effects
   a. Avoid disturbance of the historic properties through redesign of the undertaking—for example, an alternate route for a water line that bypasses archaeological resources.
   b. If the undertaking cannot be redesigned, provide a description of the process developed to minimize or mitigate the effect of the undertaking on historic properties.
      - Description of the methods needed for further evaluation, if applicable
      - Description of alternative methods for mitigation, e.g. photographic record

10. References Cited
    a. Publications
    b. Published maps
    c. Personal communications

11. Appendices Containing Confidential Information
    a. Completed State of South Dakota survey form for each property recorded during the survey. See Appendix J for appropriate survey forms.
    b. As many maps as necessary to show the APE, area surveyed, properties located during current survey, and previously recorded properties. Label each map with the following:
       - Legend, caption, and source of map. USGS 7.5 min. quadrangle maps or copies of portions of these maps are preferred for indicating survey areas. (Do not enlarge or reduce the maps.)
       - North arrow

12. List of Survey Personnel and Responsibilities
    a. Supply the vita of the author(s) if this information has not previously been made available to the SHPO. The PI signing the report must meet the requirements for a professional archaeologist as indicated above.

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THE SECTION 106 PROCESS

Initiate Section 106 Process
Establish undertaking
Identify appropriate SHPO/THPO
Plan to involve the public
Identify other consulting parties

► **No undertaking/ no potential to cause effects**

▼

Undertaking might affect historic properties

▼

Identify Historic Properties
Determine scope of efforts
Identify historic properties
Evaluate historic significance

► **No historic properties affected**

▼

Historic properties are affected

▼

Assess Adverse Effects
Apply criteria of adverse effect

► **No historic properties adversely affected**

▼

Historic properties are adversely affected

▼

Resolve Adverse Effects
Continue consultation

► **Memorandum of Agreement**

▼

FAILURE TO AGREE

► **ADVISORY COUNCIL COMMENT**

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III. STATE LAW
SOUTH DAKOTA CODIFIED LAW 1-19A-11.1

Review and Compliance Procedures for SDCL 1-19A-11.1 - Summary

SDCL 1-19A-11.1 (11.1) applies to projects conducted by the State, or any political subdivision of the state (cities, counties, etc.), to take into account historic properties that may be damaged, destroyed, or encroached upon by projects undertaken by government entities. 11.1 requires that the State or local government entity notify the SHPO of projects that have the potential to damage, destroy, or encroach upon properties listed on the State or National Register of Historic Places and allow the SHPO the opportunity to investigate and comment on such projects. A sample format for the submission of this information can be found later in the manual under the heading entitled "Sample Notification for 11.1 Project Review."

Steps to Compliance

1. An application comes to the state or local government, or the state or local government proposes to undertake a project.
2. The state or local government determines whether the project has the potential to damage, destroy, or encroach upon a property listed on the State or National Register of Historic Places. A complete list of State and National Register listed properties can be found at http://history.sd.gov/Preservation/NatReg/NatReg.aspx.
3. The state or local government sends notification of the project to the SHPO. Notification should include a project description and photographs of the property.
4. Upon receiving the notification, the SHPO has 30 days to initiate an investigation of the project and may request a Case Report. Standards for completing a case report can be found in on page 20 of the guidelines under the heading entitled "Standards for Case Report".
    a. If no Case Report is requested, skip to item #5.
    b. If a Case Report is requested:
        i. The Case Report is the responsibility of the State or local government, but the applicant may be requested to prepare the Case Report.
        ii. Once complete, the Case Report is reviewed by the State or local government for preliminary approval of content and completeness.
        iii. After the state or local government reviews the Case Report, all required entities, including the local historic preservation commission, review and comment on the Case Report within 180 days.
        iv. After allowing all required entities to review the Case Report, the State or local government forwards the Case Report and all entity comments to the SHPO for review.
5. The SHPO reviews the project information or the Case Report with comments from all entities, and submits final comments to the State or local government.
6. The State or local government takes the SHPO comments, other entities' comments, and Case Report into consideration and makes the final determination regarding the project.
    a. The state or local government can decide not to approve the project.
    b. The state or local government can decide to approve the project. If the SHPO determined through its review that the project would damage, destroy, or encroach upon

a property listed on the State or National Register of Historic Places, then the state or local government cannot undertake the project or approve the application until it has made a written determination, based upon the consideration of all relevant factors, that there are no feasible and prudent alternatives to the project and that all possible planning to minimize harm to the historic property has been included. Ten days' notice of the state or local government's determination must be given to the SHPO by certified mail prior to the approval of the project.

Projects subject to 11.1 reviews include, but are not limited to building permits, demolition permits, and rehabilitation projects.

Sample Notification for 11.1 Project Review

When notifying the SHPO of a project for 11.1 project review, please include the following basic information. All review requests should be sent to the following address:

ATTN: Review & Compliance Coordinator
State Historic Preservation Office
900 Governors Drive
Pierre SD 57501

1. Name of state or local government entity requesting review
2. Contact person, address, phone number, and email
3. Project information:
    a. Location of project
    b. Listed on the State/National Register individually or as part of a historic district
    c. Description of project
        i. *Example*: The property owner has applied for a building permit to construct a one-story addition to the John Smith House. The addition will be located on the east side of the house and will be approximately 20' x 15'. The John Smith House is a one-and-a-half story bungalow with a modern, detached garage on the alley. The house has wood siding, wood windows, and an asphalt shingle roof. It is located near the center of town in a residential neighborhood. The addition will have an asphalt shingle roof, cement fiberboard siding, and aluminum clad wood windows in a style similar to the existing windows.
4. Photographs of the property, including at least an overall photograph of the main façade and other features that may be impacted

Upon receiving this information, the SHPO will have 30 days to review the information and initiate a project investigation by requesting a Case Report; if it is determined that additional information is needed. If an investigation is initiated and a Case Report is requested, the SHPO will notify the state or local government entity. The state or local government entity is responsible for compiling the Case Report but can delegate the responsibility to the applicant. The state or local government entity should forward the completed Case Report to the SHPO with any comments for review.

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Standards for Case Report

ARSD 24:52:07:03. Standards for case report. If a state entity or a political subdivision of the state is required by law or rule to report possible threats to the historical integrity of a property on the national or state register, the threat must be reported by means of a case report that meets the requirements of this section.

Case reports must provide the Office of History with sufficient information for the office to make an independent review of effects on the historical integrity of historic properties and shall be the basis for informed comments to state entities and the public. Case reports shall thoroughly examine all relevant factors involved in a preservation question. They must contain the following:

(1) A description of any impending project which may adversely affect a historic property;

(2) Photographs, maps, or drawings showing the existing project site, the extent of projects, and details of the proposed projects, which may include three-dimensional models or accurate computer-generated representations of proposed new construction. Models or representations must clearly show the visual impacts of new construction on surrounding neighborhood or landscapes;

(3) The planning and approval schedule for projects which may adversely affect historic property;

(4) A statement explaining how projects adversely affecting the historic property were brought to the attention of a state entity or political subdivision;

(5) A description of potentially affected historic property with any relevant physical, economic, or situational information on the property;

(6) A description of the potential effects of a proposed project on historic property and the basis for the determinations of effect;

(7) A historic preservation plan or description and evaluation of all feasible and prudent alternatives which a state entity or political subdivision proposes in order to minimize adverse effects of a project on historic property and alternatives which the state entity or political subdivision has examined and rejected. The reasons for rejection must be included. This section of the case report must clearly substantiate that all possible efforts to minimize harm to the historic property have been undertaken. Alternatives to aspects of the project which may adversely affect the historic property must:

(a) Receive consideration based on factual reports, research, tried methods, and professional and lay preservation advice;

(b) Explore alternatives beyond the immediate project, taking into account broad community or regional issues in which the historic resources may play a contributing role;

(c) Take into account the impact of potential adverse effects on surrounding historic resources, community preservation plans, and long-range community opportunities;

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(d) Be based on professional assessments of the value and basic structural condition of the affected property and estimates of a range of rehabilitation or mitigative options prepared by people experienced in historical preservation work; and

(e) Provide adequate periods of time for information to be prepared and for preservation options to be attempted;

(8) Documentation of consultation with the Office of History regarding the identification and evaluation of historic properties, assessment of effect, and any consideration of alternatives or mitigation measures;

(9) A description of the efforts of a state entity or political subdivision to obtain and consider the views of affected and interested parties;

(10) Documentation that a local historical preservation commission constituted under SDCL 1-19B with jurisdiction in the city or county where the affected historic property is located was provided a specified period of time to examine plans for proposed projects. Official comments of the commission must be included. The Office of History shall specify periods of time not to exceed 180 days to be given local historical preservation commissions to examine plans and may specify such periods for each set of revised plans submitted for a project. The commission shall:

(a) Agree with the findings of the case report;

(b) Disagree with the findings of the case report; or

(c) Decline to comment on the findings of the case report;

(11) Copies of written views submitted by the public to the state entity or political subdivision concerning the potential adverse effects of projects on historic properties and alternatives to reduce or avoid those effects.

The Office of History may require an abbreviated case report if, in its opinion, less than a comprehensive review of a preservation issue is needed. The office shall determine the elements needed for an abbreviated case report case by case.

Source: 16 SDR 239, effective July 9, 1990; 21 SDR 50, effective September 21, 1994; 24 SDR 73, effective December 4, 1997.

General Authority: SDCL 1-19A-5, 1-19A-11, 1-19A-29.

Law Implemented: SDCL 1-19A-5, 1-19A-11.1.

Professional Qualification for State Projects

South Dakota Codified Law SDCL 1-20-32 authorizes South Dakota Administrative Rule ARSD 24:52:08:02 which establishes minimum qualifications for professional archaeologists. A qualified professional archaeologist acting as a PI or person in direct charge of a project must have a postgraduate degree in archaeology or anthropology with emphasis in archaeology or a closely related field and at least one year of full-time professional experience.

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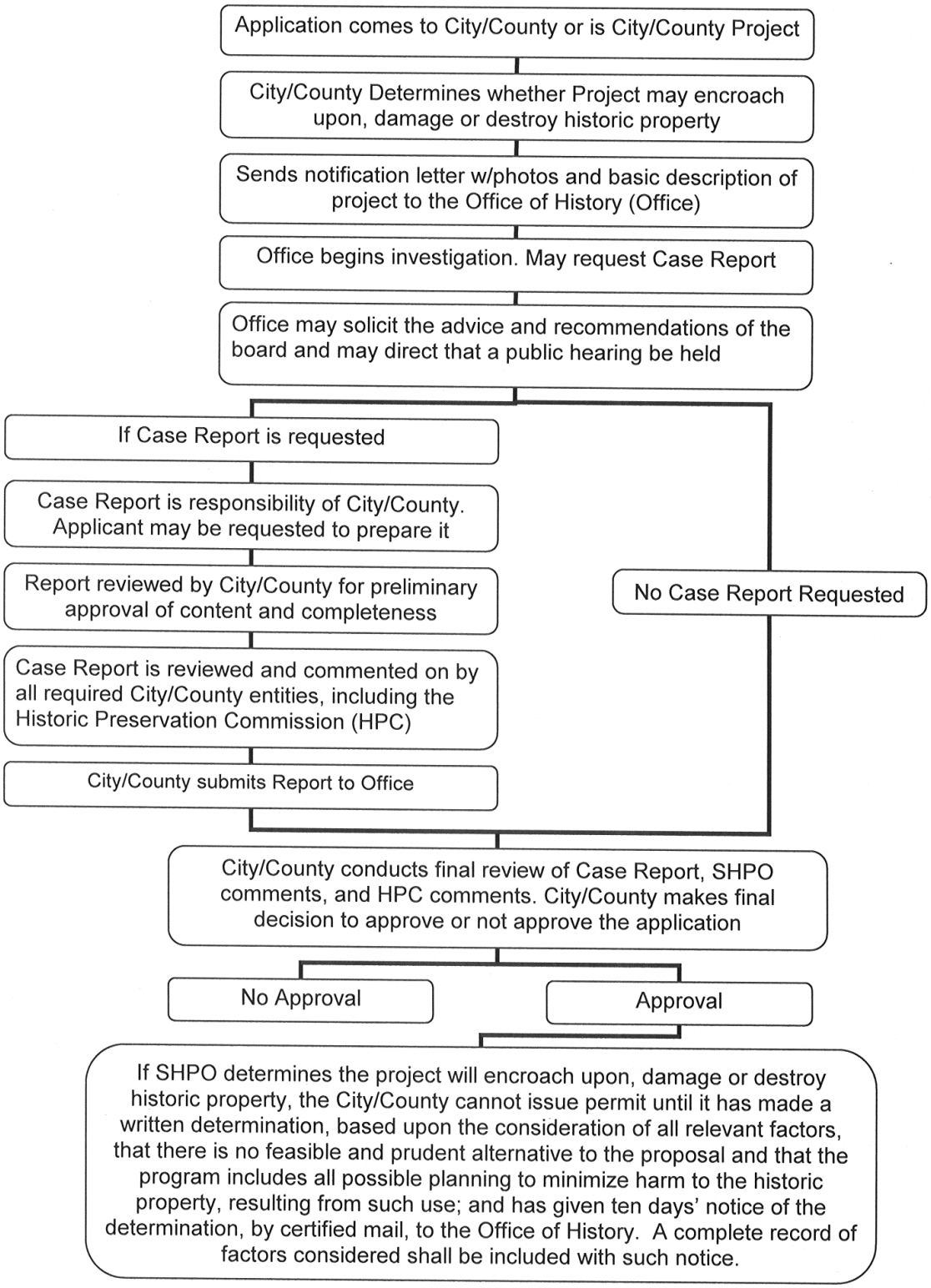
Archaeology Permit for Survey on State Lands – SDCL 1-20-32

SDCL 1-20-32 authorizes South Dakota Administrative Rule ARSD 24:52:08:01 Archaeological Permits, which requires a permit for any archaeological survey or excavation conducted on any property owned by the state, or its subdivision, and for the exhumation of human burials outside the control of cemetery authorities. Archaeological Permits are available through the Office of the State Archaeologist at ARC, PO Box 1257, Rapid City, South Dakota 57709-1257, or 605- 394-1936.

SDCL 1-19A-11.1 FLOW CHART



IV. TRIBAL HISTORIC PRESERVATION OFFICERS

In 1992 the U.S. Congress adopted amendments to the National Historic Preservation Act (P.L. 102-575) that allow federally recognized Indian tribes to take on more formal responsibility for the preservation of historic properties on tribal lands. Section 101(d)(2) of the act allows Indian tribes to assume any or all of the functions of a SHPO with respect to tribal land. 36 CFR part 800.16(w) defines Tribal Historic Preservation Officer (THPO) as "the tribal official appointed by the tribe's chief governing authority or designated by a tribal ordinance or preservation program who has assumed the responsibilities of the SHPO for the purpose of Section 106 compliance on tribal lands in accordance with Section 101(d)(2) of the act."

As of the date of this publication, eight out of nine tribal governments in South Dakota have assumed formal responsibility under Section 101(d)(2) of NHPA for a number of functions aimed at the preservation of historic properties. These functions vary for each tribe and may include identifying and maintaining inventories of culturally significant properties, nominating properties to the National and/or Tribal Register of Historic Places, conducting Section 106 reviews for federal agency projects on tribal lands, and conducting educational programs on the importance of preserving historic properties.

Where the tribe has not assumed these responsibilities, the federal agency must consult with the SHPO as well as a designated representative of the tribe during review of projects occurring on tribal lands. The federal agency must consult the Bureau of Indian Affairs (BIA) for all undertakings occurring on trust lands. Trust lands maybe located outside established reservation boundaries. In addition, although ARC is the official repository for all archaeology information in South Dakota, BIA and the THPO may have information concerning the location of known properties not on record at Archaeological Research Center.

For additional guidance concerning consultation with Indian Tribes, the ACHP has prepared a handbook entitled "Consultation with Indian Tribes in the Section 106 Review Process: A Handbook, November 2008" located at http://www.achp.gov/work106.html.

South Dakota Tribal Chairmen, Tribal Historic Preservation Offices, and Tribal Contacts

The South Dakota Office of Tribal Relations maintains an up to date list of tribal chairman contacts at http://www.sdtribalrelations.com/ninetribes.aspx.

Cheyenne River Sioux Tribe

Chairman:
Cheyenne River Sioux Tribe
PO Box 590
Eagle Butte, SD 57625-0590
Phone (605) 964-4155
Fax (605) 964-4151

THPO:
Cheyenne River Sioux Tribe
Tribal Historic Preservation Office
PO Box 590
Eagle Butte, SD 57625
Phone (605) 964-7554
Fax (605) 964-7552

Crow Creek Sioux Tribe

Chairman:
Crow Creek Sioux Tribe
PO Box 50
Ft. Thompson, SD 57339-0050
Phone (605) 245-2221
Fax (605) 245-2470

THPO:
Crow Creek Sioux Tribe
Tribal Historic Preservation Office
PO Box 50
Ft. Thompson, SD 57339-0050
Phone (605) 245-2250
Fax (605) 245-2470

Flandreau-Santee Sioux Tribe

Chairman:
Flandreau-Santee Sioux Tribe
PO Box 283
Flandreau, SD 57028-0283
Phone (605) 997-3512
Fax (605) 997-3878

THPO:
Flandreau-Santee Sioux Tribe
Tribal Historic Preservation Officer
PO Box 283
Flandreau, SD 57028-0283
Phone (605) 997-3891
Fax (605) 997-5403

Lower Brule Sioux Tribe

Chairman:
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548-0187
Phone (605) 473-5561
Fax (605) 473-5606

Cultural Resources:
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548-0187
Phone (605) 473-5561
Fax (605) 473-5606

Oglala Sioux Tribe

Chairman:
Oglala Sioux Tribe
PO Box 2070
Pine Ridge, SD 57770-2070
Phone (605) 867-5821
Fax (605) 867-1449

THPO:
Oglala Sioux Tribe
Tribal Historic Preservation Office
US Hwy 18
Behind Tribal Building
Pine Ridge, SD 57770
Phone (605) 867-1271
Fax (605) 867-2818

Rosebud Sioux Tribe

Chairman:
Rosebud Sioux Tribe
PO Box 430
Rosebud, SD 57570-0430
Phone (605) 747-2381
Fax (605) 747-2243

THPO:
Rosebud Sioux Tribe
Tribal Historic Preservation Office
PO Box 658
Rosebud, SD 57570-0658
Phone (605) 747-2381
Fax (605) 747-4227

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Sisseton-Wahpeton Oyate

Chairman:
Sisseton-Wahpeton Oyate
PO Box 509
Agency Village, SD 57262-0509
Phone (605) 698-3911
Fax (605) 698-3708

THPO:
Sisseton-Wahpeton Oyate
PO Box 907
Sisseton, SD 57262
Phone (605) 698-4972
Fax (605) 698-7054

Standing Rock Sioux Tribe

Chairman:
Standing Rock Sioux Tribe
PO Box D
Ft. Yates, ND 58538-0522
Phone (701) 854-8500
Fax (701) 854-7299

THPO:
Standing Rock Sioux Tribe
Tribal Historic Preservation Office
PO Box D
Fort Yates, ND 58538
Phone (701) 854-2120
Fax (701) 854-2138

Yankton Sioux Tribe

Chairman:
Yankton Sioux Tribe
PO Box 248
Marty, SD 57361-0248
Phone (605) 384-3641
Fax (605) 384-5687

THPO:
Yankton Sioux Tribe
Tribal Historic Preservation Office
PO Box 248
Marty, SD 57361-0248
Phone (605) 384-3641
Fax (605) 384-5687

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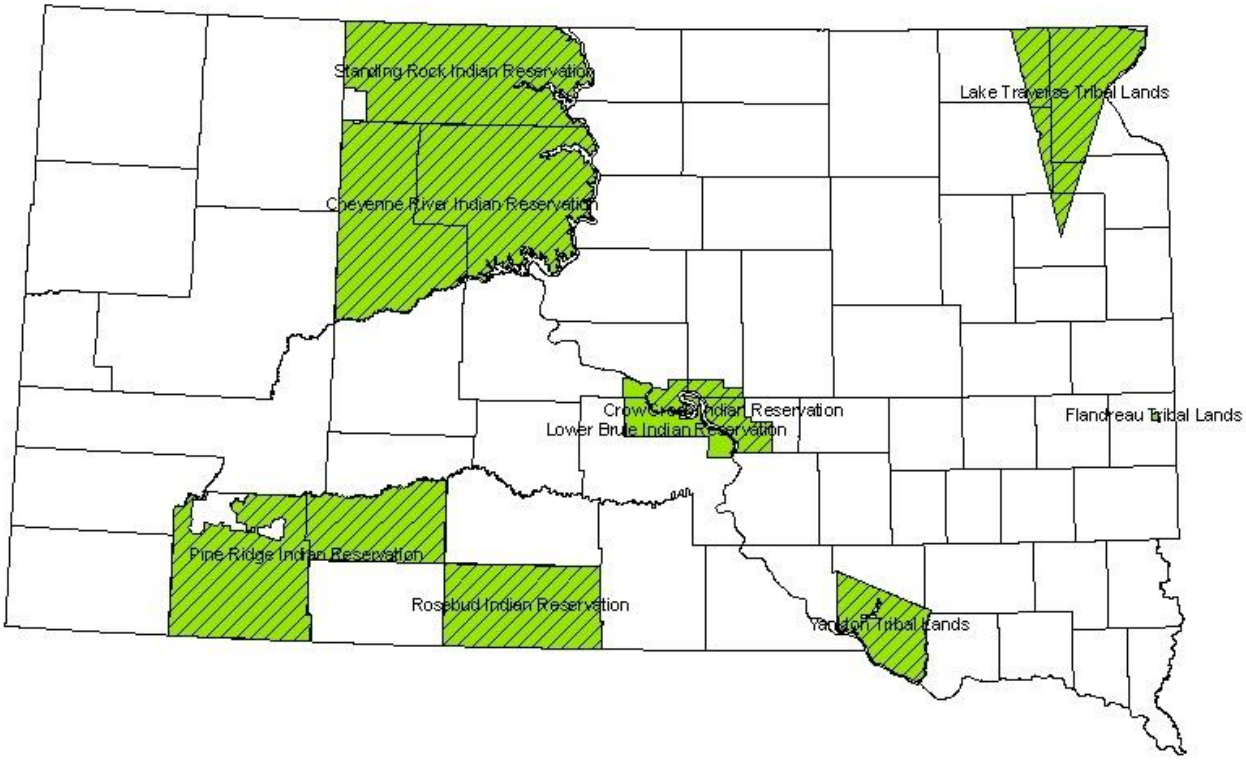
Reservations, Tribal Lands and THPOs



Legend

- Tribe with THPO
- Reservations_and_Tribal_Lands

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6. Archaeology Site Form

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Appendix A

Definitions (36 CFR 800.16)

Area of Potential Effects means the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character or use of historic properties. The area of potential effects may be different for different kinds of effects caused by the undertaking.

Advisory Council on Historic Preservation is an independent Federal agency that promotes the preservation, enhancement, and productive use of our nation's historic resources, and advises the President and Congress on national historic preservation policy.

Comment means the findings and recommendations of the council formally provided in writing to the head of a Federal agency under Section 106.

Consultation means the process of seeking, discussing, and considering the views of other participants and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process. The secretary's *Standards and Guidelines for Federal agency Preservation Programs Pursuant to the National Historic Preservation Act* provide further guidance on consultation.

Effect means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.

Foreclosure means an action taken by an agency official that effectively precludes the council from providing comments that the agency official can meaningfully consider before the approval of the undertaking.

Head of the agency means the chief official of the Federal agency responsible for all aspects of the agency's actions. If a state, local, or tribal government has assumed or has been delegated responsibility for Section 106 compliance, the head of that unit of government is considered the head of the agency.

Historic property means any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties and properties of traditional, religious, and cultural importance to an Indian tribe or Native Hawaiian organization. The term eligible for inclusion in the National Register includes properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

Indian tribe means an Indian tribe, band, nation, or other organized group or community, including a native village, regional corporation or village corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Local government means a city, county, parish, township, municipality, borough, or other general-purpose political subdivision of a state.

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Memorandum of Agreement means the document that records the terms and conditions agreed upon to resolve the adverse effects of an undertaking upon historic properties.

National Historic Landmark means a historic property that the Secretary of the Interior has designated a National Historic Landmark.

National Register means the National Register of Historic Places maintained by the Secretary of the Interior.

National Register Criteria means the criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register (36 CFR Part 60).

Programmatic Agreement means a document that records the terms and conditions agreed upon to resolve the potential adverse effects of a Federal agency program, complex undertaking, or other situations in accordance with Sec. 800.14(b).

Secretary means the Secretary of the Interior acting through the director of the National Park Service except where otherwise specified.

State Historic Preservation Officer (SHPO*)* means the official appointed or designated pursuant to section 101(b)(1) of the act to administer the state historic preservation program or a representative designated to act for the SHPO.

Tribal Historic Preservation Officer (THPO*)* means the tribal official, appointed by the tribe's chief governing authority or designated by a tribal ordinance or preservation program, who has assumed the responsibilities of the SHPO for purposes of Section 106 compliance on tribal lands in accordance with section 101(d)(2) of the act. The term also includes the designated representative of an Indian tribe who has not formally assumed the SHPO's responsibilities when an undertaking occurs on or affects historic properties on the tribal lands of the Indian tribe. (See Sec. 800.2(c)(2)).

Tribal lands mean all lands within the exterior boundaries of any Indian reservation and all dependent Indian communities.

Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to state or local regulation administered pursuant to a delegation or approval by a Federal agency.

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Appendix B

Acronyms

ACHP	Advisory Council on Historic Preservation
ARC	Archaeological Research Center
APE	Area of Potential Effect
CFR	Code of Federal Regulations
CRM	Cultural Resource Management
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act of 1969
NHL	National Historic Landmark
NHPA	National Historic Preservation Act of 1966 as amended
NPS	National Park Service
NRHP	National Register of Historic Places
PA	Programmatic Agreement
PI	Principle Investigator
SDCL	South Dakota Codified Law
SHPO	State Historic Preservation Officer
THPO	Tribal Historic Preservation Officer

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Appendix C

South Dakota Codified Law: SDCL 1-19A-11.1

SDCL 1-19A-11.1 Preservation of Historic Property Procedures. The state or any political subdivision of the state, or any instrumentality thereof, may not undertake any project which will encroach upon damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places until the Office of History (SD State Historical Society) has been given notice and an opportunity to investigate an comment on the proposed project. The office may solicit the advice and recommendation of the board with respect to such project and may direct that a public hearing be held thereon. If the office determines that the proposed project will encroach upon, damage or destroy any historic property that is included in the National Register of Historic Places or the State Register of Historic Places or the environs of such property, the project may not proceed until:

1. The Governor, in the case of a project of the state or an instrumentality thereof or the governing body of the political subdivision has made a written determination, based upon the consideration of all relevant factors, that there is not feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to the historic property, resulting from such use; and

2. Ten day's notice of the determination has been given, by certified mail, to the Office of History. A complete record of factors considered shall be included with such notice.

Any Person aggrieved by the determination of the Governor or governing body may appeal the decision pursuant to the provisions of chapters 1-26. The failure of the office to initiate an investigation of any proposed project within thirty days from the date of receipt of notice thereof is approval of the project.

Any project subject to review under the National Historic Preservation Act need not be reviewed pursuant to South Dakota Codified Law: SDCL 1-19A-11.1.

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Appendix D

South Dakota State Burial Laws

South Dakota Codified Laws, Chapter 34-27-25. Reporting discovery of human skeletal remains – Failure to report as misdemeanor.

Any person who encounters or discovers human skeletal remains or what he believes may be human skeletal remains in or on the ground shall immediately cease any activity which may disturb those remains and shall report the presence and location of such human skeletal remains to an appropriate law enforcement officer. Willful failure to report the presence or discovery of human skeletal remains or what may be human skeletal remains within forty-eight hours to an appropriate law enforcement officer in the county in which the remains are found is a Class 2 misdemeanor.

South Dakota Codified Laws, Chapter 34-27-28. Notification to landowner and coroner -- Notification to state archaeologist and tribal officials – Time limits.

If a law enforcement officer has reason to believe that the skeletal remains, reported pursuant to § 34-27-25, may be human, he shall promptly notify the landowner and the coroner. If the remains reported under § 34-27-25 are not associated with or suspected of association with any crime, the state archaeologist shall be notified within fifteen days. The state archaeologist shall thereupon follow the procedure set in § 34-27-31, except that the skeletal remains shall be turned over to the attorney general or any state's attorney should either request the remains for further investigation.

South Dakota Codified Laws, Chapter 34-27-31. Discovery of human remains or funerary objects by state education institution or museum – Contact state archaeologist – Notice to tribal officials – Tribal request – Disposition of remains or objects.

If any state supported educational institution or state supported museum comes into possession of human skeletal remains or associated funerary objects from South Dakota following July 1, 1990, the institution or museum shall contact the state archaeologist within fifteen days of the find. Within a reasonable period of time from contact by the institution or museum, but not to exceed one year, the state archaeologist shall identify the remains or objects. If review by the state archaeologist demonstrates to his satisfaction that the remains or objects are not directly related to a tribal group, the state archaeologist is responsible for their final disposition after consultation with the director of the State Office of History. If review by the state archaeologist demonstrates to his satisfaction that there is a direct relationship of the remains or objects to a tribal group, the state archaeologist shall notify the director of the State Office of History and shall initiate contact with officials of that tribal group as designed by the Office of Indian Affairs. If, within one year of the first contact with the tribal group as set forth in this section, the tribal group has not requested the return of the remains or objects the state archaeologist is responsible for their final disposition after consultation with the director of the State Office of History.

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Appendix E

Resources Available through the South Dakota SHPO

Historic Contexts:

- Architectural History in South Dakota
- Barns by Mail: Pre-cut Kit Barns by Mail-order Catalog in the Midwest from 1900 to 1930
- South Dakota Historic Resource Survey Manual
- Black Hills Mining Resources
  (under revision, updated version due Summer 2010)
- Churches in South Dakota
- Federal Relief Construction in South Dakota, 1929-1941
- German-Russian Folk Architecture in Southeastern South Dakota
- Historic Bridges of South Dakota
- Historic Property Owner's Guide
- Homesteading and Agricultural Development
- Indian Housing in South Dakota
- Post-World War II Architecture in South Dakota
- Schools in South Dakota
- South Dakota's Railroads
- South Dakota State Plan for Archaeological Resources

Inventory - Nomination Forms:

- Architecture of Finnish Settlement in South Dakota
- Czech Folk Architecture of Southeastern South Dakota
- Forest Avenue Historic District, Vermillion
- German-Russian Folk Architecture in South Dakota
- Historic Hutterite Colonies Thematic Resources
- Historic Resources of Rural Butte and Meade Counties in South Dakota
- Historic Resources of the Northern and Central Townships of Yankton County, South Dakota
- Yankton Commercial Historic District

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Multiple Property Documentation Forms:

- 19th Century South Dakota Trading Posts
- Common Farm Barns of South Dakota, 1857-1958
- County Courthouses of South Dakota
- Federal Relief Construction in South Dakota, 1929-1941
- Historic Resources of the North End Neighborhood of Watertown, South Dakota
- Historic Stone Arch Culverts in Turner County, South Dakota
- Lustron Houses in South Dakota
- Ranches of Southwestern Custer County, South Dakota
- Rural Architectural and Historical Resources of Brown County, South Dakota
- South Dakota's Round and Polygonal Barns and Pavilions

Videos:

- After the Flood: Water and Your Historic Building
- Through the Generations: Identifying and Protecting Traditional Cultural Places

The resources are available on line at history.sd.gov/Preservation/OtherServices/SHPODocs.aspx.

National Register Forms, Bulletins, Preservation Briefs and Technical Briefs are available on line at http://www.cr.nps.gov/nr.

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Appendix F

South Dakota National Historic Landmarks

Name	Location	Date of Designation
Arzberger Site	Hughes County	07/19/64
Battle Mountain Sanitarium, National Home for Disabled Volunteer Soldiers	Fall River County	06/17/2011
Bear Butte	Meade County	12/21/81
Blood Run Site (Also in Iowa)	Lincoln and Lyon County	05/22/70
Bloom Site	Hanson County	07/19/64
Crow Creek Site	Buffalo County	07/19/64
Deadwood Historic District	Lawrence County	07/04/61
Fort Pierre Chouteau Site	Stanley County	07/17/91
Fort Thompson Mounds	Buffalo County	07/19/64
Frawley Ranch	Lawrence County	05/05/77
Langdeau Site	Lyman County	07/19/64
Mitchell Site	Davison County	07/19/64
Molstad Village	Dewey County	07/19/64
Vanderbilt Archeological Site	Campbell County	02/18/97
Verendrye Site	Stanley County	07/17/91
Wounded Knee	Shannon County	12/21/65

Updated Documentation 01/26/2012

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Appendix G

Recommended Report Format

A Level III Cultural Resource Survey of

_____

in_____County, South Dakota

Prepared by

_____

(Senior Authors)

_____

(Report Date)

_____

(Signature of
Principal Investigator/Title
Consulting Organization
Address)

_____

(Agency/Organization Contracting Project)

_____

Address of Office

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1. **Abstract:** A reconnaissance/intensive cultural resource survey was conducted in the _____ study unit.

   (DELETE OR ALTER AS APPROPRIATE)
   Cultural resources were located in the project area that are (eligible/not eligible) for the National Register of Historic Places. Recommend a determination of No Historic Properties Affected, No Adverse Effect or Adverse Effect for the following reasons _____.

   A total of _____ acres surveyed.

   Location: _____ County, South Dakota.

   Legal Location of Area(s) Surveyed:

   1/4 1/4 Section _____, T_____, R_____

   USGS 7.5—quadrangle: _____

2. **Project Description:** Discussion of proposed undertaking, types of possible direct, and indirect effects including long- and short-term effects on historic properties.

3. **Environment/Setting:** (Describe the APE and the soil/general geomorphologic characteristics). The ground surface visibility ranged from _____ to _____ percent with an average visibility of _____. The vegetation consisting primarily of (description of prominent land forms, dominant tree/grass species, drainages and water sources.)

   Elevation of the project area is _____feet/meters above mean sea level.

   Previous surface disturbance/current land use.

   Review of earlier cultural resource studies: A files search was conducted on (date) at the State Archaeological Research Center by (Name). Results (No previous inventories or cultural resources were known for the sections of and adjacent to the project area/The following previous inventories and/or cultural resources are known for the project area:).

   Note: Previous inventories and sites may be presented in tabular form.

   Field work: Date:_____ Personnel:_____

   Type of Survey: (Level I, Level III, Other).

   The area was surveyed with a series of parallel pedestrian transects spaced approximately 30 meters (100 feet) apart. The examination was of prominent features, drainages, plateaus, and other areas with a high likelihood for the presence of sites. The surface visibility was approximately _____percent.

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A description of any site-testing activity with appropriate maps, photographs/drawings and a narrative of results.

The artifacts and samples collected are being stored at _____, under a curation agreement with _____.

3. **Results:** A description of identified properties, site maps, and other solid justifications for National Register eligibility or ineligibility (including a discussion of the site's integrity and of which National Register criteria the property meets or does not meet) and recommendations for further work if needed.

4. **Recommendations:** (No historic properties/historic properties) were located. (No further work/Further work) is recommended because . . . The undertaking (should/should not) proceed as planned because . . . A determination of (No Historic Properties Affected/ No Adverse Effect/ Adverse Effect) is recommended because . . .

5. **State Planning:** This part of the _____ Study Unit contained (significant historic properties/no significant resources/other). This finding contributes negative or positive location information to the management of the study unit.

6. **List of attachments** (as appropriate). When properties are located, the report must include, as appropriate, a South Dakota Archaeological Site Form and/or a South Dakota Historic Inventory Form.

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Appendix H

Example Memorandum of Agreement

MEMORANDUM OF AGREEMENT

BETWEEN [insert Agency]

AND THE

[insert name of State or Tribe] ["STATE" or "TRIBAL"] HISTORIC PRESERVATION OFFICER

REGARDING THE [insert project name and location]

WHEREAS the **[Agency]** (**[insert Agency abbreviation]**) plans to **["carry out" or "fund" or "approve"/"license"/"permit" or other appropriate verb]** the **[insert project name]** (undertaking) pursuant to the **[insert name of the substantive statute authorizing the Federal agency involvement in the undertaking]**, **[insert legal cite for that statute]**; and

WHEREAS the undertaking consists of **[insert a brief explanation of the undertaking]**; and

WHEREAS, [Agency abbreviation] has defined the undertaking's area of potential effect (APE) as **[insert written description and/or "described in Attachment XXX"]**; and

WHEREAS [Agency abbreviation] has determined that the undertaking may have an adverse effect on **[insert name of historic property(ies)]**, which **["is" or "are"] ["listed in" or "eligible for listing in"]** the National Register of Historic Places, and has consulted with the **[insert name of State or Tribe] ["State" or "Tribal"]** Historic Preservation Officer (**["SHPO" or "THPO"]**) pursuant to 36 C.F.R. part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

WHEREAS [Agency abbreviation] has consulted with the **[insert name of Tribe(s)]**, for which **[insert name of historic property(ies)] ["has" or "have"]** religious and cultural significance, and has invited the Tribe**[s]** to sign this Memorandum of Agreement (MOA) as a an invited signatory **[Insert this whereas clause if appropriate];** and

WHEREAS, **[Agency abbreviation]** has consulted with **[insert names of other consulting parties, if any]** regarding the effects of the undertaking on historic properties and has invited them to to sign this MOA as a **["invited signatory(ies)" or "concurring party(ies)"];** and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), **[Agency abbreviation]** has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

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NOW, THEREFORE, **[Agency abbreviation]** and the **["SHPO" or "THPO"]** agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

[Agency abbreviation] shall ensure that the following measures are carried out:

[I.-III. (Or whatever number of stipulations is necessary) Insert negotiated measures to avoid, minimize, or mitigate the adverse effects on historic properties.]

IV. **DURATION**

This MOA will be null and void if its terms are not carried out within five (5) years **[or specify other appropriate time period]** from the date of its execution. Prior to such time, **[Agency abbreviation]** may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below.

V. **POST-REVIEW DISCOVERIES**

If potential historic properties are discovered or unanticipated effects on historic properties found, the **[Agency abbreviation]** shall implement the discovery plan included as attachment **[insert number of attachment]** of this MOA. **[Insert this stipulation if there is an indication that historic properties are likely to be discovered during implementation of the undertaking.]**

VI. **MONITORING AND REPORTING**

Each **[insert a specific time period]** following the execution of this MOA until it expires or is terminated, **[Agency abbreviation]** shall provide all parties to this MOA **["and the ACHP" if desired]** a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in **[Agency abbreviation]**'s efforts to carry out the terms of this MOA.

VII. **DISPUTE RESOLUTION**

Should any signatory * or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, **[Agency abbreviation]** shall consult with such party to resolve the objection. If **[Agency abbreviation]** determines that such objection cannot be resolved, **[Agency abbreviation]** will:

A. Forward all documentation relevant to the dispute, including the **[Agency abbreviation]**'s proposed resolution, to the ACHP. The ACHP shall provide **[Agency abbreviation]** with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, **[Agency abbreviation]** shall prepare a written response that takes into account any timely advice or comments regarding the

dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. **[Agency abbreviation]** will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, **[Agency abbreviation]** may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, **[Agency abbreviation]** shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.

C. **[Agency abbreviation]**'s responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VIII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

IX. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VIII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, **[Agency abbreviation]** must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. **[Agency abbreviation]** shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by the **[Agency abbreviation]** and **["S" or "T"]**HPO and implementation of its terms evidence that **[Agency abbreviation]** has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.******

SIGNATORIES:

[insert Agency name]

_____ Date
[insert agency official name and title]

[insert name of State or Tribe] ["State" or "Tribal"] Historic Preservation Officer

_____ Date

[insert name and title]

INVITED SIGNATORIES:

[insert invited signatory name]

_____ Date
[insert name and title]

CONCURRING PARTIES:

[insert name of concurring party]

_____ Date
[insert name and title]

Notes:

** This document assumes that the term "signatory" has been defined in the agreement to include both signatories and invited signatories.*

*** Remember that the agency must submit a copy of the executed MOA, along with the documentation specified in Sec. 800.11(f), to the ACHP prior to approving the undertaking in order to meet the requirements of section 106. 36 CFR § 800.6(b)(1)(iv).*

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Appendix I

Section 106: Frequently Asked Questions and Answers

The National Historic Preservation Act (NHPA), as amended, was passed in 1966 in reaction to the loss or alteration of many historic properties due to large scale urban renewal and the development of the interstate highway system in the late 1950's and early 1960's. The NHPA is intended to preserve the cultural and historical foundations of our nation. Section 106 of the NHPA seeks to accommodate historic preservation concerns with the needs of federal projects. The implementing regulations, 36 CFR Part 800 – Protection of Historic Properties, establish procedures for the Section 106 process.

Question: What is Section 106?

Answer: "Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties . . . The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects, and seek ways to avoid, minimize, or mitigate any adverse effects on historic properties."36 CFR § 800.1 (a)

Questions: What is an undertaking?

Answer: An undertaking is "a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of a federal agency; those carried out with federal financial assistance; and those requiring a federal permit, license or approval." 36 CFR § 800.16(y)

Question: When must a Section 106 review take place?

Answer: The Section 106 process must be completed, "prior to the approval of the expenditure of any federal funds on the undertaking or prior to the issuance of any license . . . The Agency Official shall ensure that the Section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking." 36 CFR § 800.1(c)

Question: Why is the federal agency or consultant (and not SHPO) responsible for gathering documentation for Section 106 review?

Answer: "It is the statutory obligation of the federal agency to fulfill the requirements of Section 106 . . ." 36 CFR § 800.2(a)

Federal agencies or federally delegated authorities must "make a reasonable and good-faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral-history interviews, sample field investigation, and field survey." 36 CFR § 800.4(b)(1)

The SHPO is not a regulatory agency but is a consulting party in the Section 106 review process and reflects the interests of the State and its citizens in the preservation of their cultural heritage. The SHPO "advises and assists federal agencies in carrying out their Section 106 responsibilities." 36 CFR § 800.2

Question: What is a federally delegated authority?

Answer: "The agency official may be a state, local or tribal government official who has been delegated legal responsibility for compliance with Section 106 in accordance with federal law." 36 CFR § 800.2(a)

Question: What is the role of a consultant?

Answer: Consultants or designees contracted to prepare information are not recognized as federally delegated authorities. Federal agencies or federally delegated authorities "may use the services of applicants, consultants, or designees to prepare information, analyses, and recommendations…" The federal agency or federally delegated authority "remains legally responsible for all required findings and determinations." 36 CFR § 800.2(a)(3)

Question: Why doesn't the information submitted for a NEPA review suffice for review under Section 106 of NHPA?

Answer: The National Historic Preservation Act of 1966 (NHPA) and the National Environmental Policy Act of 1969 (NEPA) are separate federal laws with different documentation requirements. Where consistent with the procedures, the agency official may use information developed for other reviews under federal and state law to meet the requirements of Section 106. However, in many instances the information submitted to complete a NEPA review will not suffice for a Section 106 review. 36 CFR § 800.3(b)

Question: What is the area of potential effects (APE)?

Answer: The area of potential effects is the "geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking." In many instances, the APE is not simply the project's physical boundaries or right-of-way. 36 CFR § 800.16(d)

Question: What is a historic property?

Answer: An historic property is "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe…"36 CFR § 800.16(l)

Question: What makes a property "historic"?

Answer: An historic property must meet at least one of the National Register Criteria (36 CFR part 60), must generally be at least fifty years of age, and retain integrity. 36 CFR § 800.4(c)(1)

The National Register criteria are:

A. association with events, activities, or broad patterns of history
B. association with persons significant in the past
C. characteristic of a type, period, or method of construction, has high artistic value
D. have yielded or have the potential to yield information.

Question: What is the National Register of Historic Places?

Answer: The National Register is the official list of properties recognized by the Secretary of the Interior as worthy of preservation. It is honorary and does not, by itself, afford properties any protection. Listing does not prevent property owners from remodeling, repairing, altering, selling, or even demolishing the property, unless Federal dollars are involved. Property owners are not obligated to make any repairs or improvements to the property.

The National Register of Historic Places is not a complete list of all historic properties; such properties are continually added. A historic property may never be listed in the National Register, and for this reason it is necessary to consider properties that are eligible for inclusion in the National Register in the Section 106 review process. "The term *eligible for inclusion in the National Register* includes both properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria." 36 CFR § 800.16(l)(2)

Question: What is consultation?

Answer: "Consultation means the process of seeking, discussing, and considering the views of other participants, and where feasible, seeking agreement with them regarding matters arising in the section 106 process." 36 CFR § 800.16(f) The agency official shall involve the consulting parties and should plan consultations appropriate to the scale of the undertaking and the scope of federal involvement. 36 CFR § 800.2(a)(4)

Question: What is a Tribal Historic Preservation Officer (THPO)?

Answer: "Tribal Historic Preservation Officer (THPO) means the tribal official appointed by the tribe's chief governing authority or designated by a tribal ordinance or preservation program who has assumed the responsibilities of the SHPO for purposes of Section 106 compliance on tribal lands…" 36 CFR § 800.16(w)

Question: How are non-THPO tribes involved in the Section 106 process as consulting parties?

Answer: When an Indian tribe has not assumed the responsibilities of the SHPO for Section 106 on tribal lands, the agency official shall consult with a representative designated by the Indian tribe in

addition to the SHPO regarding undertakings occurring on or affecting historic properties on its tribal lands. Indian tribes have the same rights of consultation and concurrence that the THPOs are given except that consultations shall be in addition to and on the same basis as consultation with the SHPO. 36 CFR § 800.2(c)(2)(B)

Question: Why can't the SHPO consult with tribes or THPOs on behalf of the federal agency for Section 106 projects?

Answer: "Consultation with an Indian tribe must recognize the government-to-government relationship between the federal government and Indian tribes." 36 CFR § 800.2(c)(2)(ii)(C)

Question: What is a determination of effect and why can't the SHPO make the determination for my project?

Answer: A determination of effect is the effect of the undertaking on historic properties. The determination of effect is based on the results of the identification and evaluation of historic properties within the project area of potential effect. 36 CFR § 800.4

For a determination of: *no historic properties affected:* "If the agency official finds that either there are no historic properties present or there are historic properties present but the undertaking will have no effect upon them as defined in Sec. 800.16(i), the agency official shall provide documentation of this finding as set forth in Sec. 800.11(d), to the SHPO." 36 CFR § 800.4(d)(1)

For a determination of: *adverse effect:* "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative." 36 CFR § 800.5(a)(1)

For a determination of: *no adverse effect:* "The agency official, in consultation with the SHPO/THPO, may propose a finding of no adverse effect when the undertaking's effects do not meet the criteria of 36 CFR Part 800.5(a)(1) or the undertaking is modified or conditions are imposed, such as the subsequent review of plans for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary's standards for the treatment of historic properties (36 CFR Part 68) and applicable guidelines, to avoid adverse effects." 36 CFR § 800.5(b)

It is the obligation of the federal agency to fulfill the requirements of Section 106 and to ensure that an agency official with jurisdiction over an undertaking takes legal and financial responsibility for Section 106 compliance. It is SHPO's responsibility to advise and assist federal agencies in carrying out their Section 106 responsibilities. 36CFR § 800.2

Question: What is an adverse effect?

Answer: "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association." 36 CFR § 800.5(a)(1)

"Adverse effects on historic properties include, but are not limited to:

a. Physical destruction of or damage to all or part of the property
b. Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines
c. Removal of the property from its historic location
d. Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance
e. Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features
f. Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization, and
g. Transfer, lease, or sale of property out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance." 36 CFR § 800.5 (a)(2)

Question: Where can I obtain specific information regarding documentation standards for a Section 106 review?

Answer: Documentation standards can be found in 36 CFR part 800.11(a). Federal agencies or federally delegated authorities must ensure that a determination, finding, or agreement is supported by sufficient documentation to enable any reviewing parties to understand its basis.

Documentation for a finding of no historic properties affected should include:

- A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, drawings, as necessary;
- A description of the steps taken to identify historic properties, including, as appropriate, efforts to seek information pursuant to 800.4(b); and
- The basis for determining that no historic properties are present or affected. 36 CFR § 800.11(a)

Documentation for a finding of no adverse effect or adverse effect should include:

- A description of the undertaking, specifying the federal involvement and its area of potential effects, including photographs, maps, drawings as necessary
- A description of the steps taken to identify historic properties

- A description of the affected historic properties, including information on the characteristics that qualify them for the National Register
- A description of the undertaking's effects on historic properties
- An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize, or mitigate adverse effects, and
- Copies or summaries of any views provided by consulting parties and the public." 36 CFR § 800.11(e)

Question: What is a memorandum of agreement (MOA)?

Answer: A memorandum of agreement is the document that records the terms and conditions agreed upon to resolve the adverse effects of an undertaking upon historic properties. 36 CFR § 800.15(0)

Question: What is a programmatic agreement (PA)?

Answer: Programmatic agreements are used to establish federal agency program alternatives that streamline the Section 106 process. 36 CFR § 800.15 (t)

Question: How can my agency enter into a programmatic agreement with the SHPO?

Answer: The agency official must consult with the Advisory Council on Historic Preservation and the SHPO in the development of alternative procedures. 36 CFR § 800.14(a)(1)

Appendix J

South Dakota Forms

- Historic Sites Survey Structure Form
- Historic Sites Survey Intensive Form
- Historic Sites Survey Ineligible Form
- Historic Sites Survey Bridge Form
- Historic Sites Survey Cemetery From

Additional information about the above forms can be found in the Architectural Survey Manual at http://history.sd.gov/Preservation/OtherServices/HistoricSitesSurvey.aspx

- Archaeology Site Form

Additional information about the above form can be found at http://www.sdsmt.edu/wwwsarc/resources.html

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY
STRUCTURE FORM MASTER LIST

HISTORIC SIGNIFICANCE

OWNER CODE
F = Federal government
S = State government
L = Local government
P = Private

DOE
Future Eligible
Not Eligible
NR Eligible
SR Eligible
Tabled
Unevaluated

REASON INELIGIBLE
Lack of Integrity
Less than 50 years old
Other
Outside Period of Significance

NOMINATION STATUS
Board Reject
Demolished
DOE
NR Listed
Owner Object
Removed
SR Listed
Tabled

CATEGORY
Building
District
Object
Site
Structure

STRUCTURE DETAILS

FUNCTION (CURRENT AND HISTORIC)
DOMESTIC
COMMERCE/TRADE
SOCIAL
GOVERNMENT
EDUCATION
RELIGION
FUNERARY
RECREATION AND CULTURE
AGRICULTURE/SUBSISTENCE
INDUSTRY/PROCESSING/EXTRACTION
HEALTH CARE
DEFENSE
LANDSCAPE
TRANSPORTATION
WORK IN PROGRESS
UNKNOWN
VACANT/NOT IN USE
DEMOLISHED
OTHER

SUB-FUNCTION (CURRENT AND HISTORIC)
DOMESTIC
1. single dwelling
2. multiple dwelling
3. secondary structure
4. hotel
5. institutional housing
6. camp
7. village site

COMMERCE/TRADE
1. business
2. professional
3. organizational
4. financial institution
5. specialty store
6. department store
7. restaurant
8. warehouse
9. trade (archeology)

SOCIAL
1. meeting hall
2. clubhouse
3. civic

GOVERNMENT
1. capitol
2. city hall
3. correctional facility
4. fire station
5. government office
6. diplomatic building
7. custom house
8. post office
9. public works
10. courthouse

EDUCATION
1. schools
2. college
3. library
4. research facility
5. education-related

RELIGION
1. religious facility
2. ceremonial site
3. church school
4. church-related residence

FUNERARY
1. cemetery
2. graves/burials
3. mortuary

RECREATION AND CULTURE
1. theater
2. auditorium
3. museum
4. music facility
5. outdoor recreation
6. fair
7. monument/marker
8. work of art

AGRICULTURE/SUBSISTENCE
1. processing
2. storage
3. agricultural field
4. animal facility
5. fishing facility or site
6. horticultural facility
7. agricultural outbuilding
8. irrigation facility

INDUSTRY/PROCESSING/EXTRACTION
1. manufacturing facility
2. extractive facility
3. waterworks
4. energy facility
5. communications facility
6. processing site
7. industrial storage

HEALTH CARE
1. hospital
2. clinic
3. sanitarium
4. medical business/office
5. resort

DEFENSE
1. arms storage
2. fortification
3. military facility
4. battle site
5. coast guard facility
6. naval facility
7. air facility

LANDSCAPE
1. parking lot
2. park
3. plaza
4. garden
5. forest
6. unoccupied land
7. underwater
8. natural feature
9. street furniture/object
10. conservation area

TRANSPORTATION
1. rail-related
2. air-related
3. water-related
4. road-related (vehicular)
5. pedestrian-related

WORK IN PROGRESS
UNKNOWN
VACANT/NOT IN USE
DEMOLISHED
OTHER

FOUNDATION
Brick
Concrete
None
Other
Stone
Tile Block
Unknown/Not Visible
Wood

STRUCTURE DETAILS (cont.)

ROOF MATERIAL
Asbestos
Asphalt
Brick
Concrete
Fiberglass
Metal
N/A
Other
Plastic
Rubber Membrane
Slate
Sod
Stone
Tar
Tile
Unknown/Not Visible
Wood

ROOF SHAPE
Arch
Conical
Cross Gable
Dome
Flat
Gable
Gambrel
Hip
Hipped Gable
Jerkinhead
Mansard
Monitor
N/A
Other
Parapet
Pyramidal
Round
Saltbox
Shed
Truncated Hip

STRUCTURAL SYSTEM
Brick
Chalkrock
Concrete
Earth
Log
Metal
N/A
Other
Stone
Tile Block
Wood Frame

STYLE
Arched Barn
Art Deco
Beau Arts
Colonial Revival
Commercial
Contemporary
Craftsman
Czech Barn
Dutch Barn
Egyptian Revival
Finnish Barn
Folk Victorian
Geodesic Dome
Gothic Revival
International
Italianate
Italian Renaissance
Lustron
Mansard
Midwest/Transverse Frame
Minimal Traditional
Mission
Mixed
Moderne
Mountain Horse Barn
Neoclassical Revival
Neoclassical/Classical Revival
Neocolonial
Neo-French
Neo-Mediterranean
Neo-Tudor
Neo-Victorian
No Style
Other
Pole Barn
Post-Modern
Prairie
Queen Anne
Ranch
Renaissance Revival
Romanesque Revival
Round/Polygonal Barn
Second Empire
Shed
Shingle
Split Level
Stick/Eastlake
Swedish Barn
Tudor Revival
Wisconsin Dairy Barn

TYPE
A-Frame
Bank Barn
Barn
Basement House
Bungalow
Chicken Coop
Cistern
Combination
Commercial
Corn Crib
Cross Gable
Depot
Duplex
Electric Pole
Falsefront
Feeder
Foursquare
Gable and Wing
Gable Front
Garage
Grain Bins
Grain Elevator
Granary
Hog House
Irrigation System
L Shape
Mobile Home
Other
Prefab House
Privy
Pyramidal
Quonset
Raised Barn
Rectangular
Root/Storm Cellar
Round
Shed
Side Gable
Silo
Silo
Sod House
T Shape
Water Tower
Well
Well House
Windmill

WALLS
Adobe
Aluminum
Asbestos
Asphalt
Brick
Chalkrock
Concrete
Earth
Granite
Limestone
Log
Masonite
Metal
N/A
Other
Permastone
Plastic
Quartzite
Sandstone
Slate
Stone
Stucco
Terra Cotta
Tile Block
Vinyl
Wood

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY STRUCTURE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

SITE INFORMATION

*SURVEY DATE: _____ *ADDRESS: _____
*SURVEYOR: _____ *COUNTY: _____
*CITY: _____

LOCATION DESCRIPTION: _____

LEGAL DESCRIPTION: _____

*QUARTER 1: _____ OWNER NAME: _____
*QUARTER 2: _____ OWNER ADDRESS: _____
*TOWNSHIP: _____ OWNER CITY: _____
*RANGE: _____ OWNER STATE: _____
*SECTION: _____ OWNER ZIP: _____
ACRES: _____ QUAD NAME: _____
OWNER CODE 1: F S L P
OWNER CODE 2: F S L P
OWNER CODE 3: F S L P

HISTORIC SIGNIFICANCE

*DOE: _____ REGISTER NAME: _____
*DOE DATE: _____ MULTIPLE PROPERTY NAME: _____
REASON INELIGIBLE: _____

CATEGORY: _____
NOMINATION STATUS: _____ SIGNIFICANCE LEVEL 1: N S L
DATE LISTED: _____ SIGNIFICANCE LEVEL 2: N S L
REFERENCE NUMBER: _____
HISTORIC DISTRICT RATING: C or NC CRITERIA 1: A B C D
PERIOD: _____ CRITERIA 2: A B C D
CRITERIA 3: A B C D
CRITERIA 4: A B C D

SIGNIFICANCE NOTES: _____

* = REQUIRED FIELD

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY STRUCTURE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

STRUCTURE DETAILS

SHPO ID: _____

*PROPERTY NAME: _____

OTHER NAME: _____

CURRENT FUNCTION: _____

CURRENT SUBFUNCTION: _____

HISTORIC FUNCTION: _____

HISTORIC SUBFUNCTION: _____

OCCUPIED: YES or NO

ACCESSIBLE: YES or NO

FOUNDATION: _____

ROOF MATERIAL: _____

ROOF SHAPE: _____

STRUCTURAL SYSTEM: _____

STYLE: _____

TYPE: _____

WALLS: _____

STORIES: _____

*DATE OF CONSTRUCTION: _____

SIGNIFICANT PERSON: _____

CULTURAL AFFILIATION: _____

ALTERED/MOVED NOTES: _____

INTERIOR NOTES: _____

OTHER NOTES: _____

*PHYSICAL NOTES: _____

*UTM ZONE: _____

*UTM EASTING: _____

*UTM NORTHING: _____

*RESTRICTED: Y or N

* = REQUIRED FIELD

SKETCH MAP

PHOTOGRAPHS

PHOTOGRAPHER: _____ ROLL NUMBER: _____
DATE OF PHOTO: _____ PHOTO NUMBER: _____
CAMERA DIRECTION: _____

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY INTENSIVE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

SITE INFORMATION

*SURVEY DATE: _____
*SURVEYOR: _____
*PROPERTY ADDRESS: _____
*COUNTY: _____
*CITY: _____

*QUARTER 1: _____
*QUARTER 2: _____
*TOWNSHIP: _____
*RANGE: _____
*SECTION: _____
ACRES: _____
QUAD NAME: _____

LEGAL DESCRIPTION: _____

LOCATION DESCRIPTION: _____

OWNER CODE 1: F S L P
OWNER CODE 2: F S L P
OWNER CODE 3: F S L P

OWNER NAME: _____
OWNER ADDRESS: _____
OWNER CITY: _____
OWNER STATE: _____
OWNER ZIP: _____

HISTORIC SIGNIFICANCE

*DOE: _____
*DOE DATE: _____
REASON INELIGIBLE: _____

REGISTER NAME: _____
MULTIPLE PROPERTY NAME: _____

NOMINATION STATUS: _____
DATE LISTED: _____
REFERENCE NUMBER: _____
PERIOD: _____
CATEGORY: _____

SIGNIFICANCE LEVEL 1: N S L
SIGNIFICANCE LEVEL 2: N S L

CRITERIA 1: A B C D
CRITERIA 2: A B C D
CRITERIA 3: A B C D
CRITERIA 4: A B C D

HISTORIC DISTRICT RATING: C or NC

SIGNIFICANCE NOTES: _____

* = REQUIRED FIELD

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY INTENSIVE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

STRUCTURE DETAILS

SHPO ID: _____

*PROPERTY NAME: _____

OTHER NAME: _____

CURRENT FUNCTION: _____

CURRENT SUBFUNCTION: _____

HISTORIC FUNCTION: _____

HISTORIC SUBFUNCTION: _____

OCCUPIED: YES or NO

ACCESSIBLE: YES or NO

FOUNDATION: _____

ROOF MATERIAL: _____

ROOF SHAPE: _____

STRUCTURAL SYSTEM: _____

STYLE: _____

TYPE: _____

WALLS: _____

STORIES: _____

*DATE OF CONSTRUCTION: _____

SIGNIFICANT PERSON: _____

CULTURAL AFFILIATION: _____

ALTERED/MOVED NOTES: _____

INTERIOR NOTES: _____

OTHER NOTES: _____

*PHYSICAL NOTES: _____

*UTM ZONE: _____

*UTM EASTING: _____

*UTM NORTHING: _____

*RESTRICTED: Y or N

ARCHITECTURAL EVALUATION

PORCH TYPE: _____
PORCH LOCATION: _____

PORCH HEIGHT (ft.): _____
PORCH ROOF: _____

BAYS/TOWERS TYPE: _____
BAYS/TOWERS LOCATION: _____

WINDOW TYPE: _____
WINDOW LOCATIONS: _____

CHIMNEY TYPE: _____
CHIMNEY LOCATION: _____

DORMERS TYPE: _____
DORMERS LOCATION: _____

DOOR TYPE: _____
DOOR LOCATIONS: _____

INTERIOR: _____

ARCHITECTURAL DETAILS: _____

E = EXCELLENT; F = FAIR; G = GOOD; P = POOR

OVERALL CONDITION:	E	F	G	P	ROOF CONDITION:	E	F	G	P
FOUNDATION CONDITION	E	F	G	P	PORCH CONDITION:	E	F	G	P
WALL CONDITION:	E	F	G	P	INTERIOR CONDITION:	E	F	G	P
WINDOW CONDITION:	E	F	G	P					

* = REQUIRED FIELD

HISTORY AND CONTEXT

DATE OF AREA SETTLEMENT: _____ DATE TOWN OR ADDITION PLATTED: _____

ORIGINAL OWNER: _____
OWNER ORIGINS: _____
OWNER INFO: _____

OTHER OWNERS: _____

SIGNIFICANT PERSON: _____
CULTURAL AFFILIATION: _____
BUILDER: _____
STATE CONTEXT TOPIC: _____

HISTORY NOTES: _____

PLANNING

PUBLIC SUPPORT: Y or N
VANDALISM: Y or N
THREAT: Y or N
SITE PROTECTED: Y or N

HIGH RESEARCH VALUE: Y or N
ALTERATIONS: Y or N
DETERIORATION: Y or N
MAINTENANCE: Y or N
STABLE: Y or N

ENVIRONMENTAL EFFECTS (weather, erosion, etc.): _____

SKETCH MAP

PHOTOGRAPHS

PHOTOGRAPHER: _____ ROLL NUMBER: _____
DATE OF PHOTO: _____ PHOTO NUMBER: _____
CAMERA DIRECTION: _____

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY INELIGIBLE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

INELIGIBLE FORM

*SURVEY DATE: _____ *QUARTER 1: _____
*SURVEYOR: _____ *QUARTER 2: _____
*TOWNSHIP: _____
*PROPERTY ADDRESS: _____ *RANGE: _____
*COUNTY: _____ *SECTION: _____
*CITY: _____

*DOE: NOT ELIGIBLE
*DOE DATE: _____
*REASON INELIGIBLE: _____

*PROPERTY NAME: _____
*DATE OF CONSTRUCTION: _____
*PHYSICAL NOTES: _____

*UTM ZONE: _____ *RESTRICTED: Y or N
*UTM EASTING: _____
*UTM NORTHING: _____

FOR CEMETERIES:
*DATE STARTED: _____
*YEARS FROM TOMBSTONES: _____

* = REQUIRED FIELD

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY
BRIDGE AND CEMETERY FORMS MASTER LIST

HISTORIC SIGNIFICANCE

OWNER CODE
F = Federal government
S = State government
L = Local government
P = Private

DOE
Future Eligible
Not Eligible
NR Eligible
SR Eligible
Tabled
Unevaluated

REASON INELIGIBLE
Lack of Integrity
Less than 50 years old
Other
Outside Period of Significance

NOMINATION STATUS
Board Reject
Demolished
DOE
NR Listed
Owner Object
Removed
SR Listed
Tabled

CATEGORY
Building
District
Object
Site
Structure

BRIDGE DETAILS

STRUCTURAL SYSTEM
Pin-connected
Rigid-connected

TYPE
Arched
Channel Beam
Culvert
Deck
Girder
Other
Pony Truss
Slab
Stringer
T-Beam
Through Truss

STYLE
Bedstead
King Post
Lattice
No Style
Other
Parker
Pratt
Pratt Half-Hip
Queen Post
Warren
Warren-Polygonal

MATERIALS
Concrete
Other
Steel
Stone
Timber

CEMETERY DETAILS

HISTORIC FUNCTION
Cemetery
Graves/Burials

CURRENT FUNCTION
DOMESTIC
COMMERCE/TRADE
SOCIAL
GOVERNMENT
EDUCATION
RELIGION
FUNERARY
RECREATION AND CULTURE
AGRICULTURE/SUBSISTENCE
INDUSTRY/PROCESSING/ EXTRACTION
HEALTH CARE
DEFENSE
LANDSCAPE
TRANSPORTATION
WORK IN PROGRESS
UNKNOWN
VACANT/NOT IN USE
DEMOLISHED
OTHER

CURRENT SUB-FUNCTION
DOMESTIC
1. single dwelling
2. multiple dwelling
3. secondary structure
4. hotel
5. institutional housing
6. camp
7. village site

COMMERCE/TRADE
1. business
2. professional
3. organizational
4. financial institution
5. specialty store
6. department store
7. restaurant
8. warehouse
9. trade (archeology)

SOCIAL
1. meeting hall
2. clubhouse
3. civic

GOVERNMENT
1. capitol
2. city hall
3. correctional facility
4. fire station
5. government office
6. diplomatic building
7. custom house
8. post office
9. public works
10. courthouse

EDUCATION
1. schools
2. college
3. library
4. research facility
5. education-related residence

RELIGION
1. religious facility
2. ceremonial site
3. church school
4. church-related residence

FUNERARY
1. cemetery
2. graves/burials
3. mortuary

RECREATION AND CULTURE
1. theater
2. auditorium
3. museum
4. music facility
5. outdoor recreation
6. fair
7. monument/marker
8. work of art

AGRICULTURE/SUBSISTENCE
1. processing
2. storage
3. agricultural field
4. animal facility
5. fishing facility or site
6. horticultural facility
7. agricultural outbuilding
8. irrigation facility

INDUSTRY/PROCESSING/ EXTRACTION
1. manufacturing facility
2. extractive facility
3. waterworks
4. energy facility
5. communications facility
6. processing site
7. industrial storage

HEALTH CARE
1. hospital
2. clinic
3. sanitarium
4. medical business/office
5. resort

DEFENSE
1. arms storage
2. fortification
3. military facility
4. battle site
5. coast guard facility
6. naval facility
7. air facility

LANDSCAPE
1. parking lot
2. park
3. plaza
4. garden
5. forest
6. unoccupied land
7. underwater
8. natural feature
9. street furniture/object
10. conservation area

TRANSPORTATION
1. rail-related
2. air-related
3. water-related
4. road-related (vehicular)
5. pedestrian-related

WORK IN PROGRESS
UNKNOWN
VACANT/NOT IN USE
DEMOLISHED
OTHER

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY BRIDGE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

SITE INFORMATION

*SURVEY DATE: _____ *ADDRESS: _____
*SURVEYOR: _____ *COUNTY: _____
*CITY: _____

LOCATION DESCRIPTION: _____

LEGAL DESCRIPTION: _____

*QUARTER 1: _____ OWNER NAME: _____
*QUARTER 2: _____ OWNER ADDRESS: _____
*TOWNSHIP: _____ OWNER CITY: _____
*RANGE: _____ OWNER STATE: _____
*SECTION: _____ OWNER ZIP: _____
ACRES: _____ QUAD NAME: _____
OWNER CODE 1: F S L P
OWNER CODE 2: F S L P
OWNER CODE 3: F S L P

HISTORIC SIGNIFICANCE

*DOE: _____ REGISTER NAME: _____
*DOE DATE: _____ MULTIPLE PROPERTY NAME: _____
REASON INELIGIBLE: _____

CATEGORY: _____
NOMINATION STATUS: _____ SIGNIFICANCE LEVEL 1: N S L
DATE LISTED: _____ SIGNIFICANCE LEVEL 2: N S L
REFERENCE NUMBER: _____
HISTORIC DISTRICT RATING: C or NC CRITERIA 1: A B C D
PERIOD: _____ CRITERIA 2: A B C D
CRITERIA 3: A B C D
CRITERIA 4: A B C D

SIGNIFICANCE NOTES: _____

* = REQUIRED FIELD

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY BRIDGE FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

BRIDGE DETAILS

SHPO ID: _____

***DATE BUILT:** _____
STRUCTURAL SYSTEM: _____
TYPE: _____
STYLE: _____
MATERIALS: _____

SIGNIFICANT PERSON: _____
***BRIDGE NAME:** _____
OTHER NAME: _____
LENGTH: _____
NUMBER OF SPANS: _____
APPROACH SPAN TYPE: _____

IN USE: YES or NO
ACCESSIBLE: YES or NO

ALTERED/MOVED NOTES: _____

***PHYSICAL NOTES:** _____

***UTM ZONE:** _____
***UTM EASTING:** _____
***UTM NORTHING:** _____

***RESTRICTED:** Y or N

* = REQUIRED FIELD

SKETCH MAP

PHOTOGRAPHS

PHOTOGRAPHER: _____ **ROLL NUMBER:** _____
DATE OF PHOTO: _____ **PHOTO NUMBER:** _____
CAMERA DIRECTION: _____

* = REQUIRED FIELD

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY CEMETERY FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

SITE INFORMATION

*SURVEY DATE: _____ *ADDRESS: _____
*SURVEYOR: _____ *COUNTY: _____
*CITY: _____

LOCATION DESCRIPTION: _____

LEGAL DESCRIPTION: _____

*QUARTER 1: _____ OWNER NAME: _____
*QUARTER 2: _____ OWNER ADDRESS: _____
*TOWNSHIP: _____ OWNER CITY: _____
*RANGE: _____ OWNER STATE: _____
*SECTION: _____ OWNER ZIP: _____
ACRES: _____ QUAD NAME: _____
OWNER CODE 1: F S L P
OWNER CODE 2: F S L P
OWNER CODE 3: F S L P

HISTORIC SIGNIFICANCE

*DOE: _____ REGISTER NAME: _____
*DOE DATE: _____ MULTIPLE PROPERTY NAME: _____
REASON INELIGIBLE: _____

CATEGORY: _____
NOMINATION STATUS: _____ SIGNIFICANCE LEVEL 1: N S L
DATE LISTED: _____ SIGNIFICANCE LEVEL 2: N S L
REFERENCE NUMBER: _____
HISTORIC DISTRICT RATING: C or NC CRITERIA 1: A B C D
PERIOD: _____ CRITERIA 2: A B C D
CRITERIA 3: A B C D
CRITERIA 4: A B C D

SIGNIFICANCE NOTES: _____

* = REQUIRED FIELD

STRUCTURE DETAILS

SHPO ID: _____

CULTURAL AFFILIATION: _____
*YRS FROM TOMBSTONES: _____
*DATE STARTED: _____

IN USE: Y or N ACCESSIBLE: Y or N

HISTORIC FUNCTION: CEMETERY or GRAVES/BURIALS
CURRENT FUNCTION: _____
CURRENT SUBFUNCTION: _____

*CEMETRY NAME: _____
OTHER NAME: _____
STARTED BY: _____

*NOTES: _____

*UTM ZONE: _____ *RESTRICTED: Y or N
*UTM EASTING: _____
*UTM NORTHING: _____

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

HISTORIC SITES SURVEY CEMETERY FORM

SOUTH DAKOTA STATE HISTORICAL SOCIETY
Department of Tourism and State Development

SKETCH MAP

PHOTOGRAPHS

PHOTOGRAPHER: _____ **ROLL NUMBER:** _____
DATE OF PHOTO: _____ **PHOTO NUMBER:** _____
CAMERA DIRECTION: _____

SD STATE ARCHAEOLOGICAL RESEARCH CENTER

Site No

County **Site Name** **Other No**

NR Status recom. **SHPO Determination**

NR District

Map Reference **Owner**

Arch. Region **Topo pos**

Vegetation **Substrate** **Land Use**

UTM centroid: **coord. system** **zone** / **E/** **N**

Surf. visibility % **Site elevation** m **Condition**

Site Dim. N-S **E-W** m **Area** ha **Depth** cm

Nearest Water Type **Name**

Distance m **Elevation** m **Direction** **Bank**

LOCATIONS

Legal Locations	Section	Twp	Rg

COMPONENTS

Site Type	Time Period	Cultural Affiliation

COMMENTS

Comments/site description (i.e. artifacts/features observed)

Evaluation/collection methods

Owner name/address/attitude

Name **Date**

Project

SD STATE ARCHAEOLOGICAL RESEARCH CENTER

Site No

SITE MAP

SITE LOCATION

SD STATE ARCHAEOLOGICAL RESEARCH CENTER

Site No

CONTINUATION SHEET

Item	Particulars

STATE HISTORIC PRESERVATION OFFICE

South Dakota State Historical Society
Department of Tourism and State Development
900 Governors Drive
Pierre, SD 57501-2217
Telephone: 605-773-3458
Facsimile: 605-773-6041