Summary of SDCL 1-19A-11.1 Review Process

Permit is requested for a project involving a historic property

- Project does not have the potential to damage, destroy, or encroach upon historic property
  - City determines whether to issue permit.

- Project has the potential to damage, destroy, or encroach upon historic property
  - City notifies State Historic Preservation Office (SHPO). SHPO has 30 days to initiate an investigation by requesting a Case Report.
    - Within 30 days of notification, SHPO does not request a Case Report.
    - Within 30 days of notification, SHPO requests a Case Report. The City is responsible for the Case Report but the applicant may help prepare it. SHPO may request that the HPC review and comment on the Case Report. City sends completed Case Report, and HPC comments if requested, to SHPO for review.

  SHPO issues final comments to the City.

  - City makes final determination whether to issue permit.
  - SHPO finds the project will not damage, destroy, or encroach upon historic property.
  - SHPO finds the project will damage, destroy, or encroach upon historic property.

If the SHPO determines the project will damage, destroy, or encroach upon historic property, the City cannot issue the permit until it has made a written determination, based upon the consideration of all relevant factors, that there are no feasible and prudent alternatives and that the program includes all possible planning to minimize harm to the historic property, resulting from such use.

Based upon consideration of all relevant factors, City makes final determination not to issue permit.

Based upon consideration of all relevant factors, City makes final determination that there are no feasible and prudent alternatives and that the program includes all possible planning to minimize harm to the historic property. Prior to issuing permit, City must give 10 days' notice by certified mail to SHPO and include a complete record of factors considered.