

THE STATE HISTORIC PRESERVATION OFFICE

The South Dakota Preservation Plan

2026-2030



south dakota
STATE HISTORICAL SOCIETY

Statewide Preservation Plan

CONTENTS



Campbell Park Band Shell, Huron



Mettler Cattle Barn, Menno



Battle Mountain
Sanitarium, Hot Springs

	3
Vision Statement	4
Acknowledgements	6
Planning Methodology	9
SDSHPO Background	12
2021-2025 Accomplishments	22
Preservation in Action: The Spearfish Historic Preservation Commission	24
2026-2030 Goals, Actions, Objectives	26
Preservation in Action: The Homestake Opera House	27
South Dakota Preservation Laws and Program Areas	37
Preservation in Action: The Vermillion Historic Preservation Commission	42
Appendices	89
Bibliography	

Statewide Preservation Plan

We strongly affirm that South Dakota's historic and cultural resources are a critical component of what makes our state unique and successful. They are sources of pride that help us build a sense of identity by defining and distinguishing our communities. They are also an excellent measure of the quality of life within our communities and a visible means to convey that quality to potential visitors, residents, and businesses. Historic and cultural resources can be used to generate jobs, stabilize or expand tax bases, encourage tourism, create affordable housing, benefit the environment, and create direction for our future by improving the knowledge of our past. Historic and cultural resources have a significant impact on many areas of society, and it is important for South Dakota to have a vision to capitalize on this potential. Therefore, our vision for preserving South Dakota's rich heritage is to **"Shape the future, enhance the economy, discover new historic places, and share the magnificence by preserving our heritage."**

With such a vision, localities across the state will become more aware of their own historic places, the benefits of preserving the past, and the programs to help them do so. Federal, state, and local decision makers will likewise recognize historic preservation as a community revitalization strategy and have greater resources at their disposal to implement that strategy, such as



Walter Wilson House, Watertown

increased grant funding, new incentive programs, accurate and efficient historic sites inventories, and improved state and local statutes. Achieving such a vision is never easy, but any vision must capture the imagination of all stakeholders in striving for a better tomorrow. Our vision can be accomplished with the focused effort of all preservation supporters in South Dakota working together to strengthen the preservation movement.

Statewide Preservation Plan

Acknowledgements

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The South Dakota State Historic Preservation Office (SDSHPO) is a program of the South Dakota State Historical Society under the South Dakota Department of Education. The SDSHPO works to advocate for the preservation of historic properties and archaeological sites across South Dakota through providing access to funding opportunities, education, consultation, research and the promotion of heritage tourism.



Sioux Falls National Bank

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1849 C Street NW
Washington D.C. 20240

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Brown County
Courthouse



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Planning Methodology

The SDSHPO undertook a comprehensive planning process for a revised state historic preservation plan during the summer of 2025. The first step was to assess the accomplishments and remaining goals from the 2021-25 plan. An internal SDSHPO review determined that progress was made towards achieving the goals. The review also determined that there is still work to be done and that ongoing efforts to eliminate the shortcomings and maintain the successes will be challenging. Many of the impediments from the previous five years, including limited and/or decreasing funding, changing attitudes towards preservation, and economic uncertainty, remain today and must be taken into consideration in the establishment of future goals.

The SDSHPO recognizes that historic preservation work is a collaborative endeavor and one that is successfully executed when the voices of all stakeholders are heard and given the opportunity to comment on matters that directly or indirectly impact them. To underscore the importance of public engagement in the work that the SDSHPO does, staff developed and distributed an online survey that presented opportunities to comment on SDSHPO program areas, where preservation activities succeed or fall short, and what preservation means to them, among other questions posed in the questionnaire.

The public survey went live at the beginning of August 2025 and responses were collected at the end of September 2025. In that time, the survey was distributed via email, local news outlets, and the South Dakota State Historical Society's newsletter and social media platforms to promote the most engagement among preservation stakeholders. Though staff encouraged direct input from the general public, the questionnaire was made accessible by email invitation to several sectors that engage in historic preservation work or in similar fields. These groups included:

- Federal, State, and Local Governmental Agencies
- Tribal Historic Preservation Offices
- Planning and Development Districts
- South Dakota State Historical Society
- South Dakota Museum Association
- South Dakota Universities, Technical Schools, and Tribal Colleges with program areas in Historic Preservation, Architecture, History, and Archaeology
- Historic Preservation Commissions
- Historical Societies
- South Dakota Municipal League
- South Dakota Chapter of the American Institute of Architects
- South Dakota Archaeological Society
- Archaeologists working in public and private sectors
- County Commissions
- Recent Deadwood Fund Grant and State Property Tax Moratorium Recipients
- Local Contractors

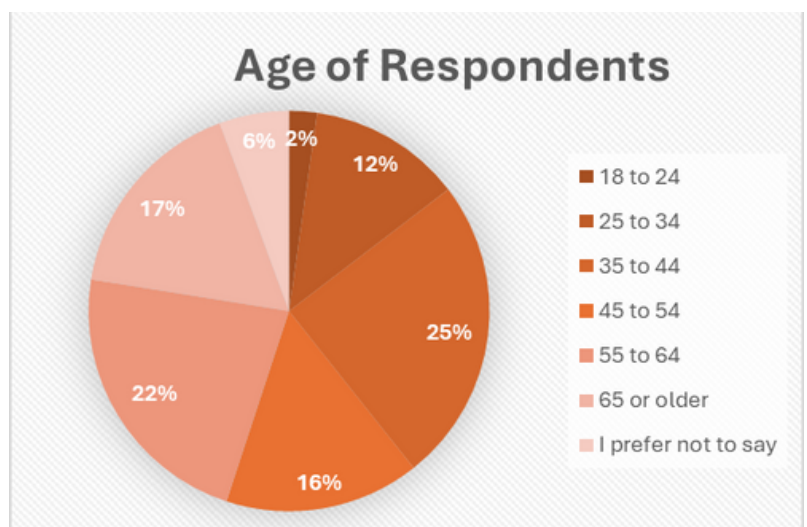
Statewide Preservation Plan

Survey Results and Discussion

The survey included 19 questions designed to gauge public sentiment on preservation topics and programs with the intention of implementing feedback into the priorities and strategic development of the SDSHPO's goals over the next five years. Once the survey closed, staff began to analyze the 89 total responses from individuals comprising various public and private positions throughout the state, all of which demonstrated an active interest in the stewardship of historic and cultural resources by participating in the plan's design process.

Noticeable trends and some new discoveries became apparent in the analysis of results. First, this survey was an initial attempt made by SDSHPO to understand the demographics of South Dakota's preservation community by asking respondents to provide their age alongside their contact information. From the results, individuals between the ages of 35 to 44 made up the majority of those working in the field or with an active interest in historic preservation, whereas individuals below the age of 25 were underrepresented in the 2025 survey. The full extent of age demographics can be seen in the graphic to the right.

Moreover, when asked what historic properties the public is most passionate about protecting, results demonstrated an emphasis in protecting historic downtowns and residential neighborhoods. Preserving prehistoric and historic archaeological sites, observed as being most important in the previous five-year plan survey, was a close second and remains important to the public. Interestingly, the latter categories ranked highest among the property types the SDSHPO should be nominating to the National Register of Historic Places. As observed in the previous plan's survey, program activities involving the survey, inventory and database management of the state's historic and cultural resources should be prioritized by the SDSHPO. Likewise, the public expressed the desire for more access to historic property information via digitization projects and for SDSHPO staff to promote the benefits of the state's historic properties.



Statewide Preservation Plan

Survey Results and Discussion

Respondents noted various issues occurring at the national, state, and local levels that are currently impacting or will soon impact South Dakota's historic properties. Among the range of responses, most common were concerns related to commercial development, the rising cost of restoration work, and the availability of funding programs to facilitate historic preservation projects. In a similar vein, when asked to agree or disagree with various statements about historic properties, the public agreed that properties are important to tourism, civic pride, and important for education but expressed uncertainty that historic preservation is a sustainable activity or helps address the housing crisis.

A lapse in awareness became evident when the public was asked to rank their familiarity with federal and state programs. The National Register of Historic Places, National Trust for Historic Preservation, State and Tribal Historic Preservation Offices, and the Deadwood Fund Grant Program are generally understood. Conversely, the Federal Historic Preservation Tax Incentive, State Property Tax Moratorium, State Historic Sites Survey (CRGRID), and the State Historical Marker Program are sparsely understood by the public. Likewise, federal and state preservation laws (Section 106 and 1-19A-11.1)

and the activities of the SDSHPO review and compliance program lack public awareness. Unlike the previous five-year plan, most responses indicated a preference for educational opportunities via online training like webinars and virtual workshops rather than exclusively in-person options. When asked what kind of training they would attend, most respondents expressed interest in topics exploring historic building restoration, funding opportunities, and historic preservation laws. **Please refer to Appendix A for survey results.**

To guide the development of the five-year plan, the SDSHPO formed a preservation planning committee to review results, develop goals, and establish a vision for the future. The committee consisted of six members of the South Dakota State Historical Society staff that included architectural historians, restoration specialists, archaeologists, grant managers, and cultural resource managers. The State Historic Preservation Officer oversaw the committee and guided its direction. Due to its small population, South Dakota has a limited number of preservation professionals and preservation organizations. Out of necessity, the SDSHPO assumed its traditional lead role in the development of the plan.

Statewide Preservation Plan

SDSHPO Over the Years

The National Historic Preservation Act of 1966 mandated each state have a Historic Preservation Officer to administer the various federal programs and processes set up by the Act, such as the National Register of Historic Places. South Dakota received its first federal funds for historic preservation in 1969. These were administered by James Gleich of South Dakota's Department of Game Fish and Parks.

In 1971, Dr. James E. Gillihan, then director of the W.H. Over Museum at the University of South Dakota (USD), started working to establish a Historical Preservation program under his direction. This was finalized in 1972. Gillihan then started hiring staff to implement historic preservation surveys, nominations, and grants. The early staff of the Historical Preservation Center included director John Derby, historian Paul Putz, Joseph Rockboy (Yankton Dakota) as a Technical Assistant with a specialty in Native American history, and secretary Leslie Carlton. Also in 1972, SDSHPO's first new National Register listings for South Dakota were approved.

Individuals who have held the position of South Dakota State Historic Preservation Officer include James E. Gillihan, John J. Little, Paul M. Putz, Junius R. Fishburne, Jay D. Vogt, Ted M. Spencer, and Garry Guan (present, 2025).



Historical Preservation
Center staff 1970s



State Historic Preservation
Office staff 1990s

Statewide Preservation Plan

SDSHPO Over the Years

The built landscape of South Dakota, and the team that has worked diligently to preserve it, has seen many changes over the years since the state's preservation program began to take shape back in the 1970s. Historic Preservation remains a highly dynamic field; preservation legislation and activities continue to be modified and reinterpreted as preservationists are met with modern challenges.

This requires SDSHPO to meet challenges with a great deal of flexibility and holistic understanding. What might have once been considered the best solution in the 1970s might not be most effective in today's world. However, in acknowledging the contributions of the historic preservation community that came before, we find ourselves better equipped to forge ahead.

As an office that has historically been smaller in size when compared to such a vast, rural state, what drives our office forward is an unfaltering commitment to preserving the state's nonrenewable cultural resources. This commitment is fortified by the relationships we cultivate with our preservation partners and a keen understanding of what there is to gain by looking to the past.



State Historic Preservation
Office staff 2000s



State Historic Preservation
Office staff 2010s



State Historic Preservation
Office staff 2025

Statewide Preservation Plan

SHPO Timeline

- 1966 National Historic Preservation Act
- 1969 SD received federal funding
- 1971 Historical Preservation Center opened in Vermillion
- 1974 State legislature passes 1-19A and 1-19B on preservation
- 1976 Congress creates a tax incentive for rehabilitation of historic buildings
- 1978 The nonprofit Historic South Dakota (later Preserve SD) organized



- 1982 State legislature creates the state property tax moratorium program
- 1989 Cultural Heritage Center opened
- 1992 Federal law provides opportunity for tribes to create their own preservation offices
- 1995 SDSHPO moves from Vermillion to Pierre
- 1996 First Deadwood Fund Grants awarded
- 1997 South Dakota Historical Society Press begins preservation series

Vale School, 2023 Deadwood Grant

- 2002 *South Dakota History* begins an annual preservation issue
- 2006 Cultural Resources Geographic Record Information Display (CRGRID) created
- 2013 First kid's archaeology camp held
- 2022 SDSHPO debuts a fully-electronic Review and Compliance system



2025 Kids Archaeology Camp

Statewide Preservation Plan

Accomplishments from 2021-2025

The statewide preservation plan is meant to guide South Dakota's preservation activities. That is why it is important to evaluate what progress has been made and to identify areas where continued work is needed. The following is a list of preservation goals from the 2021-25 statewide preservation plan along with a summary of accomplishments. While South Dakota's preservation agencies and organizations have taken steps towards achieving the goals, there is still much work that can and needs to be done.

Goal #1 Increase the Number/Variety of Nominations and Provide Training on the National Register Process

The SDSHPO staff prioritizes National Register listings across the state. Over the last five years, 35 properties were added to our inventory of over 2000 listings. Individual listings were prevalent, though two large districts as well as a large Traditional Cultural Property (TCP) were also listed.

SDSHPO collaborated extensively with federal, state, local, and tribal partners to identify and list a variety of historic and prehistoric sites. One of the sites listed was the Sisseton Agency Headquarters and Wacipi Grounds located in Roberts County on the Lake Traverse Reservation, home of

the Sisseton-Wahpeton Oyate (SWO). An experienced consultant worked with SWO THPO and tribal elders to prepare the TCP nomination which included historic vernacular, ethnographic, and archaeological resources along with important cultural viewsheds. The SWO have used the Wacipi Grounds for dancing, singing, and cultural events for at least 150 years.



Sisseton Agency Headquarters and Wacipi Grounds

SDSHPO also consulted with the SWO THPO on several burial mound nominations located in areas of the Oyate's traditional use. The mounds were identified from surveys that occurred in the early 2000s in consultation with several THPOs. Most listed sites were on land under the management of South Dakota's Department of Game, Fish and Parks. Working with the state agency, while in consultation with appropriate THPOs, seven burial mound complexes dating to the Woodland Period (500 BCE - 1700 CE) were listed.

Statewide Preservation Plan



Sherman Park Mounds, Sioux Falls

SDSHPO also cooperated with several local governments to list public properties. The Gregory County Courthouse, Turton Jail, Mount Vernon City Auditorium, and the Conde Municipal building were listed upon the request of citizens and public officials. While amending large historic districts in Watertown, Lead, Buffalo Gap, and Deadwood, SDSHPO worked with local, state, and federal entities who owned or managed properties that contributed to the significance of the district.

Public engagement during the listing process was another priority for SDSHPO staff. An estimated 150 site visits to National Register-listed or eligible properties were made to facilitate listings or amendments. Staff often coordinated site visits with multiple stakeholders and used those opportunities to provide educational and technical information on the National Register. For example, staff attended regular meetings of the Deadwood Historic Preservation

Commission and provided updates and explained the methodology for inventorying the large district. Ten rural properties, including barns, farmsteads, and homesteads, were listed from across the state. The significance of many of these properties was diverse. For example, the Joseph Reynolds Ranch Yard and Stage Stop was listed in 2022 not only for its architectural and settlement significance but also for transportation, as it served as a stage stop on the Deadwood-to-Sydney stage route. Its agricultural significance in early livestock raising was also highlighted.



SDSHPO surveying a historic building in Viborg

Statewide Preservation Plan

Beseda Hall and Sokol Park in Tabor were listed in 2024. Significant for social history and ethnic heritage pertaining to Czech settlement in South Dakota, the listing recognizes the arts and the history of the state's migrant communities.



Beseda Hall and Sokol Park, Tabor Preservation groups also developed National Register contexts and contextual information. The Spearfish Historic Preservation Commission produced contextual information on the historic irrigation systems that fueled the city's growth during the 1870s and 1880s. SDSHPO also commissioned the context *Harnessing Water: Historic Water Control and Diversion Systems of South Dakota, 1876-1980* to help evaluate the National Register eligibility of a variety of water conveyance systems. The Sioux Falls Board of Preservation prepared a survey report *The Grocery Store in Sioux Falls: 1900-1950* that evaluates National Register-eligible retail grocery stores. The context assisted with the nomination of *Efftig Grocery*; a structure rehabilitated with assistance from the State Property Tax Moratorium.



Sturgis Waterworks Dam, Sturgis

SDSHPO pursued many avenues to communicate the benefits of the National Register program. Traditional press releases continued to be effective, especially in rural areas where weekly newspapers remain viable, and social media engagement remained high across Facebook, Instagram, and other mediums. Articles and posts detailing the financial benefits of National Register listing were especially effective in generating interest for new listings. For example, a press release detailing recent Deadwood Fund Grants to the Fort Pierre Congregational Church and St. Augustine Church in Dallas resulted in several requests from other churches for a preliminary determination of National Register eligibility in order to qualify for the grant program.

Shortcomings

Dispelling myths and educating local leaders about what a National Register listing entails remained a challenge, despite various forms of outreach, such as in-person and web-based meetings, conducted by SDSHPO. National Register education overall was lacking,

Statewide Preservation Plan

due mainly to time and money restrictions. The SDSHPO, THPOs, CLGs, and local preservation groups need to find more effective ways to promote the benefits of the National Register.

Goal #2 Maintain a Comprehensive Survey System of Cultural Resources and Increase the Use of the CRGRID Database

SDSHPO's Cultural Resource Geographic Research Information Display (CRGRID) was developed in 2006 to manage immense amounts of architectural survey data and make it available to cultural resource professionals, local governments, researchers, property owners, and the general public through a GIS-based application. In CRGRID, there are data layers for structure, bridge, and cemetery records along with National Register-listed historic district boundaries. CRGRID underwent a large update and redesign in 2024 to improve user function.

The Archaeological Research Center (ARC), a program of the South Dakota State Historical Society, manages the Archaeological Resources Management System (ARMS) database which stores the state's archaeological survey data. SDSHPO continues to partner with ARC to maintain this important database.

Along with improving the capabilities and user interface of CRGRID, SDSHPO

also updated its Architectural Survey Manual and User Guide for CRGRID in 2024-2025. The user guide supplements the survey manual, and both provide step-by-step instructions, complete with screenshots and explanatory notes. SDSHPO routinely instructs individuals interested in entering, reviewing, or retrieving CRGRID data. Additionally, SDSHPO provides training for large groups. For example, staff has provided training to the National Resources Conservation Service's paraprofessional program on an annual basis.

While SDSHPO and ARC staff manage these critical databases, they are not the only cultural resources databases in the state. Many cities have their own GIS layers for National Register-listed resources. Rapid City and Deadwood have GIS layers in their planning systems that identify listed properties, district boundaries, and environs. SDSHPO and cities worked together to collect and share data to ensure consistency across cultural resource databases.



Geophysical survey

Statewide Preservation Plan

Shortcomings

Maintaining accurate databases of cultural records has been successful, but expensive. HPF funds have supported CRGRID and funded a considerable portion of ARMS. Other funding sources have not been identified. Identifying additional fiscal resources to support these databases may be necessary in the near future.

Goal #3 Developing Contexts, Identifying Needs, and Making Information Available

A number of historic contexts ranging from the state to local levels were developed in the last five years. CLG communities were particularly active in developing locally-themed contexts for a variety of property types.

The *Rapid City Postwar Schools* context focused on the physical design of schools built following World War II. The context borrowed from previous statewide contexts including *Post-World War II Architecture in South Dakota* and *Modern Residential Architecture in South Dakota, 1949-1975* to analyze elementary and middle schools built between 1949 and 1972. As many of these school buildings transition to other uses, the context can guide National Register determinations and redevelopment. Rapid City also produced “Our History, Our Future: A Historic Context Document for Rapid City, South Dakota, a report that contextualizes themes and developments in Rapid City’s history.

It was prepared as a supplement to *The Rapid City Historic Preservation Plan 2021-2031*. The documents are intended to promote history and historical preservation as a community asset.



Pinedale School, Rapid City

The Sioux Falls CLG was also active in developing historic contexts including *The Grocery Store in Sioux Falls: 1900-1950* and *Identifying and Documenting African American Heritage Sites in Sioux Falls, South Dakota: A Context Study*. These contexts led to eligibility determinations for several properties. One of the properties determined eligible for the National Register in the grocery store context was Effting Grocery, which has subsequently undergone nomination and rehabilitation via the State Property Tax Moratorium.

SDSHPO also oversaw the development of several contexts, including a National Historic Landmark study for the Oscar Howe murals in the Moberge Civic Auditorium. The set of murals is one of the largest New Deal Mural projects completed by an American Indian artist and the largest in the Midwest.

Statewide Preservation Plan

The context will be used to prepare a National Historic Landmark nomination.



Oscar Howe Mural, Mobridge Auditorium

Contextual information was also developed for archaeological properties. In preparation for several burial mound nominations, the Archaeological Research Center and SDSHPO staff prepared background documentation on the Woodland Period in the region. The contextual information helped frame the significance of seven sites in eastern South Dakota and assisted in their nomination. The contextual information will be used to evaluate and list more burial mounds and mortuary sites in the future.

Older contexts have also been reviewed to ensure that they meet current user's needs. Planning is ongoing to review outdated contexts and incorporate recent survey, new National Register criteria, and integrity requirements.

Shortcomings

Context development is a time consuming and expensive activity. Funding is limited and the number of

qualified individuals to prepare contexts, especially locally, is limited. These factors have stunted context production, and South Dakota preservationists and cultural resource managers have not found an adequate solution to these conditions.

There is also a disconnect among some preservationists, cultural resource managers, CLGs, and the general public as to "what a context document is." Historic preservation professionals in the state need to do a better job conveying the difference between a context document and a general history.

Goal #4 Maintain Quality of Cultural Resource Preservation, Promote Community Dialogue on Review Processes, and Streamline Consultation

In the spring of 2022, the SDSHPO launched its Electronic Review and Compliance (ERC) system. ERC allows federal and state agencies to submit projects for review electronically. Since debuting, nearly 5000 projects have been submitted.

SDSHPO has also participated in and provided training for various federal agencies on Section 106 of the National Historic Preservation Act. Staff has provided in-person and virtual learning opportunities on programmatic agreements, memorandums of agreements, architectural history, archaeology, research tools, survey,

Statewide Preservation Plan

and submittal standards to facilitate effective 106 submittals. In 2023, an updated version of *South Dakota Guidelines for Complying with Federal and State Preservation Laws* was released to provide further guidance on the Section 106 process and the state review law SDCL 1-19A-11.1.

Over the last five years, SDSHPO has continued to work with multiple federal agencies to streamline the Section 106 process through agreements. Programmatic agreements with the National Resources Conservation Service and others were developed. SDSHPO has also worked to develop effective mitigation strategies, such as photos, detailed documentation, signage, and more. Many of these efforts have included public input from a variety of stakeholders.



SDSHPO Review and Compliance staff visit Sanford Underground Research Facility

Goal #5 Develop Active Commissions, Administer a Robust Program, and Train Commission Members

There are 20 Certified Local Governments (CLG)s in South Dakota, of which about half have active historic preservation commissions. Most active CLGs also received subgrants from the Historic Preservation Fund from 2021 to 2025.



2024 CLG Conference in Sioux Falls

SDSHPO made training and education a priority over the last five years, facilitating two biennial CLG conferences. The Rapid City Historic Preservation Commission hosted a meeting in the western side of the state with the Sioux Falls Board of Preservation hosting one in the east. In 2025, a statewide meeting in Pierre was postponed due to lack of HPF funding. The biennial meetings were well attended and covered topics including preservation laws, the National Register, tax programs, as well as a discussion on CLG projects from around the state.

Statewide Preservation Plan

CLGs were also encouraged to attend professional training outside of the state. City staff and historic preservation commission members from several CLGs attended the National Trust for Historic Preservation and National Alliance of Preservation Commissions conferences. Some CLGs in close proximity to other states attended their CLG conferences. Training increased the CLG knowledge base and provided for networking with other organizations. SDSHPO also encouraged participation in webinars hosted by the National Park Service.



CLG window workshop

CLGs have completed several successful projects that achieved general HPF goals in education, public participation, training, and outreach. Products produced included preservation plans, contexts, National Register nominations, survey reports, and brochures. Subgrants to CLGs totaled \$465,000 in the five-year period with CLGs contributing \$685,000 in match. SDSHPO was purposeful in keeping CLGs engaged in the regulatory process.

CLG comment was requested for case reports under state law 1-19A-11.1 and Section 106 of the National Historic Preservation Act. Local participation and comment continue to be an effective medium during the consultation process and several outcomes were influenced through CLG participation.

Shortcomings

Developing an inclusive CLG database that includes grant tracking, annual reports, memberships, correspondence, and reports did not occur during the five-year period. This information is currently tracked separately. The South Dakota Department of Education, to which the SDSHPO is attached, designed a new, efficient database to track all departmental grants. This negated the need for SDSHPO to develop a new database for grant tracking. With this crucial component solved, it was decided that a comprehensive CLG database was not needed.

Goal #6 Increase Knowledge of Tax Programs and Train the Public

SDSHPO and its preservation partners across the state have promoted the use of the Historic Tax Credits (HTC), State Property Tax Moratorium (SPTM), and Deadwood Fund Grant programs in a consistent manner. Information on the programs was dutifully updated and posted online

Statewide Preservation Plan

along with the *South Dakota State Preservation Office Funding Guide*. The guide was updated with summary information pertaining to various local, state, and national financial programs.

Communities also endorsed preservation programs within their jurisdiction. For example, Yankton promoted their downtown façade grant program, Brookings its housing trust fund, and Mitchell its Main Street revolving loan fund. Deadwood was particularly active enlisting participation in its paint, retaining wall, siding, and window grant programs along with its revolving loan funds for several classes of historic properties. Deadwood was also diligent in promoting its Outside-of-Deadwood grant. Many of these programs were used in conjunction with the HTC and SPTM and were promoted concurrently.

SDSHPO and cities promoted these programs through many mediums. Social media, press releases, newsletters, and radio advertisements were used to spread the word about preservation incentives. One-page informational flyers were also sent to neighborhood associations in National Register districts, such as the West Boulevard Neighborhood Association in Rapid City. Press releases announcing grant application deadlines, awards, and project spotlights were released several times a year. Announcements went out biennially to announce SPTM deadlines. Additionally, state legislators were notified of grant

awards and tax moratorium approvals by legislative district.



West Boulevard Historic District flyer

CLGs led the way in providing educational opportunities and best practices outreach. The Rapid City Historic Preservation Commission hosted a painting workshop and window repair workshop that taught attendees techniques that met the Secretary of the Interior's Standards. The Spearfish Historic Preservation Commission also administered a paint grant program to owners of National Register-listed properties.

Shortcomings

Given the rural nature of the state, promoting the grant and tax programs remains a challenge. Many people remain unaware of the programs. The small number of professional

Statewide Preservation Plan

preservation and cultural resource managers in the state also hinders the ability to promote these programs. Creative ways to effectively disseminate information need to be developed.

Goal #7 Create Standards, Monitor Conditions, and Make Information Available on Historic Markers

Since the last plan, SDSHPO updated the policies and application forms pertaining to the South Dakota Historical Marker program. Review criteria for new applications were established to ensure that proposed texts were historically accurate, inoffensive, and relevant to South Dakota history. Protocols were put in place to clarify placement procedures and standards were clarified as to who was responsible for marker maintenance. Lastly, the state historian was assigned final approval authority over all markers developed through the program.

SDSHPO updated application forms and linked fillable versions to the SDSHPO website. Also added to the website was a listing of all markers in the state and relevant notes to their location and condition. Contact information by region for historic preservation specialists was added to the website to assist applicants in initiating the process.

Shortcomings

The plan to recruit volunteers to monitor the state's marker inventory - which numbers over 700 - was unsuccessful. The rural nature of the state and a lack of networking hampered this effort. Local and county historical societies vary greatly in activity and resources, which complicated SDSHPO's ability to organize a statewide effort. SDSHPO also struggled to convert the effort into a grassroots project. Lack of funding for travel added to the inability to organize.



“Original Site Medicine Rock” Potter County historical marker, erected 1967

Statewide Preservation Plan

The Spearfish Historic Preservation Commission

My husband Greg and I joined the Spearfish Historic Preservation Commission in 2001. We had moved into my grandmother's former home in 1991, moving back to Spearfish after spending a few years in Virginia and California while Greg was in the Marine Corps. Our plans were uncertain, but we ended up falling in love with the house my grandparents had bought in 1950 and which had been built in 1921. In 1995 we applied to have the house listed on the National Register and at that time became aware of the South Dakota Historical Society. In 2001, Greg attended a meeting of the Spearfish Historic Preservation Commission and came home the vice. We have been involved in the Commission ever since.



Early on it became clear that one of the most important things we could do for the oldest part of Spearfish was to try to create a historic district. Spearfish has always had the gift and the curse of being a growing community. It is a town that people want to move to, that draws people in when they come to visit. I wouldn't be able to list the number of people I know who have moved here simply because some fate brought them here briefly and they decided this was where they wanted to be. Spearfish is a college town and has always had a lively energy. It has also always been a shopping center for the surrounding area and has medical services that are not always available in rural areas, along with the tourism, timber, agricultural and mining business that are a foundation of our economy.

The unfortunate side of always growing is that people are focused on the new, and looking for options to expand. Sometimes in a short sighted way that will change forever the very charm and character that brought them there in the first place. Around the time we joined the SHPC there was a push to change the zoning on Jackson Boulevard to commercial. What was once J Street had been chosen as

Statewide Preservation Plan

The Spearfish Historic Preservation Commission

the main exit into Spearfish when the new interstate was put through in 1970. That decision changed forever this neighborhood and it was bisected by a four lane boulevard. It is a neighborhood that has many of the oldest houses in town.

We felt strongly that changing the zoning of Jackson Boulevard, going as far as a block into each side, would create a situation where the land the houses are on would have more value than the houses themselves and thus create a situation where the houses would start to disappear. So we challenged the zoning changes, got signatures from citizens, wrote letters and attended city council meetings. And luckily we were able to sway those decisions and Jackson Boulevard remains zoned residential over 20 years later. However, that was the beginning of the work we needed to do to bring a National Register Residential Historic District to the Jackson Boulevard neighborhood.

The Commission began with a survey in March of 2004. In December of 2018 the Jackson Boulevard Historic District was listed. Needless to say there were many small steps along the way during those 14 years to finally reach our goal. In 2016, we sent out a letter to let homeowners know that we were getting close to officially applying for a National Register Residential Historic District. There was a mixed reaction. Some people were fine, some didn't care, and a few felt it was a breach of their property owner rights. We were able to deal with the concerned people, and while there were threats of stopping the District, that never happened. We don't have the ordinances that I would like to have in place to go with the District, but I am hoping those will come in time.

**Patti Dias, Secretary
Spearfish Historic Preservation Commission**



Properties from the Jackson Boulevard
Historic District

Statewide Preservation Plan

Looking Ahead: 2026-2030 Goals, Actions, and Objectives

Goal #1 Continue Identification, Evaluation, and Documentation of Historic Properties

1. Expand and update the statewide inventory of historic properties, archaeological sites, and cultural resources
2. Increase the number of National and State Register nominations, Historic American Building Survey submittals, and National Register contexts
3. Improve the efficacy of documentation efforts through training
4. Increase collaboration with interested partners
5. Rethink survey approaches to acquire the most accurate and pertinent information

Goal #3 Expand Educational Opportunities

1. Provide in-person and virtual training to learn about preservation
2. Host forums, speakers, and history-related events that increase the awareness of preservation
3. Introduce preservation to non-traditional stakeholders
4. Further engage current CLGs and seek to establish new ones
5. Increase the promotion of preservation to the K-12 demographic
6. Increase social media efficacy



SDSHPO staff leading a workshop

Goal #2 Expand Preservation Funding

1. Increase the number of grants available for preservation
2. Secure new funding sources for preservation at all levels of government
3. Establish a preservation endowment fund
4. Increase the amount of the Deadwood Fund Grant
5. Increase the number of local easement programs



SDSHPO staff at Archaeology Camp

Statewide Preservation Plan

Looking Ahead: 2026-2030 Goals, Actions, and Objectives



SDSHPO staff at the Redfield Depot, “This Place Matters” campaign

Goal #4 Cultivate Partnerships

1. Increase legislative awareness on the value of preservation
2. Increase collaboration with our tribal partners, when invited
3. Provide technical assistance to property owners, organizations, and governmental entities
4. Recruit people in history-related fields to preservation
5. Increase local preservation networks

Goal #5 Use Technology Effectively

1. Increase the use and efficacy of digital user interfaces
2. Develop up-to-date technology policies
3. Use artificial intelligence responsibly
4. Use technology to reach young people
5. Train established preservationists on new technologies related to the field



In-person Section 106 consultation

Statewide Preservation Plan

A Stage Reborn: The Homestake Opera House Story

In 1984, tragedy struck the Homestake Opera House when a devastating fire swept through the historic building, gutting much of its once-grand interior. For many communities, such loss would have meant the end. But in Lead, South Dakota, the fire ignited something else entirely – determination. Residents, businesses, and volunteers rallied, fueled by a shared belief that the Opera House was more than bricks and mortar; it was the beating heart of their town’s cultural life. Fundraisers, work days, and passionate advocacy became the cornerstones of a decades-long effort to save it.

Today, the Homestake Opera House stands as both a work in progress and a thriving hub for the arts. While restoration continues, its stage and gathering spaces now host concerts, plays, film screenings, community events, and educational programs. The building’s scars and scaffolding are not signs of loss – they’re symbols of resilience, showing how preservation can coexist with vibrant, ongoing use. For the people of Lead and the surrounding region, the



Opera House is more than an event venue. It is a living testament to the power of community, a place where history is honored even as new memories are made. It draws visitors from near and far, showcasing local talent, fostering creative expression, and contributing to the town’s economic vitality. Every performance, every meeting, every child’s first trip to the theatre is a reminder that the Homestake Opera House is not merely being restored – it’s being reborn, one note, one scene, and one story at a time.

**Todd Jones, Executive Director
Homestake Opera House**



Statewide Preservation Plan

Preservation Laws in South Dakota

Federal Legislation

The National Historic Preservation Act (NHPA), passed in 1966, unified earlier historic preservation laws and broadened their scope. It is the framework for current preservation laws and programs. The NHPA states that historic preservation serves a valid public purpose and sets up a number of programs aimed at promoting preservation. These include the National Register of Historic Places (NR), the Certified Local Government (CLG) program, the Advisory Council on Historic Preservation (ACHP), and the State Historic Preservation Offices (SHPO).

A key piece of NHPA, Section 106 requires federal agencies to take into consideration the effects of their undertakings on historic properties. The regulations, developed by the ACHP, define an undertaking as “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 federal permit, license, or approval.” The regulations also define historic property as “any prehistoric or historic district, site, building, structure, or object included in, or eligible for

inclusion in, the National Register of Historic Places...including properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meets the National Register criteria.”

State Legislation

Chapter 1-19A of South Dakota Codified Laws, “Preservation of Historic Sites” (adopted in 1973 and amended in 1983), declares the preservation of cultural resources to be “in the best interest of the state and its citizens.” Section 11.1 of Chapter 1-19A is similar to Section 106 of the NHPA. It requires that the State Historic Preservation Office be notified and given the opportunity to comment on plans for projects undertaken by the state, counties, or municipalities that may encroach upon, damage, or destroy properties listed in the State or National Register of Historic Places.

Chapter 1-19B of South Dakota Codified Laws, “County and Municipal Historic Preservation Activities” (passed in 1974 and amended in 1984 and 1994), acknowledges that historic preservation activities serve a valid public purpose and authorized local governments to establish historic preservation commissions. The chapter

Statewide Preservation Plan

discusses commission powers, outlines a procedure for local designation and protection of historic properties, defines a procedure for design review activities, and defines and discusses conservation easements. Section 1-19B-62 allows for communities to create a permit process for regulating activities affecting National Register and State Register properties. **For additional preservation legislation, see Appendix C.**

What federal laws impact preservation in South Dakota?

American Antiquities Act of 1906, as amended: Imposes criminal penalties with fines and jail time for disturbing archaeological remains on federal lands. Stipulates that only qualified individuals or institutions can excavate sites within the federal government's jurisdiction upon obtaining a permit. Has a provision for U.S. President to obtain land to establish national monuments.

Historic Sites, Buildings and Antiquities Act of 1935, as amended: Gave the National Park Service the authority to identify and collect data for evaluation of heritage resources. Established the Historic Sites Survey, Historic American Engineering Survey (HAER), and Historic American Building Survey (HABS). It stated a policy of preserving heritage resources and gave the Department of the Interior authorization to acquire land for public benefit.

Reservoir Salvage Act of 1960, as amended: Expanded the Historic Sites Act. Authorized the Department of the Interior to conduct surveys and excavations impacted by dam construction.

National Historic Preservation Act of 1966, as amended: Established a national preservation program. It created the National Register of Historic Places, authorized the implementation of Section 106 reviews of Federal undertakings, established the Advisory Council on Historic Preservation, provided language for the protection of historic sites, created the federal Historic Preservation Fund, created the Certified Local Government program, and created State Historic Preservation Offices.

National Environmental Policy Act of 1969, as amended: Declared that impacts on federally funded projects on heritage and environmental resources be assessed and required a complete analysis of a project's impact on natural and cultural resources around a construction site.

Archaeological Resources Protection Act of 1979: Protects archaeological resources on federal and Indian lands by prohibiting the excavation or removal of artifacts from federal property without a permit; the sale, exchange, or transport of artifacts acquired illegally from federal property; and increases the penalties for violations of the act over those of the Antiquities Act.

Statewide Preservation Plan

Native American Graves Protection and Repatriation Act of 1990, as amended:

Does many things including: provides protection of Native American graves; allows for removal of human remains and objects under certain circumstances; defines ownership of Native American remains recovered on federal or tribal lands; sets penalties for illegal trafficking of Native American human remains and associated artifacts; requires museums with such remains and artifacts to notify tribes; presents guidelines for repatriation of remains and artifacts; and establishes a review committee to oversee implementation.



SDSHPO at Custer Gallatin National Forest

Preservation Programs in South Dakota

National Register of Historic Places:

The National Register of Historic Places is the official list of the nation's historic places worthy of preservation.

Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

Administered by State Historic Preservation Offices, this program helps to identify historic properties in the state significant for their association with events, people, architecture,



Mercer Block, Watertown

and/or potential to yield information (archaeology). The National Register establishes criteria for evaluating historic properties and is the foundation of all federal preservation programs.

Statewide Preservation Plan



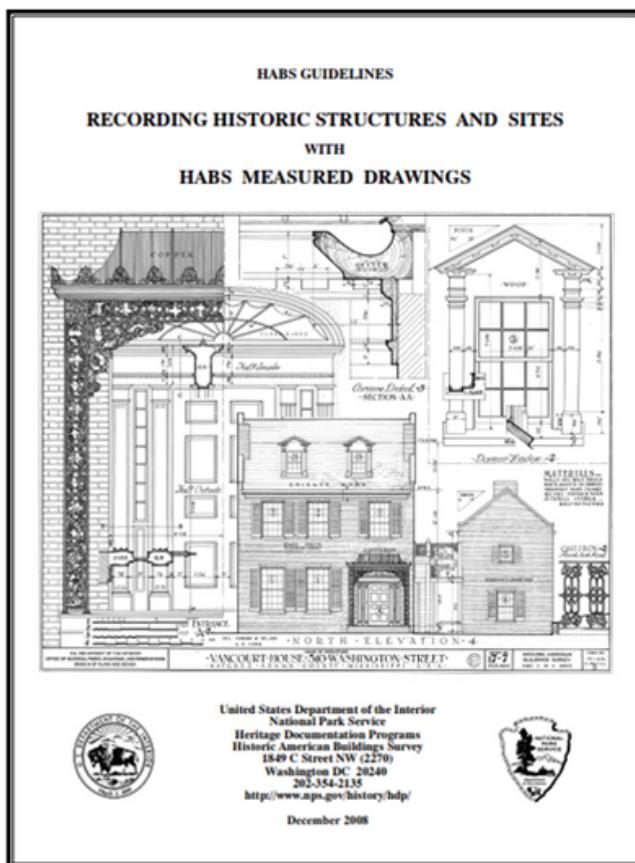
Verendrye National Historic Landmark, Fort Pierre

National Historic Landmarks: The National Historic Landmark (NHL) program is a federal initiative administered by the National Park Service to recognize and protect places of exceptional historical significance in the United States. While many properties are listed in the National Register of Historic Places, NHLs represent a higher level of national recognition. Over 2,600 NHLs are found across the United States, District of Columbia, and United States territories. There are 16 NHLs in South Dakota as of 2025 with two additional properties exploring the designation.

State Register of Historic Places: South Dakota Codified Law 1-19A established the State Register of Historic Places. The State Register is a listing of sites, districts, structures, buildings, objects, cultural properties, and archaeological sites that contribute to the historic, architectural, archaeological, or cultural importance of South Dakota communities. The State Historic Preservation Officer oversees the State Register. All properties listed in the National Register of Historic Places are also considered listed in the State Register.

HABS: The Historic American Building Survey (HABS) is the nation's first federal preservation program. In 1933, the National Park Service, Library of Congress, and American Institute of Architects formed a public-private partnership to record America's architectural heritage. As a national survey, the HABS collection is intended to represent "a complete resume of the builder's art." Thus, it ranges in type and style from the monumental and architect-designed to the utilitarian and the vernacular, including a sampling of our nation's base array of regionally and ethnically derived traditions to tell America's stories. HABS documentation can include short and longer format options.

Statewide Preservation Plan



HABS documentation guidelines



Rural church documentation

Historical Survey Overview

Surveys are an important preservation tool. They are conducted by professionals, paraprofessionals, and interested citizens. Local governments, historic preservation commissions, neighborhood associations, and the State Historic Preservation Office (SHPO). Professional archaeologists conduct archaeological surveys which occasionally include volunteers from local chapters of the South Dakota Archeology Society. Most properties added to the state's survey inventory come from surveys undertaken as part of Section 106 or Section 110 of the National Historic Preservation Act.

Architectural surveys are divided into two levels. Reconnaissance-level surveys record selective data in limited amounts. Intensive-level surveys record detailed information and provide more extensive background research. Information from architectural surveys is entered into the Cultural Resource Geographic Research Information Display (CRGRID) managed by SDSHPO. The information is displayed in a publicly-accessible format.

Architectural surveys involve the systematic identification, documentation, evaluation, and classification of buildings, structures, objects, districts, and landscapes that may possess architectural, historical, or cultural significance.

Statewide Preservation Plan

Surveys provide a comprehensive inventory of resources within a community, region, or state. They assist planners, preservationists, and developers make informed decisions about land use, zoning, and new construction. Surveys can be integrated into comprehensive, hazard mitigation, and preservation plans.

Surveys also facilitate listings in the National and State Registers of Historic Places. They also document the physical condition of properties and can help identify resources at risk of being lost. They can additionally identify properties that may be candidates for grant, easement, and tax incentive programs.



SDSHPO reconnaissance survey

As public projects, surveys can increase public appreciation for local history and architecture. They can also benefit local heritage tourism initiatives and assist local groups in developing educational and interpretive programming.

Archaeological survey information is entered into the Archaeological Resources Management System (ARMS) managed by the South Dakota Archaeological Research Center. Archaeological survey information is restricted to protect the resources, but is available to archaeologists and cultural resource specialists.

Deadwood Fund Grant

The South Dakota State Historic Preservation Office (SDSHPO) administers the Deadwood Fund Grant program. The grant is funded annually at \$100,000 and is derived from a portion of the City of Deadwood's gaming revenues. Grants from \$1,000 to \$25,000 are awarded biannually through a competitive ranking process. To be eligible for the grant, properties must be listed in the National Register of Historic Places. Other determinate criteria are that the project must meet the Secretary of the Interior's Standards for Rehabilitation of Historic Properties and that the property owner must accept an eight-year protective covenant on the property.



Stained glass window repair, Pierre Methodist Church

Statewide Preservation Plan

While primarily a “brick-and-mortar” grant, the Deadwood Fund also allows for the acquisition of historic property and the stabilization of archaeology sites. However, roof repair, mortar repointing, window restoration, and foundation repair to buildings are the most popular grant activities.

State Property Tax Moratorium

Under SDCL 1-19A-20, the South Dakota Legislature provided property tax benefits for the rehabilitation of historic structures. If a historic building qualifies, an eight-year moratorium is placed on the property tax assessment of certified improvements. Property tax assessments may not be increased on certified rehabilitations to the building for an eight-year period.

To be eligible for the program, the property must be listed in the State or National Register of Historic Places individually or as a contributing resource in a historic district, be rehabilitated according to the Secretary of the Interior’s Standards for Rehabilitation, be certified for tax exemption by the South Dakota State Historical Society Board of Trustees, and be encumbered with a covenant attached to the deed of the property for the life of the moratorium guaranteeing the continued maintenance and protection of the building’s historic features for the duration of the moratorium.

The moratorium is an important preservation incentive. Between 2020 and 2024, 66 rehabilitation projects across the state received its tax benefit. By state law, applications are due 1 November annually. Many projects apply for the moratorium over several years as part of multi-phased rehabilitations.

Historic Tax Credits

Since 1976, the National Park Service has administered the Federal Historic Preservation Tax Incentive Program in partnership with the Internal Revenue Service and State Historic Preservation Offices. The 20% tax credit for the rehabilitation of certified historic structures is one of the government’s most cost-effective and successful community revitalization programs. It has encouraged the rehabilitation of historic structures of every period, size, style, and type and has been influential in promoting the preservation of historic places all across the United States.

The credit attracts private investment, generates jobs, enhances property values, and supplements revenues for State and local governments through increased property, business, and income taxes. Other benefits of the program include the creation of moderate and low-income housing in historic buildings, the revitalization of historic commercial cores in cities and towns, and the repurposing of schools, factories, retail stores, and other buildings in a way that maintains their historic character and appeal.

Statewide Preservation Plan

What preservation organizations are active in South Dakota?

Certified Local Government (CLG) Program

Since 1966, when Congress established a preservation program for the United States, the National Park Service has operated as a decentralized partnership between the federal government and the states. The federal government established a program of identification, evaluation, and protection of historic properties which the states, primarily, carry out. The success of that working relationship prompted Congress to expand the partnership to provide for participation by local governments, which was codified in an amendment to the National Historic Preservation Act in 1980. The NHPA, as amended, contains the legal basis for the federal-state-local preservation partnership. The role of the “certified local governments” (CLGs) in the partnership includes responsibility for review and approval of nominations to the National Register of Historic Places and eligibility to apply to the SDSHPO for funds earmarked for the CLGs. The CLG program is designed to promote the identification, documentation, and preservation of prehistoric and historic sites, structures, objects, buildings, and historic districts by expanded local involvement in historic preservation.

The NHPA includes provisions for the State Historic Preservation Officer and the Secretary of the Interior to certify local governments to participate in the partnership.

The five requirements that local governments must adopt to become a CLG include:

1. Enforce state or local legislation for the designation and protection of historic properties
2. Have an established and qualified historic preservation commission by state or local legislation
3. Maintain a system for the survey and inventory of historic properties
4. Provide for adequate public participation in local historic preservation programs
5. Satisfactorily perform other responsibilities delegated to it by the SDSHPO by mutual agreement



CLG history tour in Vermillion

Statewide Preservation Plan

CLGs in South Dakota

(*indicates active as of 2025)

**Aberdeen/Brown County Landmarks
Commission**

City of Aberdeen
123 S. Lincoln Street
Aberdeen SD 57401

**Belle Fourche Historic Preservation
Commission**

City of Belle Fourche
511 6th Avenue
Belle Fourche SD 57717

***Brookings Historic Preservation
Commission**

City of Brookings
520 3rd Street
Brookings SD 57006

**Codington County Historic Preservation
Commission**

Codington County Courthouse
14 1st Avenue SE
Watertown SD 57201

**Gettysburg Historic Preservation
Commission**

City of Gettysburg
109 E. Commercial Avenue
Gettysburg SD 57442

***Huron Board of Preservation**

City of Huron
239 Wisconsin Avenue SW
Huron SD 57350



CLG members at Ft. Pierre
Chouteau

**Sisseton Historic Preservation
Commission**

City of Sisseton
513 Veterans Avenue
Sisseton SD 57262

**Canton Historic Preservation
Commission**

City of Canton
210 N. Dakota Street
Canton SD 57013

***Clay County Historic Preservation
Commission**

Clay County Courthouse
211 W. Main Street
Vermillion SD 57069

**Elk Point Historic Preservation
Commission**

City of Elk Point
106 W. Pleasant Street
PO Box 280
Elk Point SD 57025

Statewide Preservation Plan

***Hot Springs Historic Preservation Commission**

City of Hot Springs
303 N. River Street
Hot Spring SD 57747

Minnehaha County Board of Preservation

Minnehaha County Administration Building
415 N. Dakota Avenue
Sioux Falls SD 57105

***Mitchell Historic Preservation Commission**

City of Mitchell
612 N. Main Street
Mitchel SD 57301

Scotland Historic Preservation Commission

City of Scotland
530 Juniper Street
Scotland SD 57059

***Sioux Falls Board of Preservation**

City of Sioux Falls
PO Box 7402
Sioux Falls SD 57117

***Vermillion Historic Preservation Commission**

City of Vermillion
25 Center Street
Vermillion SD 57069

***Lead Historic Preservation Commission**

City of Lead
801 W. Main
Lead SD 57754

***Pierre-Fort Pierre Historic Preservation Commission**

City of Pierre
2301 Patron Parkway
Pierre SD 57501

***Rapid City Historic Preservation Commission**

City of Rapid City
300 6th Street
Rapid City SD 57701

***Spearfish Historic Preservation Commission**

City of Spearfish
625 5th Street
Spearfish SD 57783



2018 CLG Conference in Vermillion

Statewide Preservation Plan

The Vermillion Historic Preservation Commission

Nominations to the National Register have been among our biggest projects since our establishment (2018). Our first focus was the Jolley Historic District which is a large residential neighborhood just east of downtown Vermillion. This community developed from 1880 to 1965, around the old Eastside and Jolley Schools. It was listed in the National Register in 2022.

To the north of the Jolley District and the University District, the historical core of the University of South Dakota campus was established as the USD Historical Core District (pictured) and listed in the National Register in February 2025. In the historic core, the 13 buildings, including Old Main and Belbas Hall surround a green space called “The Quad” and represent the growth of the university from its first campus building in 1883 to 1954.

We supported three individual nominations to the National Register: United Church of Christ, Congregational, the Brookman House, and the Jacobson House. This year, we hope to sponsor a National Register nomination of a group of mausoleums in Vermillion’s Bluff View Cemetery, the oldest of which is from 1904.



In 2023, we celebrated Vermillion’s Prentis Park Centennial. We led and partnered with the Vermillion Parks and Recreation, the National Music Museum and various artists and vendors for the culminating celebrations in July. Evelyn Schlenker wrote a book on the history of the park, followed by a children’s book with illustrator Becca Gehm. In

May, 200 children entered our adjudicated art and essay contests on themes of the park. The celebration days featured a pool party, art in the park, games, all children’s art and essay displays, afternoon music and a community band concert led by Todd Cranson and Garrett Olson.

Statewide Preservation Plan

The Vermillion Historic Preservation Commission

Community outreach is a priority, especially if state/federal funds are limited. We now have our own website: <http://vermillionhpc.org>. We hope that this site will be a resource for residents, realtors, businesses, and visitors alike as they explore the importance of preservation in our community. All our activities are now archived on our new website along with documentation of all National Register properties in Vermillion. We hope to be able to address questions that people have about preservation and to encourage conversations. Our new Facebook page will hopefully direct people to the website and provide us another forum for posting news and ideas about preservation.

A new project which will require minimal funds is our Historic House of the Month posting. We will post a picture with historical information each month on our website and Facebook page. The property owner will receive a certificate, and we will display a yard sign. We hope to sponsor in-person workshops or online discussions, working around our financial situation.

**Susan Keith Gray, Chair
Vermillion Historic Preservation Commission**



Properties from the Jolley Historic District



Statewide Preservation Plan

Tribal Historic Preservation Offices in South Dakota

Tribal Historic Preservation Offices (THPO) are tribally designated and serve the same function as a State Historic Preservation Office.

Becoming a THPO is not a requirement and Tribes can elect not to participate in the program. THPOs assist with the preservation of tribal historic properties and cultural traditions. They also advise federal, state, and local agencies on the management of tribal historic properties and participate in the Section 106 process to represent tribal interests.

The National Park Service's Tribal Historic Preservation Program assists tribes through annual grant funding. In 1966, federally recognized tribes were given formal responsibility for the preservation of significant historical properties on tribal lands. Established in 1990, the grant program was created from a Congressionally-directed study on tribal preservation funding needs. The report produced, *Keepers of the Treasures – Protecting Historic Properties and Cultural Traditions on Indian Lands*, provided the foundation for the establishment of formula grants to THPOs and the competitive Tribal Heritage Grants program.

There are currently eight THPOs in South Dakota and one tribe with a cultural resources office that functions similarly to a THPO.

South Dakota Tribal Offices

Cheyenne River Sioux Tribe Tribal Historic Preservation Office PO Box 590 Eagle Butte, SD 57625

Is responsible for all lands located within the Cheyenne River Sioux Reservation, which encompasses all of Dewey and Ziebach Counties in South Dakota.

Crow Creek Sioux Tribe Tribal Historic Preservation Office PO Box 50 Fort Thompson, SD 57339

Is responsible for all lands located within the Crow Creek Reservation, which encompasses portions of Buffalo, Hughes, and Hyde Counties in South Dakota.

Flandreau-Santee Sioux Tribe Tribal Historic Preservation Office PO Box 283 Flandreau, SD 57028

Is responsible for all Tribal trust lands, which encompass a portion of Moody County in South Dakota.

Statewide Preservation Plan

Oglala Sioux Tribe

**Tribal Historic Preservation Office
PO Box 2070
Pine Ridge, SD 57770**

Is responsible for all lands located within the Pine Ridge Reservation, which includes all of Oglala Lakota County and portions of Jackson and Bennett Counties.

Rosebud Sioux Tribe

**Tribal Historic Preservation Office
PO Box 809
Rosebud, SD 57570**

Is responsible for all lands within the Rosebud Sioux Tribe of Indians' Reservation, which encompasses all of Todd County, and any land outside of the reservation that is held in trust for the tribe, which includes portions of Mellette, Tripp, Lyman, and Gregory Counties in South Dakota.

Sisseton-Wahpeton Oyate

**Tribal Historic Preservation Office
PO Box 907
Agency Village, SD 57262**

Is responsible for all Tribal trust lands, which include portions of Marshall, Day, Roberts, Grant, and Codington Counties in South Dakota.

Yankton Sioux Tribe

**Tribal Historic Preservation Office
PO Box 1153
Wagner, SD 57380**

Is responsible for all Tribal trust lands, which encompass a portion of Charles Mix County in South Dakota.

Standing Rock Sioux Tribe

**Tribal Historic Preservation Office
PO Box D
Fort Yates, ND 58538**

Is responsible for lands within the Standing Rock Sioux Reservation, which encompasses all of Corson County in South Dakota, any land outside of the reservation which are owned by the Tribe and subject to a restriction on alienation, and any additional lands held in trust for the tribe.

Lower Brule Sioux Tribe

**Cultural Resources Office
PO Box 187
Lower Brule, SD 57548**

Statewide Preservation Plan

City of Deadwood – National Historic Landmark

The City of Deadwood plays an outsized role in preservation. The legalization of gambling in 1989 created funding for projects inside the Deadwood National Historic Landmark District and also across the state. The Deadwood Historic Preservation Office, a department within the City of Deadwood, oversees most of these funds in collaboration with the Deadwood Historic Preservation Commission. Grant and loan programs are available for residential, commercial, public, and non-profit buildings.

Residential programs include:

- Residential Revolving Loan Fund
- Wood Windows and Doors Program
- Foundation Program
- Retaining Wall Program
- Paint Grant Program
- Siding Program
- Elderly Resident Program
- Vacant Home Program

Commercial programs include:

- Paint Grant Program
- Façade Conservation Easement Program
- Commercial Upper Floor Revitalization Revolving Loan Program
- Ghost Mural Program
- Commercial Revolving Loan Fund Program

Other Programs include:

- Outside of Deadwood Program
- Not-For-Profit Grant Program
- Cemetery Headstone Grant Program

Over the last five years, the paint, siding, windows/doors, foundation, not-for-profit, elderly, and façade easement programs have awarded over \$1,000,000 in grants within the Deadwood Historic Landmark District.

Since the late 1990s, the Outside of Deadwood Program has awarded over \$4.2 million to preservation projects outside of Deadwood.



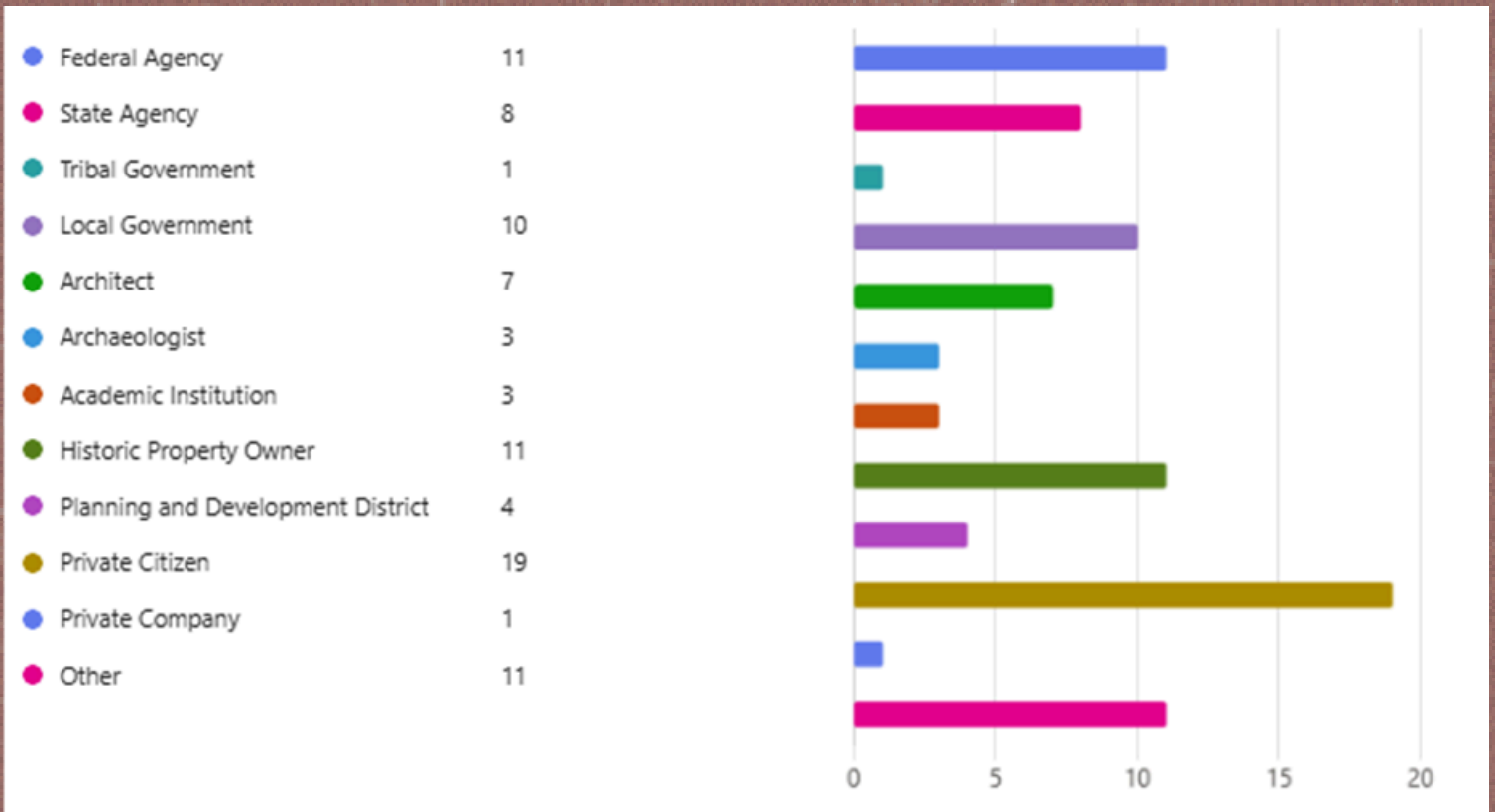
Fairmont Hotel, Deadwood

Statewide Preservation Plan

APPENDIX A Survey Results

***Questions with the “Other” field allowed respondents to provide written comment and expand on their answers, pose more questions, and offer additional areas of consideration.**

Please Select one. I represent:

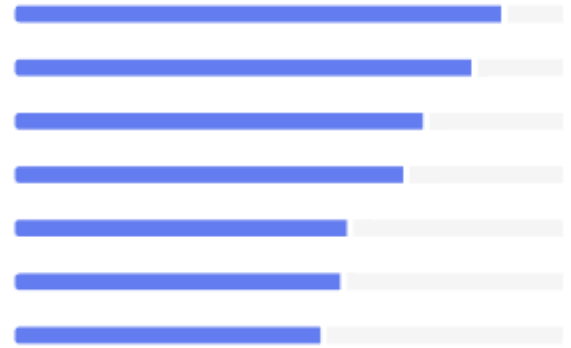


***Other comments included various positions in museums, non-profits, and historic preservation societies.**

Statewide Preservation Plan

Please rank order on a scale of 1 to 7 (“1” being the most important and “7” being least important) the property types we should be nominating to the National Register.

- 1 Prehistoric Archaeological Sites (American Indian Villages, burial mounds, bison jumps, etc.)
- 2 Historic Homes and Residential Neighborhoods
- 3 Historic Archaeological Sites (Black Hills mines, abandoned homesteads, ghost towns, etc.)
- 4 Sites with significant cultural value
- 5 Historic Agricultural/Rural Properties (churches, township halls, ranches, farms, grain elevators, etc.)
- 6 Commercial Properties (main street, retail, warehouses, etc.)
- 7 Ethnic Architecture and Sites (Finnish, Czech, Swedish, American Indian, etc.)



How would you respond to the following statements?

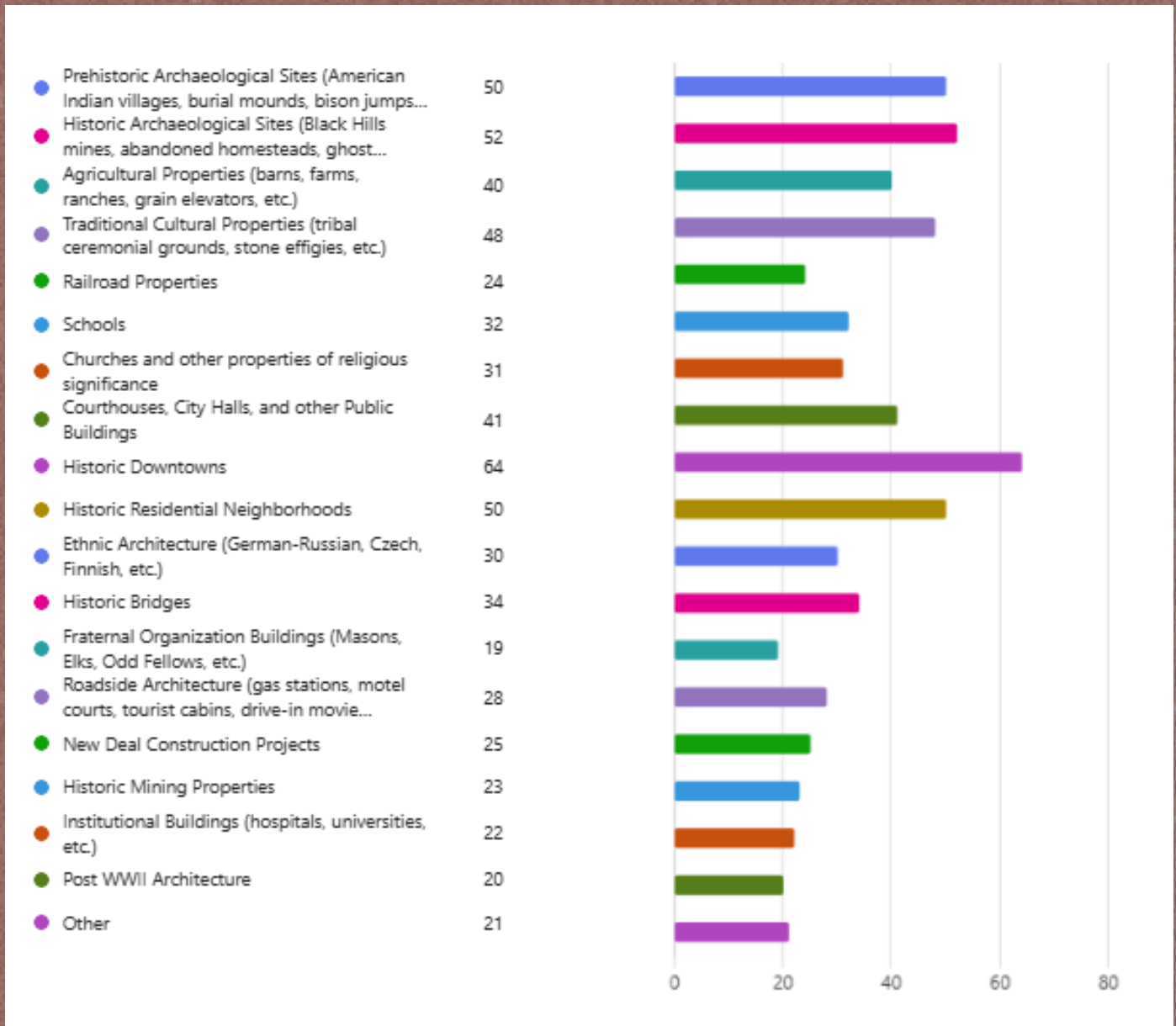
● Definitely ● Somewhat ● Not Sure ● No

- Historic properties are important to tourism in South Dakota.
- Historic preservation contributes to economic development in South Dakota.
- Historic properties contribute to civic pride and quality of life in South Dakota.
- Historic preservation is a sustainable activity that benefits the environment.
- Rehabilitating historic buildings helps ease the lack of affordable housing.
- Historic properties are important in educating both children and adults about our past.
- Historic properties are representative of a wide range of lived experiences of South Dakotans.



Statewide Preservation Plan

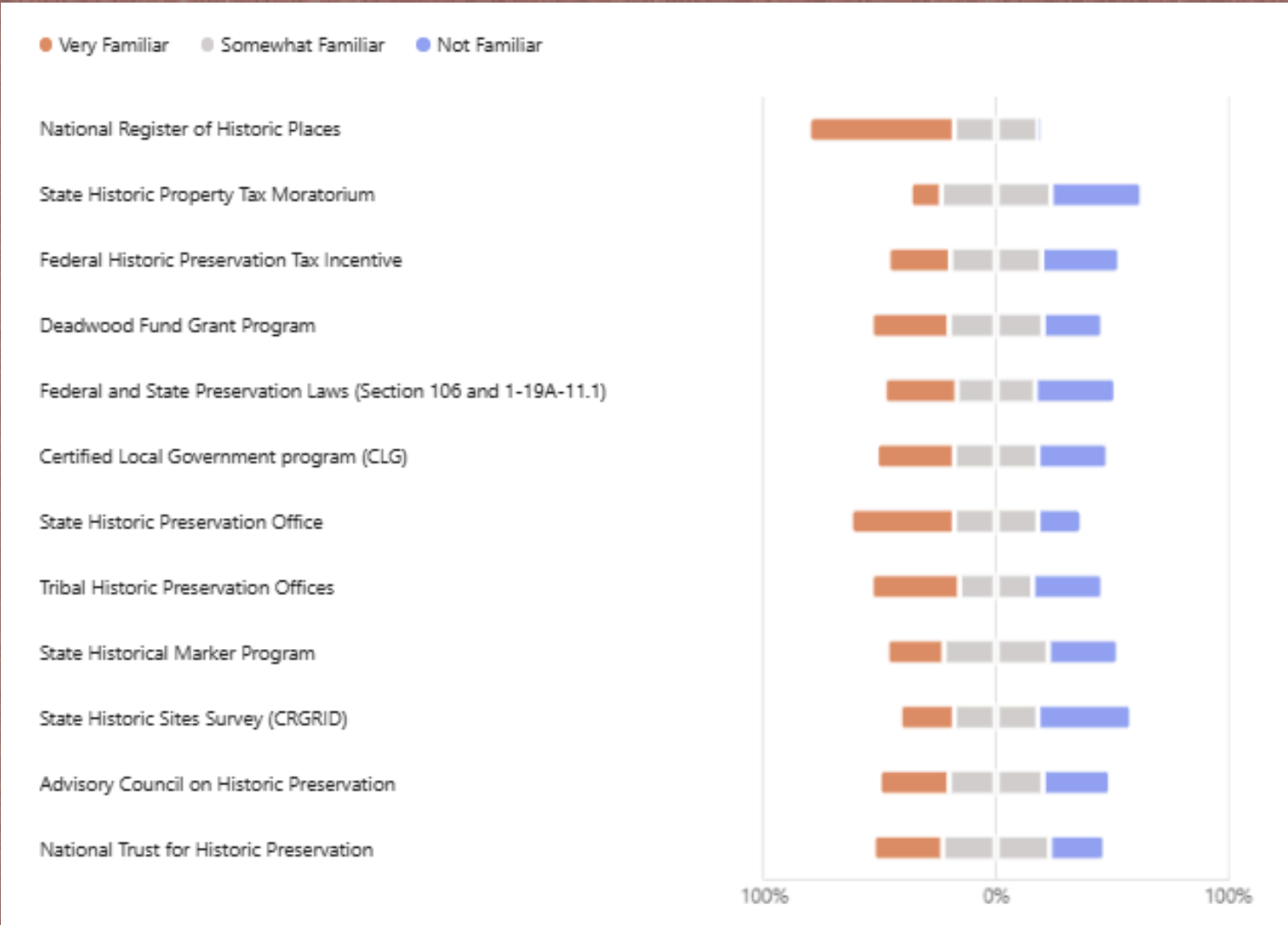
What types of historic properties in South Dakota are you passionate about protecting? Please check all that apply.



*Other comments included properties associated with other ethnic and cultural groups, Pre-WWII structures and styles, purpose-built museums, boarding houses, and historic newspaper buildings.

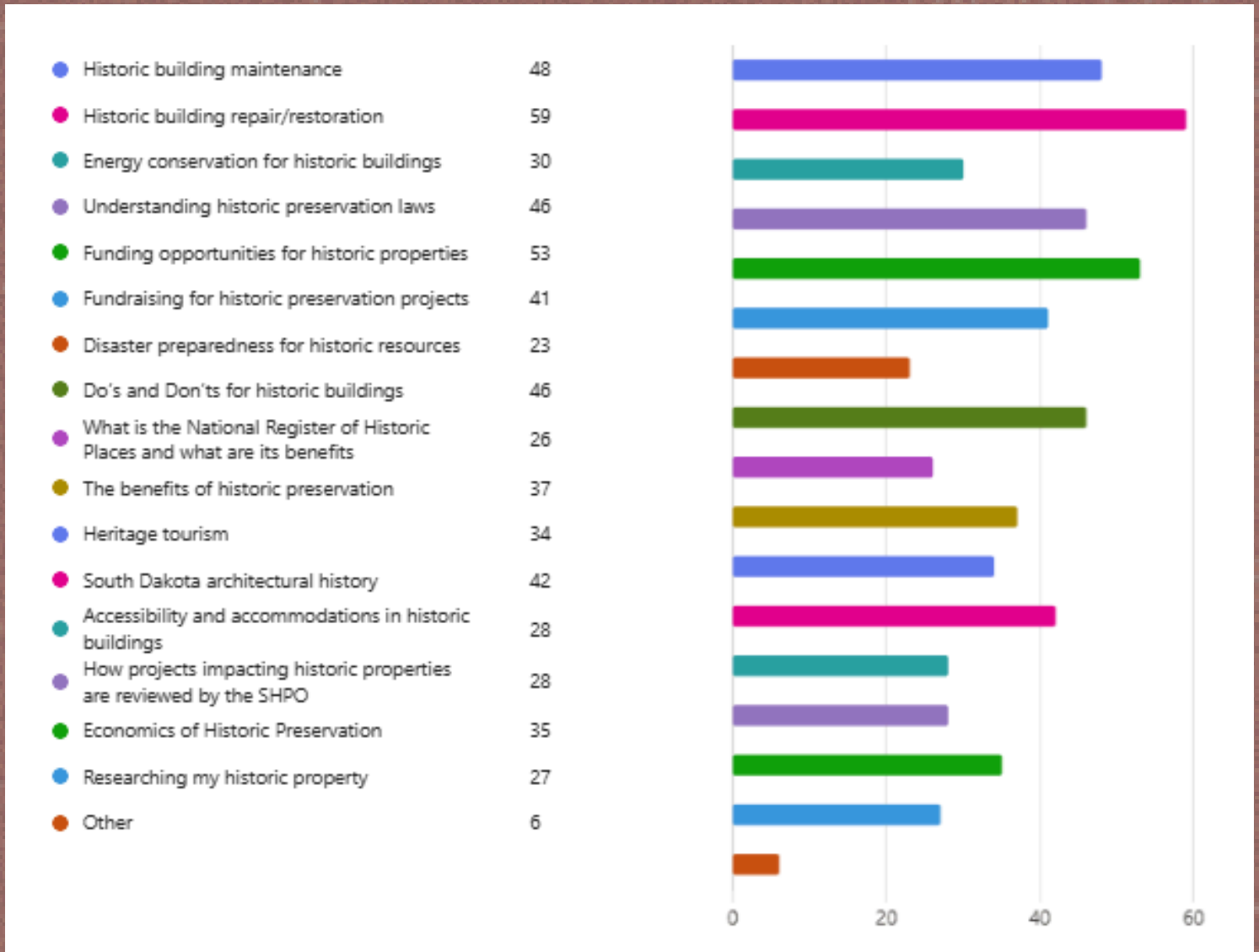
Statewide Preservation Plan

How familiar are you with the following?



Statewide Preservation Plan

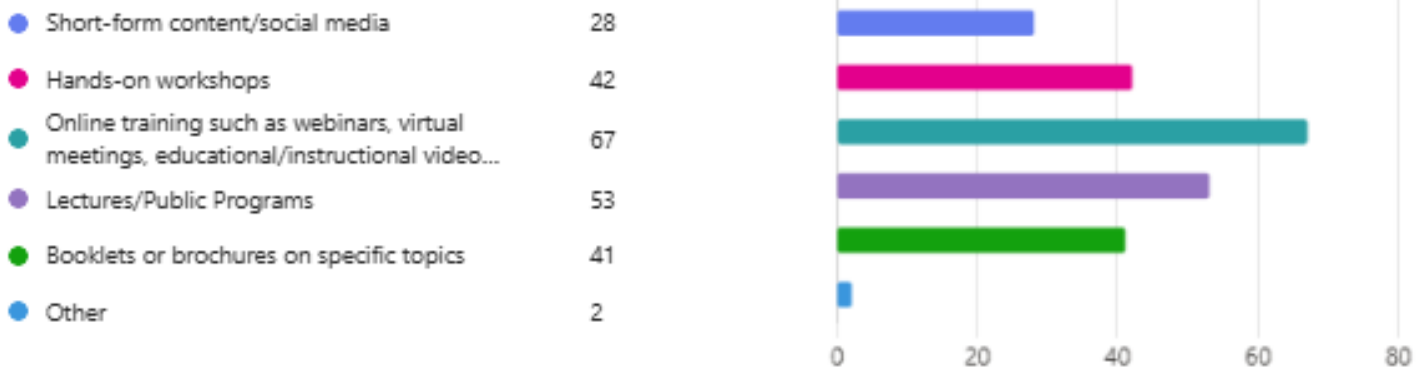
What type of historic preservation workshop or training would you attend? Please check all that apply



*Other comments expressed interests in topics on historic property research, site stewardship, and a general emphasis on more programming from SDSHPO.

Statewide Preservation Plan

What method of training do you prefer? Please check all that apply.



*Other comments expressed an emphasis on individualized training.

Please rank order on a scale of 1 to 4 (“1” being the most important and “4” being least important), the priority for each of these historic preservation program activities.



Statewide Preservation Plan

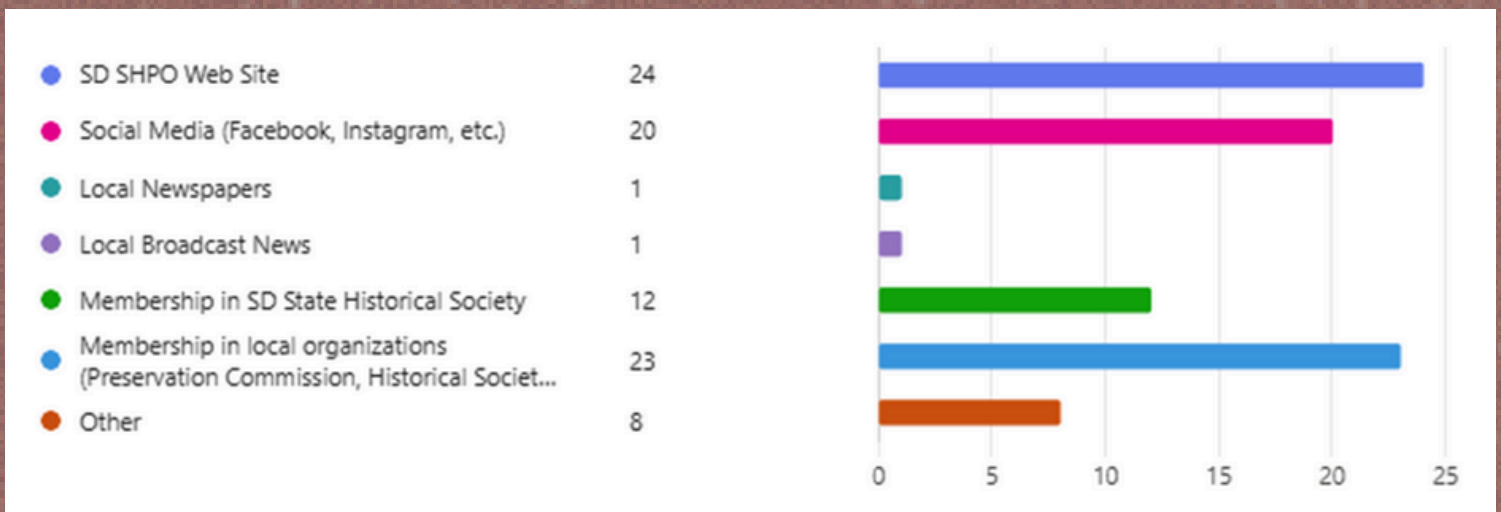
What issues should be the top priorities for the state's historic preservation community, including both private and public preservation organizations, over the next five years? Please check all that apply.



*Other comments expressed priorities revising state law, additional preservation funding, energy efficiency in historic buildings, records management partnerships with small towns, site stewardship, and optimizing public visibility of SDSHPO data and resources.

Statewide Preservation Plan

What is your primary method for learning about SD State Historic Preservation Office programs, workshops, events, etc.?



*Other comments included state emails, work-related notices, and an emphasis on more SDSHPO outreach.

Statewide Preservation Plan

APPENDIX B

South Dakota's National Historic Landmarks

Deadwood Historic District

Date Designated: July 4, 1961

Lawrence County

Arzberger Site

Date Designated: July 19, 1964

Hughes County

Bloom Site

Date Designated: July 19, 1964

Hanson County

Crow Creek Site

Date Designated: July 19, 1964

Buffalo County

Fort Thompson Mounds

Date Designated: July 19, 1964

Buffalo County

Langdeau Site

Date Designated: July 19, 1964

Lyman County

Mitchell Site

Date Designated: July 19, 1964

Davison County

Molstad Village

Date Designated: July 19, 1964

Dewey County

Wounded Knee National Historic Landmark

Date Designated: December 21, 1965

Oglala Lakota

Blood Run Site

Date Designated: May 22, 1970

Lincoln County (South Dakota) and Lyon County (Iowa)

Frawley Ranch

Date Designated: May 5, 1977

Lawrence County

Bear Butte

Date Designated: December 21, 1981

Meade County

Verendrye Site

Date Designated: July 17, 1991

Stanley County

Fort Pierre Chouteau

Date Designated: July 17, 1991

Stanley County

Vanderbilt Archaeological Site

Date Designated: February 18, 1997

Campbell County

Battle Mountain Sanitarium

Date Designated: June 17, 2011

Fall River County

Statewide Preservation Plan

APPENDIX C

Other South Dakota Preservation Resources

Several historic preservation documents pertaining to South Dakota have been produced by the SDSHPO. These include historic contexts, inventory forms, and multiple property documentation forms. Links to these documents may be found at <https://history.sd.gov/preservation/SHPOdocs.aspx>.

Historic Contexts

- Architectural History in South Dakota
- Churches in South Dakota
- Federal Relief Construction in South Dakota, 1929-1941
- German-Russian Folk Architecture in Southeastern South Dakota
- Harnessing Water: Historic Water Control and Diversion Systems of South Dakota, 1876-1980
- Historic Bridges of South Dakota
- Historic Mining Resources in the Black Hills and South Dakota
- Homesteading and Agricultural Development
- Indian Housing in South Dakota
- Post-World War II Architecture in South Dakota
- Schools in South Dakota
- South Dakota Modern Residential Architecture
- South Dakota's Railroads
- South Dakota State Plan of Archaeological Resources, 2018 Update
- Steel Water Towers Associated with South Dakota Water Systems, 1894-1967
- The History of Agriculture in South Dakota: Components for a Fully Developed Historic Context

National Register Inventory Forms

- Architecture of Finnish Settlement in South Dakota
- Czech Folk Architecture of Southeastern South Dakota
- German-Russian Folk Architecture in South Dakota
- Historic Resources of Harding and Perkins Counties, South Dakota
- Historic Hutterite Colonies Thematic Resources
- Historic Resources of Rural Butte and Meade Counties in South Dakota
- Historic Resources of Northern and Central Townships of Yankton County, South Dakota

Multiple Property Documentation Forms

- 19th Century South Dakota Trading Posts
- The Architecture of Harold Spitznagel and His Firm in Sioux Falls, 1929-1972
- Bison Kill Sites in South Dakota, 9000 B.C. – A.D. 1875
- Common Farm Barns of South Dakota, 1857-1958
- Concrete Interstate Tipis of South Dakota
- County Courthouses of South Dakota

Statewide Preservation Plan

- Federal Relief Construction in South Dakota, 1929-1941
- Historic Bridges in South Dakota, 1893-1942
- 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 Architecture and Historical Resources of Brown County, South Dakota
- Schools in South Dakota
- South Dakota Round and Polygonal Barns and Pavilions
- Town and Ranch: Rural Resources of Eastern Custer County, South Dakota

Prehistoric Archaeological Context Themes

Contextual information summarized from the *South Dakota State Plan for Archaeological Resources (2018 Update)* and *Historic Preservation in North Dakota, 2022-2027: A Statewide Comprehensive Plan*.

Paleoindian Period (9500 – 6000 BCE)

The North American continental glaciers reached their maximum southern extent around 20,000 years ago and then began a gradual retreat, interrupted by periods of renewed glaciation. The Paleoindian period coincides with the end of the glacier period and marks a transition from a

moist, even climate to a drier, more extreme climate. This created a mosaic of parklands and grasslands. The Paleoindian period spans the transition from Rancholabrean species (mammoth, mastodon, bison antiquus, camel, saber-tooth cat, and others) to a less diverse modern fauna.

In the Paleoindian period, small groups of hunter gatherers lived in temporary camps and traveled significant distances. Little is known about their customs and beliefs. Paleoindians are known for their excellent spear points.

Early Archaic Period (8000 to 5500 BP)

This archaeological period coincides with a climatic period known as the Altithermal or Hypsithermal. This period is seen as a time of fluctuating moist and dry intervals. In an area that now includes South Dakota, peak aridity occurred between 8000 and 5000 BP, with severe droughts occurring 6000-5000 BP. Within the Early Archaic period, conditions ameliorated from 7700 to 6000 BP, but returned to severe aridity. Present information indicates that the number of archaeological sites is relatively low for the entire Early Archaic period, but especially for the time of maximum aridity from 6000-5000 BP. The climate change probably made the open plains environment less hospitable to both bison and humans, and conversely made high altitude environments more habitable due to reduced snowpack and amelioration of temperatures.

Statewide Preservation Plan

People adapted to environmental changes and continued a hunter gatherer lifestyle. In many ways, the Early Archaic period differed little from the Late Paleoindian period. Early Archaic people relied on a mix of large game hunting and generalized foraging for their sustenance.

Middle Plains Archaic Period (5500-3180 BP)

The Middle Archaic period coincided with a return to moister and cooler conditions on the northwestern plains. Climate was similar to that of today's: that is, greater rainfall than in the preceding Altithermal climatic episode, with wide fluctuations in daily and seasonal temperatures. This gradual shift towards a wetter climate allowed soils to build up, encasing and preserving archaeological deposits. Subsequent climate change tended to bury and preserve these deposits. Unlike sites of the preceding period, Middle Archaic sites did not undergo widespread erosion and removal. It is not clear the extent to which the spotty distribution of Early Archaic sites reflects site preservation, as opposed to cultural preference and practices, but Middle Archaic sites indicate regular use of virtually all parts of local environments.

Between 5500 and 5000 BP, the number of sites begins to increase dramatically across the northwestern plains. This marks the beginning of the Middle Archaic. Several complexes, based on projectile point style, have

been proposed. The earliest is the Oxbow complex, characterized by broad, deeply corner- and basally-notched or "eared" dart points. This is followed by one or more cultural complexes containing McKean, Duncan, and Hanna projectile points with a variety of triangular to lanceolate basally-notched forms. These dart points are generally smaller than Paleoindian projectile points and bigger than Late Prehistoric arrow points. The points are rather thick in cross-section and often exhibit sinuous blade edges formed by alternate beveling of the blade edges during finishing and resharpening. Sometimes they are combined into a single McKean complex, and sometimes they are considered separate but overlapping contexts. In South Dakota, Duncan and Hanna points tend to occur together, indicating a single cultural development.

Late Archaic and Plains Woodland (3100-850 BP)

From about 2500 to 1100 years ago, the northwestern Great Plains witnessed the development of three distinct cultural complexes. The first, largely limited to the upper Powder and Belle Fourche drainages, is the Yonkee complex. A roughly contemporaneous, but much more widespread, is termed the Pelican Lake complex. These were followed in some areas by the Besant complex. In western South Dakota, these complexes had a mixed bison hunting and foraging sustenance base. Complex communal bison hunts were

Statewide Preservation Plan

an important Besant adaptation throughout the Northwestern Plains. In eastern South Dakota, Besant and Pelican Lake projectile points are associated with Plains Woodland ceramics and features such as burial mounds. In South Dakota, sites with Besant or Pelican Lake projectile points that lack ceramics are typically listed as Late Archaic, and those with ceramics or associated burial mounds are listed as Woodland.

The Late Archaic of western South Dakota is characterized by two related changes in subsistence. The first is a shift towards greater use of bison. The second is a shift away from the diverse, broad-spectrum subsistence of the Middle Archaic toward a more limited and specialized subsistence pattern. In spite of the impressive remains left behind by the communal bison hunters of the Wyoming and Montana high plains, it is clear that not all Late Archaic subsistence was based on bison.

Sites with ceramics or burial mounds are generally placed in the Woodland period, while sites lacking those but containing Yonkee, Pelican Lake, or Besant projectile points are listed as Late Archaic. The Woodland designation reflects a broad-based subsistence pattern, occurrence of small village-like settlements, and influences from eastern North America, such as burial mounds and shell ornaments. The Late Archaic designation reflects a continuation of

hunting-based subsistence strategies and a highly dispersed mobile settlement pattern that continued patterns of the Middle Archaic period.

Woodland Tradition Phases and Complexes (2500-1100 BP)

The Woodland or, as it is often termed, Plains Woodland, is characterized by thick-walled, sack-like conical pottery vessels, various corner- and side-notched dart points, and burial mounds. Pottery vessels were often cord-roughened. Over time, the vessels take on a more globular shape and more elaborate decoration. As the Woodland term implies, rock art, pottery styles, and mound building show definite influences from eastern North America, while projectile points are essentially identical to examples from the western Plains and Rockies. It is unclear at present whether Woodland people in South Dakota lived in hamlets, villages, or individual homesteads. Later sites have some evidence for horticulture, such as bison scapula hoes, but in general Woodland subsistence was a complex mix of bison hunting and used many kinds of wild plant foods.

Twelve contexts and subcontexts are outlined for the Woodland period: Early to Middle Woodland including the Fox Lake phase; Middle Woodland, including the Besant complex, Sonota complex, valley phase, and unassigned Middle Woodland; and Late Woodland, including unassigned Late Woodland, Lake Benton phase, the Arvilla

Statewide Preservation Plan

complex, the Loseke Creek phase, the Randall phase, Great Oasis complex, and Blackduck-Sandy Lake complexes.

Late Prehistoric Period (1500-200 BP)

The introduction of the bow and arrow marks the beginning of the Late Prehistoric period, sometime around 1500 years ago. In the western half of the state, the Late Prehistoric is largely a continuation of patterns established during the Archaic period, with small groups following a seasonal round of bison hunting and plant-food gathering. Along the Missouri River and in the eastern half of the state, this is referred to as the Plains Village period, as the small settlements and experiments with horticulture of the Woodland period developed into larger villages dependent upon agriculture for much of their economic base.

Plains Village Pattern (900-1850 BP)

Along the Missouri River and in much of eastern South Dakota, Plains Village pattern cultures followed the Woodland era. The Plains Village pattern developed directly out of the Woodland pattern, influenced by cultures to the south and east, and was characterized by large, semi-sedentary earthlodge settlements clustered along major waterways. Maize horticulture and seasonal bison hunting provided subsistence, with surpluses being stored in underground pits in the villages.

The semi-sedentary, horticultural way of life had been established in the

Middle Missouri subarea by around 1000 CE. Floodplains were used for gardens and uplands for game, especially bison, but the degree to which the inhabitants relied on crops, as opposed to game, and what subsistence variability existed, is not clearly established. The earlier of the two Plains Village manifestations to occupy the Middle Missouri subarea has been termed by archaeologist the Middle Missouri tradition. The people associated with Middle Missouri tradition sites appeared to have moved to the Missouri River from the south and east and to have occupied permanent settlements made up of rectangular houses. They likely spoke Siouan languages. Some of these villages clearly represent proto-Mandan and subgroups of proto-Hidatsa peoples.

A second Plains Village manifestation is the Coalescent tradition. The material culture of these villagers indicates a blending of Middle Missouri attributes with those of other village cultures from farther to the south in the Central Plains. Coalescent and Middle Missouri life-ways were similar, and their components are distinguished principally by the wares and types of ceramics that were produced, as well as differences in house type and village organization.

Plains Village sites are identified from house, fortification, and village features and from distinctive artifact assemblages. The latter includes various types of ceramic vessels,

Statewide Preservation Plan

generally globular in shape with thin walls and a wide variety of decorative elements. Plains Village sites typically contain large assemblages of bone and shell artifacts, as well.

Protohistoric Period (1700-1850 CE)

In northern Great Plains archaeology, the term Protohistoric refers to the period after which European goods and species had entered the material cultural assemblage but before permanent non-native settlement began. In South Dakota, the Protohistoric period roughly corresponds to the century and a half from 1700 to 1861. Although archaeologists have excavated some sites dating to this period, most of our information comes from written accounts of the first non-native trappers, traders, explorers, missionaries, and military personnel venturing into what is now South Dakota. Native Americans also left documentation in the form of narratives and pictographic records such as winter counts.

Several historically known ethnic groups inhabited South Dakota before the introduction of the horse in the early eighteenth century. These included the Mandan, Hidatsa, Arikara, Ponca, Omaha, Kiowa, Kiowa-Apache (Naishan Dene), Commanche or Plains Apache, Cheyenne, Arapaho, Dakota, Nakota, Assiniboin, and Lakota.

Historic Period (1850-1950 CE)

The historic period comprises the era of non-Indian settlement.

Historic Contexts

In the 1980s, the SDSHPO developed organizing principles for the classification of several resources. They were broken down by temporal and spatial themes. They help identify gaps in research and priorities for identification. Relevant portions are included in this brief overview.

Organizing Principle: Early Commercial and Military Presence

Subcontext 1: Fur Trading Posts

Temporal Boundaries: 1750-1860

Exploration of the region began about 1750 and continued until the creation of Dakota Territory in 1861. Some of this activity continued into the 1870s (especially in the Black Hills), but the greatest percentage of known extant sites occurred during the first half of the 19th century.

Spatial Boundaries

Fur trading posts were located in the river valleys of the Big Sioux, James, Vermillion, Missouri, Cheyenne, and White, as well as in the Big Stone Lake area. The largest concentration of sites lies along the Missouri between Pierre and Chamberlain.

Subcontext 2: Military Forts and Encampments

Temporal Boundaries: 1856-1946

The U.S. government began establishing military posts in the region in 1856 and continued to operate a few of them into the mid-20th century (does not include Ellsworth AFB). In 1946, the Army abandoned Fort Meade near Sturgis.

Statewide Preservation Plan

Spatial Boundaries

Although camps and other sites of military occupation can be found throughout the state, the greatest concentration of formal military forts occur along the Missouri River, James River, Indian reservations, North-eastern lakes region, and the Black Hills.

Organizing Principle: Permanent Rural and Urban Pioneer Settlement

Subcontext 1: Claim Structures

Temporal Boundaries: 1858-1893

Permanent settlers began moving into what would become Dakota Territory in the late 1850s. As the century progressed, the territory witnessed several influxes of homesteaders across the region until the recession of the 1890s. Settlement activity continued west of the Missouri River into the third decade of the 20th century, but the greatest share of the East River area and the Black Hills was claimed before statehood in 1889.

Spatial Boundaries

The state of South Dakota.

Subcontext 2.1: Ethnic Enclaves – Czechs

Temporal Boundaries: 1869-1920

Czechs began settling in southeastern Dakota Territory in 1869 and came in great numbers to that area in the middle 1870s and early 1880s. By 1920, a third generation of the early Czech pioneers can be distinguished, but at that time, most had been assimilated. Important folk buildings were constructed before 1920.

Spatial Boundaries

Czechs populated to some degree all counties of the state, but they concentrated in the following counties: Yankton, Bon Homme, Charles Mix, Gregory, Tripp, and Brule. In the 20th century, they moved in significant numbers to Jackson, Mellette, and Jones counties. The greatest share of this ethnic group settled in and around Tabor in eastern Bon Homme County.

Subcontext 2.2: Ethnic Enclaves – Finns

Temporal Boundaries: 1878-present

Spatial Boundaries

Savo and Frederick, Brown County; Poinsett and Lake Norden, Brookings and Hamlin Counties; Lead, Roubaix, and Whitewood, Lawrence County.

Subcontext 2.3: Ethnic Enclaves – German Russian

Temporal Boundaries: 1871-present

Spatial Boundaries

Counties of Hutchinson, Yankton, Bon Homme, Douglas, Gregory, Tripp, Corson, Campbell, McPherson, Edmunds, Walworth, Brown, Spink, Beadle, Hanson, Davison.

Subcontext 2.4: Ethnic Enclaves – Danes

Temporal Boundaries: Early 1870s-present

Spatial Boundaries

Danes settled primarily in Clay, Turner, and Kingsbury Counties, and a significant number of Danes moved into Brookings and Moody Counties. A few settled in 22 other counties in eastern South Dakota.

Statewide Preservation Plan

Subcontext 2.5: Ethnic Enclaves – Dutch

Temporal Boundaries: 1880-1910

According to Gerald DeJong, leading historian of the Dutch in South Dakota, “Hollanders” were not interested in South Dakota before 1880. In fact, only a very small number of them settled here before that decade. During the boom years of the 1880s, however, their numbers gradually increased.

Spatial Boundaries

Immigrants from the Netherlands settled primarily in Douglas, Charles Mix, and Bon Homme Counties. Other counties with historically significant numbers of foreign-born Dutch are Minnehaha, Brookings, Deuel, Turner, Grant, Lincoln, and Aurora. They tended to settle in colonies, lending weight to their comparatively small populations.

Subcontext: 2.6 Ethnic Enclaves – Swedes

Temporal Boundaries: 1868-1920

Spatial Boundaries

Swedes entered Dakota Territory at Clay County in 1868. During the remainder of that decade and throughout the following one, Swedish immigrants established themselves in Clay, Union, and Minnehaha Counties. In the 1880s, they moved into the northeastern lakes region, populating the counties of Grant, Roberts, Marshall, Day, and Brown. From 1900-1920, a third influx of Swedes occurred in the West River counties of Dewey, Stanley, Harding, and Lawrence.

Subcontext 2.7: Ethnic Enclaves – Norwegians

Temporal Boundaries: 1860-1930

Norwegians began emigrating to Dakota as soon as it was opened for settlement and followed the course of immigration patterns throughout the boom years up to the Great Depression. They continue to have an impact on the region as one of the largest ethnic groups.

Spatial Boundaries

Although Norwegians settled in all counties of the state, the major impact of their immigration was in the southeast. Due to railroad promotions of the 1880s, many also settled in the northeast along new rail lines. The ten counties with the largest percentage of foreign born are Minnehaha, Lincoln, Day, Roberts, Brookings, Yankton, Deuel, Brown, Marshall, and Codington in descending order.

Subcontext 2.8: Ethnic Enclaves – Germans

Temporal Boundaries: 1870s-present

Although Germans began entering the Dakota region as soon as it was opened for settlement (1860s), it was not until the second decade that immigrant Germans entered in significant numbers.

Spatial Boundaries

According to John P. Johansen, Germans from Germany settled in all counties of the state except Shannon and Washbaugh. Gerald DeJong lists, in descending order, the following top ten counties to accept German immigrants:

Statewide Preservation Plan

Minnehaha, Brown, Grant, Day, McCook, Spink, Turner, Beadle, Codington, and Lincoln.

Subcontext 2.9: Ethnic Enclaves – Poles

Temporal Boundaries

Very few Poles immigrated to South Dakota, and little is presently known about their migration patterns.

Spatial Boundaries

According to Gerald DeJong, the following were the top ten counties having the most Polish people recorded in the 1920 census: Day, Brown, Roberts, Hutchinson, Minnehaha, Yankton, Grant, Bon Homme, Codington, and Beadle. Of these Day was the overwhelming leader.

Subcontext 2.10: Ethnic Enclave – Jewish

Temporal Boundaries 1880s-1920s

Spatial Boundaries

According to Orlando and Violet Goering, Jewish farmers entered Dakota in the early 1880s and set up a small, short lived colony in Aurora and Davison Counties. Other known Jewish enclaves were in Sioux Falls and in Deadwood.

Subcontext 2.11: Ethnic Enclaves – Chinese

Temporal Boundaries 1875-1930

Spatial Boundaries

The Chinese settled primarily in Lawrence County during the Black Hills gold rush. Several other locations within the state witnessed some Chinese immigration, but the effect

outside of Deadwood and Lead is minimal.

Subcontext 2.12: Ethnic Enclaves – Swiss

Temporal Boundaries: 1874-1920

Spatial Boundaries

According to Gerald DeJong, the ten counties having the most Swiss in 1920 were Yankton, Hand, Lake, Minnehaha, Brown, Lincoln, Meade, Roberts, and Codington, in descending order. Of these, Yankton is the overwhelming leader.

Subcontext 2.13: Ethnic Enclave – African American

Temporal Boundaries: 1870-present

Permanent African American settlement did not arrive until the 1860s. Even then, they were very few in number. During the mid-1870s, several African Americans entered Dakota to participate in the opportunities of the Black Hills Gold Rush. Throughout that century and into the next, African Americans had limited but ever-present impact on the settlement and development of the region.

Spatial Boundaries

African Americans scattered throughout the state (except Indian reservations). Early African American settlement concentrated in Yankton, Buffalo, and Bon Homme Counties. In 1880, African Americans were concentrated in Pennington, Lawrence, Yankton, Minnehaha, Meade, and Fall River Counties.

Statewide Preservation Plan

Subcontext 2.14: Ethnic Enclaves – English Speaking Groups

Temporal Boundaries

Very little has been written about the English-speaking groups that entered Dakota. These groups would include English, Welsh, Scot, Scotch-Irish, and Irish immigrants who migrated from Europe in the last half of the 19th century or first half of the 20th century.

Spatial Boundaries

According to John P. Johansen, immigrants from England or from the Irish-Free State settled in Union, Lake, Davison, McCook, Lyman, Jerauld, Sanborn, Spink, Hyde, Hand, Buffalo, Beadle, Pennington, Fall River, Lawrence, and Butte Counties in significant enough numbers to count. Gerald DeJong lists the top five counties with English immigrants as Lawrence, Minnehaha, Brown, Beadle, and Davison. He lists the top three counties with Irish immigrants as Minnehaha, Brown, and Lawrence.

Subcontext 2.15: Ethnic Enclaves – Italians

Temporal Boundaries: 1880-1920

Spatial Boundaries

Few Italian immigrants entered the state, yet surveyors in Harding County discovered Italian folk structures. According to Gerald DeJong, there were 413 such immigrants in South Dakota by 1920 and they settled primarily in Lawrence, Minnehaha, Pennington, and Butte Counties.

Subcontext 2.16 Ethnic Enclaves – Slavonians/Yugoslavians

Temporal Boundaries: 1880-present

Little is known of the history of Slavonians in South Dakota. Most lived in Lawrence County (227 in 1920 federal census) and worked in the mining industry. Other, much smaller enclaves recorded in 1920 include Charles Mix, Lake, Marshall, Brown, and Corson Counties.

Spatial Boundaries

Counties of Lawrence, Charles Mix, Lake, Marshall, Brown, Corson, Fall River, Minnehaha, Hyde, and Beadle.

Subcontext 2.17: Ethnic Enclaves – Luxembourgers

Temporal Boundaries: 1878-present

Luxembourgers are known to have entered Dakota Territory with Germans in 1878. They settled around the community of Kranzburg in rural Codington County. However, the largest enclave of Luxembourgers was in Hanson County. Other enclaves included Meade, Aurora, Minnehaha, and Miner.

Spatial Boundaries

Hanson, Meade, Aurora, Codington, Minnehaha, Miner, Sanborn, Roberts, Jerauld, and Davison Counties.

Subcontext 2.18: Ethnic Enclaves – French

Temporal Boundaries: 1678-present

Unlike 19th century immigrant settlement in South Dakota, the French contact with the area is characterized by nomadic trading and temporary occupation. Original French contact came about in conjunction with the fur trade. Throughout the 1678 to 1750 era, the French made various excursions

Statewide Preservation Plan

into the region, mostly along the Missouri River. In the 19th century, the French began settling permanently in ethnic enclaves. Numerically, the French were not a highly significant group. This statistic overlooks Canadian and American born French people. The French Canadians were a sizable portion of the French speaking population.

Spatial Boundaries

Counties of Union, Clay, Charles Mix, Dewey, Corson, Brown, Minnehaha, Brookings, Fall River, Gregory, Lawrence, Beadle, Custer, Grant, and Spink.

Subcontext 3: Farm and Ranch Settlement

Temporal Boundaries: 1858-1893

Non-Indian attempts at agriculture in the Dakotas began with pioneer settlement in the late 1850s. Farm technology improved slowly throughout the 19th century, but the impact of these improvements remained minimal until the advent of mechanized and self-propelled equipment. For this reason, the “pioneer” stage of agricultural development for the purposes of the study must conclude about 1893. After the recession of the 1890s, new technologies brought major changes in rural life that lasted well into the 20th century.

Spatial Boundaries

The boundaries would include the entire state, but due to the temporal parameters above, there should be little effect on the region between the Missouri River and the Black Hills.

Subcontext 4.1: Urban Development & Commercial Structures

Temporal Boundaries: 1858-1893

The pioneering stage of commercial development in South Dakota began with permanent white settlement and lasted through the recession of the 1890s.

Spatial Boundaries

The boundaries would include the entire state, but due to the temporal parameters above, there should be little effect on the region between the Missouri River and the Black Hills.

Subcontext 4.2: Urban Development & Residences

Temporal Boundaries: 1858-1899

The pioneer stage of urban residential development began with the entrance of the first white settlers in the late 1850s and lasted into the end of the century. These are permanent homes built by early Dakota citizens and not their first claim structures. Few, if any, of these houses and related structures built before 1870 survived.

Spatial Boundaries

The boundaries would include the entire state, but certain areas of West River South Dakota were not settled at this time.

Subcontext 5: Government related structures

Temporal Boundaries: 1861-present

Because such pioneer institutions have continued, this category includes all government financed building projects from the beginning of Dakota Territory to the present day. It includes structures built at all levels

Statewide Preservation Plan

of government: local, county, territorial, state, and federal. Site types are both rural and urban to include an institutional building. However, 20th century civic improvements are also listed under a context of modernization, upgrading, or use of new architectural concepts.

Spatial Boundaries

The State of South Dakota.

Subcontext 6.1: Industrial Structures/Non-Mining

Temporal Boundaries: 1858-1893

Spatial Boundaries

The spatial parameters include the entire state, however due to the temporal limits above, the area between the Missouri River and Black Hills probably would not contain applicable sites.

Subcontext 6.2: Industrial Structures/Mining

Temporal Boundaries: 1874-present

Although the presence of gold and other minerals in the Black Hills was suspected, it was not officially recognized until the Custer Expedition of 1874. After that party announced its discovery of precious metals, a gold rush started even though the entry of non-Indians was illegal. The U.S. government acquired the Black Hills in 1876, at about the time of the discovery of the Homestake mine in Lead. Primitive placer mining and advanced hard rock mining has continued ever since. Numerous minerals have been found in the Black Hills and throughout the state.

Spatial Boundaries

The spatial limits would include the entire state, however, other than gravel mining, some quarrying, and limited manganese mining, there has been little impact outside of the Black Hills.

Subcontext 7.1: Transportation Structures/Railroads

Temporal Boundaries: 1872-present

The first railroad to enter Dakota Territory was the Dakota Southern, which began service from Sioux City, Iowa to Yankton in 1873. Territorial and community leaders had tried to encourage the building of a rail line into Dakota since the early 1860s, but they met with little success, until Yankton County approved a controversial bonded cash subsidy. Eventually, larger companies came into the area and consolidated the small lines. By the 1890s, railroads had been established across the eastern half of the state and within the Black Hills. After 1900, railroad building by these companies commenced beyond the Missouri River to Black Hills locations.

Spatial Boundaries

The State of South Dakota.

Subcontext 7.2: Transportation Structures/Land Routes

Temporal Boundaries: 1858-1893

Land transportation in the state is a theme that can have several distinct eras: exploration, early settlement, new forms of transportation, etc. However, this section deals only with 19th century travel and the facilities it necessitated.

Statewide Preservation Plan

Subcontext 7.3: Transportation Structures & River

Temporal Boundaries: 1803-1936

The first penetration via river of the region now known as South Dakota came in 1803 with the expedition of Lewis and Clark. Very shortly, large scale navigation of the Missouri River began taking place and, until the advent of the railroads in the territory in the 1870s, served as the chief means of transportation in and out of Dakota. Although the active period of such transportation ended in the 1880s, riverboat companies continued to operate until 1936.

Spatial Boundaries

The spatial parameters are limited to the Missouri River and its immediate banks.

Subcontext 8: Religious Structures

Temporal Boundaries 1858-present

Pioneers of Dakota began providing religious services on arrival in the new territory. When certain congregations grew large enough and wealthy enough, they erected a church edifice in which to worship. Many also provided special schools and cemeteries for their members. Such institutions continue to the present day much as they were originally founded.

Spatial Boundaries

The State of South Dakota.

Subcontext 9: Community Burial Practices

Temporal Boundaries: 1858-present

Throughout the state a number of

cemeteries were established by town governments or private individuals and associations to serve several ethnic and ideological groups. Such sites represent community growth and development. Since no specific religion or belief is represented, it is reasonable that these sites are recorded under a separate context. Cemeteries established by religious congregations or by specific ethnic groups should be recorded under contexts of religious structures or ethnic enclaves.

Spatial Boundaries

The State of South Dakota.

Organizing Principle: Depression and Rebuilding

Subcontext 1.1: Changing Urban Patterns/Abandonment of Small Towns

Temporal Boundaries: 1893-1929

During the last decade of the 19th century and the first three decades of the 20th century, recessions followed up economic upsurges, and new recessions contributed to great fluctuations in the demographics of the state. Small towns would emerge in response to new land openings or to other factors but soon die out due to sudden declines in the economic base. There was also an increase in farm tenancy during this period, as many farmers moved to larger cities within and outside of South Dakota. Such changes have continued to the present day under similar contexts.

Statewide Preservation Plan

Spatial Boundaries

The State of South Dakota.

Subcontext 1.2: Changing Urban Patterns/Rebuilding Commercial Centers in Larger Towns

Temporal Boundaries: 1893-1929

Throughout the period between the Recession of 1893 and the Great Depression in the 1930s, the larger communities of the state were witness to commercial growth. As a result, many new structures were built in these cities to permit business to better serve their clientele. Such improvements were emblematic of the contemporary trend to modernize city life, which curtailed when the stock market collapsed in 1929.

Spatial Boundaries

Commercial growth occurred primarily in the cities of Sioux Falls, Rapid City, Aberdeen, Mitchell, Huron, Pierre, and Yankton. Other small towns throughout the state also saw some growth during this period.

Subcontext 1.3: Changing Urban Patterns/Residential Changes: Development of Suburbs, New Building Materials, and Pattern Book Architecture

Temporal Boundaries: 1893-1929

During the period of approximately the Recession of 1893 to the Great Depression, South Dakota shared many changes in residential architecture with the rest of the nation. New advances in technology brought in the use of stronger, lighter materials, and innovations in commercial enterprises led to patterned housing and

prefabricated catalogue homes. As cities grew, many new “suburban” neighborhoods took form.

Spatial Boundaries

The spatial limits include all incorporated towns and cities in the state.

Subcontext 2: Evolution of Modern Industrial Structures

Temporal Boundaries: 1893-1929

Spatial Boundaries

State of South Dakota.

Subcontext 3: Civic Improvements and New Government Related Structures

Temporal Boundaries: 1893-1929

As South Dakota’s politicians and businessmen began rebuilding after the Recession of 1893, they saw a need to modernize the physical and aesthetic environment for the state’s citizens. Such improvements include much needed courthouses and other governmental structures built according to contemporary styles, as well as recreational facilities to advance the quality of life.

Spatial Boundaries

The spatial parameters include the entire state, but should concentrate on major communities such as Sioux Falls, Rapid City, Aberdeen, Watertown, etc.

Subcontext 4: Social Organization Halls

Temporal Boundaries: 1893-1929

Spatial Boundaries

The spatial parameters include all towns, cities, and rural communities throughout the state.

Subcontext 5.1: Changing Rural

Statewide Preservation Plan

Patterns/Pattern Book Structures

Temporal Boundaries: 1893-1929

When rural America began rebuilding after the Recession of 1893, South Dakota farms witnessed many advancements due to technologies just then made available or to improvements of old methods. Such a change was the introduction of pattern book or standardized houses and outbuildings (even prefabricated buildings), which combined the mechanization to make larger farms more profitable.

Spatial Boundaries

The State of South Dakota.

Subcontext 5.2: Changing Rural Patterns & Rural Industries and Agribusiness

Temporal Boundaries: 1893-1929

Parallel to technological advances on individual farms following the Recession of 1893 was the growth of rural industries and agribusiness. New technologies, world markets, and political movements combined to create an atmosphere favorable to agricultural growth. As a result, industries blossomed, including elevators, creameries, refining plants, irrigation projects, experiment stations, etc.

Spatial Boundaries

The State of South Dakota.

Subcontext 6: Recreation and Tourism

Temporal Boundaries: 1893-1929

Spatial Boundaries

Alongside the many new industries in South Dakota following the Recession of 1893 was a growing interest in

tourism. The early development of such facilities is distinctive from later movements based on size, level of funding, and promotion, all of which increased during the following Great Depression. Although most tourist development took place in the Black Hills, there are many sites across the state.

Subcontext 7: New Transportation Facilities and the Impact of the Automobile

Temporal Boundaries: 1893-1929

Parallel to the influx of tourists and new commercial industries in the state, transportation facilities greatly improved between the Recession of 1893 and the Great Depression. This era witnessed the introduction of the automobile to South Dakota, which necessitated better roads and bridges. The automobile, because of its special needs and capabilities, would have a profound effect on architecture.

Spatial Boundaries

The State of South Dakota.

Organizing Principle: The Great Depression Farm Foreclosures, Bank Failures, and Government Assistance Programs.

Temporal Boundaries

The financial crash of 1929 brought an end to any prosperity that the country had enjoyed during the decade of the 1920s and ushered in the Great Depression. Actually, by that time, many countries throughout the world already faced economic recession, as did the majority of the American agricultural Midwest.

Statewide Preservation Plan

Poverty increased farm foreclosures, business/bank failures, and personal financial disasters. In response, the government instituted programs to reorganize business and pumped large amounts of capital into the nation's economy. As a result, many new structures were built with government funding.

Spatial Boundary

The State of South Dakota.

Organizing Principle: World War II and Post War Development Creation of Military Installations and the Post War Economic Expansion

Temporal Boundaries: 1941-1973

The financial crash of 1929 ended any prosperity that the country had enjoyed during the decade of the 1920s

and ushered in the Great Depression. It was not until the attack at Pearl Harbor and World War II that economic prosperity was regained. This economic boom, despite minor fluctuation, was to remain the norm for the next thirty years. The effect of this period on the built environment is sweeping. South Dakota benefited from massive government investment in military and civilian infrastructure. In addition, the private sector poured millions of dollars into new urban developments such as shopping malls and new suburbs. The rural economy also remained relatively stable but did not experience the massive growth of other sectors of the economy.

Spatial Boundaries

The State of South Dakota.



Oahe Mission School and Chapel,
Pierre

Statewide Preservation Plan

APPENDIX D: South Dakota Codified Laws

SDCL 1-19A

1-19A-1. Legislative findings and declaration.

The South Dakota Legislature finds and declares that it is in the best interest of the state and its citizens to provide for the preservation of its historical, architectural, archaeological, paleontological, and cultural sites by protecting, restoring, and rehabilitating sites, buildings, structures, and antiquities of the state which are of historical significance.

Source: SL 1973, ch 14, § 1; SL 1980, ch 12, § 1.

1-19A-2. Definition of terms.

Terms used in this chapter mean:

(1) "Board," the State Historical Society Board of Trustees established by § [1-18-12.2](#);

(2) "Historic preservation," the research, protection, restoration, and rehabilitation of districts, sites, buildings, structures, and objects significant in the history, architecture, archaeology, paleontology, or culture of the state;

(3) "Historic property," any building, structure, object, district, area, or site that is significant in the history, architecture, archaeology, paleontology, or culture of the state, its communities or the nation;

(4) "Rehabilitation," returning property to a state of utility, through expansion, addition, repair, or alteration, which makes possible an efficient contemporary use while retaining those portions of the property, which qualify such property for placement on the state register of historic places;

(5) "Restoration," the repair or replacement of historically significant features which qualify a structure or object for recognition by the state register of historic places.

Source: SL 1973, ch 14, § 2; SL 1973, ch 2, § 254 (a); SL 1978, ch 11, § 1; SL 1980, ch 12, § 2; SL 1987, ch 19, § 1; SL 2003, ch 272 (Ex. Ord. 03-1), § 80; SL 2011, ch 1 (Ex. Ord. 11-1), § 91, eff. Apr. 12, 2011; SL 2015, ch 277 (Ex. Ord. 15-1), § 25, eff. Apr. 20, 2015.

1-19A-3. Statewide survey of historic properties.

The South Dakota State Historical Society shall undertake a statewide survey to identify and document historic properties, including all those owned by the state, its instrumentalities, and its political subdivisions.

Source: SL 1973, ch 14, § 5 (1); SL 2009, ch 1, § 55; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

Statewide Preservation Plan

1-19A-4. Entry on private property for survey – Consent required.

The South Dakota State Historical Society is authorized to enter, solely in the performance of its official duties and only at reasonable times upon notice, upon private property for the examination or survey thereof.

However, no member, employee, or agent of the office may enter any building or structure without the express consent of the owner or occupant thereof.

Source: SL 1973, ch 14, § 7; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-5. State register of historic places – Standards for listing.

The South Dakota State Historical Society shall prepare and maintain a state register of historic places, including all those listed on the national register of historic places. Pursuant to chapter 1-26, the State Historical Society Board of Trustees shall adopt standards for the listing of a historic property on the state register based on the standards of the national register and shall further adopt standards for the continued listing of a property on the state register, consistent with the relevant federal standards of preservation and care.

Source: SL 1973, ch 14, § 5 (2); SL 1992, ch 6, § 4; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-6. Participation in conferences and programs.

The South Dakota State Historical Society shall participate in international conferences and programs concerning historic preservation and cooperate with federal officials and agencies in the conduct of such activities.

Source: SL 1973, ch 14, § 5 (8); SL 2009, ch 1, § 56; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-7. Cooperation with other governmental agencies.

The South Dakota State Historical Society shall cooperate with federal, state, and local government agencies in the planning and conduct of specific undertakings affecting historic properties and preservation objectives and in overall land use planning.

Source: SL 1973, ch 14, § 5 (7); SL 2009, ch 1, § 57; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-8. Qualification for federal aid.

The South Dakota State Historical Society shall undertake the procedures necessary to qualify the state for participation in sources of federal aid for historic preservation purposes.

Source: SL 1973, ch 14, § 5 (5); SL 2009, ch 1, § 58; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

Statewide Preservation Plan

1-19A-9. Repealed.

Source: SL 1973, ch 14, § 8; SL 1980, ch 12, § 10; SL 2009, ch 1, § 59; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 31.

1-19A-10. Preparation of preservation plan – Review and revision.

The South Dakota State Historical Society shall prepare the state's preservation plan and review that plan annually and revise it accordingly.

Source: SL 1973, ch 14, § 5 (3); SL 2009, ch 1, § 60; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-11. Promulgation of rules regarding properties.

The State Historical Society Board of Trustees shall promulgate rules pursuant to chapter 1-26 to acquire and dispose of historic properties and specimens and for the preservation, restoration, maintenance, and operation of properties under the jurisdiction of the South Dakota State Historical Society.

Source: SL 1973, ch 14, § 5 (4); SL 1985, ch 8, § 3; SL 2009, ch 1, § 61; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

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 South Dakota State Historical Society has been given notice and an opportunity to investigate and comment on the proposed project. The office may solicit the advice and recommendations 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 which 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 no 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 South Dakota State Historical Society. A complete record of factors considered shall be included with such notice.

Statewide Preservation Plan

Any person aggrieved by the determination of the Governor or governing body may appeal the decision pursuant to the provisions of chapter 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 a federal historic preservation review need not be reviewed pursuant to this section.

Source: SL 1987, ch 20; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-12. Coordination of activities of local commissions.

The South Dakota State Historical Society shall coordinate the activities of local historical commissions in accordance with the state plan and programs for historic preservation.

Source: SL 1973, ch 14, § 5 (9); SL 2009, ch 1, § 62; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-13. Assistance to local commissions and private parties.

The South Dakota State Historical Society shall provide technical and financial assistance to local historical commissions and private parties involved in historic preservation activities.

Source: SL 1973, ch 14, § 5 (10); SL 2009, ch 1, § 63; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-13.1. Historical preservation loan and grant fund established – Purpose – Sources of funds.

There is established a historical preservation loan and grant fund in the South Dakota State Historical Society. The purpose of such fund is to make loans and grants to purchase, restore, or develop historic South Dakota properties for residential, commercial, or public purposes. The State Historical Society Board of Trustees, with the approval of the Governor, may accept into the loan fund any funds which may be obtained from repayment of loan principal, interest, gifts, grants, or contributions.

Source: SL 1977, ch 19, §§ 1, 4; SL 1994, ch 332, § 2; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-13.2. National register eligibility required.

Structures which may be considered for loans or grants under §§ 1-19A-13.1 to 1-19A-13.5, inclusive, shall either be on or eligible for the national register of historic places according to the criteria established by the national register.

Source: SL 1977, ch 19, § 2; SL 1994, ch 332, § 3.

Statewide Preservation Plan

1-19A-13.3. Amount of loans and grants – Interest rate – Extensions and renewals – Amounts available for structures with public use.

Loans and grants may be made from the loan and grant fund by the State Historical Society Board of Trustees to individuals, corporations, or historical organizations for up to ninety percent of the cost of purchase, restoration, and development of a structure. Loans shall be made at an annual interest rate of one-fourth the prime interest rate at the time the loan is made. The maximum amount of a loan for any one structure is twenty-five thousand dollars. Loans may not be extended beyond a three-year period, nor may they be renewed. Loans and grants may be made to nonprofit historical organizations, municipalities, and other local governmental entities for the full cost of purchase, restoration, and development of structures that will have a public use.

Source: SL 1977, ch 19, § 3; SL 1994, ch 332, § 4; SL 2002, ch 14, § 1.

1-19A-13.4. Funds to be used for restoration of historic properties.

The interest earned, gifts, contributions, and any appropriation for the purposes of §§ 1-19A-13.1 to 1-19A-13.5, inclusive, shall be used for the restoration of other historic properties specified in §§ 1-19A-13.1 and 1-19A-13.2.

Source: SL 1977, ch 19, § 4.

1-19A-13.5. Promulgation of rules regarding historical preservation loans and grants.

For the purpose of the administration of §§ 1-19A-13.1 to 1-19A-13.5, inclusive, the State Historical Society Board of Trustees may adopt rules pursuant to chapter 1-26.

Source: SL 1977, ch 19, § 5; SL 2009, ch 1, § 64.

1-19A-14. Information provided on historic properties.

The South Dakota State Historical Society shall provide information on historic properties within the state to the agencies and instrumentalities of the federal, state, and local governments and, if appropriate, to private individuals and organizations.

Source: SL 1973, ch 14, § 5(6); SL 2009, ch 1, § 65; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-15. Stimulation of public interest in historic preservation.

The South Dakota State Historical Society shall stimulate public interest in historic preservation including the development and implementation of interpretive programs for historic properties listed on the state register of historic places and through the management of the state's historical marker program.

Source: SL 1973, ch 14, § 5 (11); SL 2009, ch 1, § 66; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

Statewide Preservation Plan

1-19A-16. On-going programs – Programs of school of mines and technology not affected – Charge for publications.

The South Dakota State Historical Society shall develop an on-going program of historical, architectural, paleontological, and archaeological research and development to include continuing surveys, excavation, scientific recording, interpretation, and publication of the state's historical, architectural, archaeological, paleontological, and cultural resources. The provisions of this section do not apply to programs within the South Dakota School of Mines and Technology. A reasonable charge may be made for publications.

Source: SL 1973, ch 14, § 5 (12); SL 1980, ch 12, § 3; SL 2009, ch 1, § 67; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-17. Improvement and operation of historic properties – Legislative consent required for acquisition.

Any historic property acquired, whether in fee or otherwise, may be used, maintained, improved, restored, or operated by the South Dakota State Historical Society for any purpose within its powers and not inconsistent with the purpose of the continued preservation of the property. No historic property may be acquired, whether in fee or otherwise, except by act of the Legislature.

Source: SL 1973, ch 14, § 6; SL 2009, ch 1, § 68; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-18. Obsolete.

1-19A-18.1. State Review Board abolished.

The State Review Board established pursuant to chapter 1-19A, is hereby abolished.

Source: SL 1985, ch 400 (Ex. Ord. 85-2), § 21.

1-19A-19. Powers and duties of board.

The State Historical Society Board of Trustees shall:

- (1) Approve nominations to the state and national registers of historic places;
- (2) Review the state survey of historic properties undertaken in accordance with the provisions of this chapter;
- (3) Review the content of the state preservation plan developed in accordance with the provisions of this chapter;
- (4) Approve the removal of properties from the state register;
- (5) Recommend the removal of properties from the national register; and
- (6) Otherwise act in an advisory capacity to the South Dakota State Historical Society.

Statewide Preservation Plan

Source: SL 1973, ch 14, § 4; SL 2009, ch 1, § 69; SL 2015, ch 277 (Ex. Ord. 15-1), § 19, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19A-20. Tax moratorium on increased valuation due to restoration or rehabilitation of historic property.

There is a moratorium on the taxation of increased valuation due to restoration or rehabilitation of real estate placed on the State Register of Historic Places in accordance with § 1-19A-5 and which has been assisted through federal restoration grant - in - aid assistance provided by Public Law 102-575 as amended to January 1, 1994, or which has been substantially restored or rehabilitated with the assistance of the historic preservation loan fund, or which has undergone privately funded restoration or rehabilitation which has been certified as meeting historic preservation standards by the State Historical Society Board of Trustees. The board shall use U.S. Department of the Interior standards for historic preservation projects codified in 36 C.F.R. 67 as of January 1, 1994, to approve or deny certifications. The moratorium shall begin in the year that approval of the completed work is granted and shall extend for a period of eight years.

Source: SL 1978, ch 11, § 2; SL 1980, ch 79; SL 1987, ch 19, § 2; SL 1994, ch 16, § 1.

1-19A-21. Covenant to maintain property required to benefit from chapter.

No property so restored or rehabilitated may benefit from the provisions of this chapter unless the owner of such property attaches a restrictive covenant running with the land which states that the property shall be maintained in a manner which preserves the property's restored portions.

Source: SL 1978, ch 11, § 3.

1-19A-22. Cancellation of tax moratorium.

If the State Historical Society Board of Trustees determines that the owner of any property given a tax moratorium pursuant to § 1-19A-20 has failed to maintain such property, the board may, after a public hearing, cancel the tax moratorium on such property. If the board cancels a tax moratorium pursuant to this section, the board shall notify the director of equalization and the treasurer of the county where such property is located of such cancellation.

Source: SL 1992, ch 6, § 1.

1-19A-23. Ratification of previous moratoriums.

All applications for tax moratoriums on properties properly placed on the State Register of Historic Places

Statewide Preservation Plan

which were restored with federal restoration grant-in-aid assistance, or received assistance from the historic preservation loan fund, or have undergone privately funded restoration or rehabilitation, and were filed with and formally certified by the State Historical Society Board of Trustees prior to January 1, 1994, are hereby ratified as of the date of such filing. Nothing in this section shall effect any tax moratorium filed, reviewed, or granted prior to January 1, 1992.

Source: SL 1992, ch 6, § 5; SL 1994, ch 16, § 2.

1-19A-24. Moratoriums for certain property prohibited.

The State Historical Society Board of Trustees may not grant a tax moratorium to any real estate which is not on the state or national register and which is moved from the location where such real estate was located when originally constructed.

Source: SL 1992, ch 6, § 6.

1-19A-25. Repealed.

Source: SL 1994, ch 17, § 1; SL 2021, ch 7, § 32.

1-19A-26. Repealed.

Source: SL 1994, ch 17, § 2; SL 2021, ch 7, § 33.

1-19A-27. Repealed.

Source: SL 1994, ch 17, § 3; SL 2021, ch 7, § 34.

1-19A-28. Repealed.

Source: SL 1994, ch 17, § 5; SL 2021, ch 7, § 35.

1-19A-29. Promulgation of rules to administer chapter.

For the purpose of the administration of this chapter the State Historical Society Board of Trustees shall adopt rules pursuant to chapter 1-26 in the following areas:

- (1) Definitions;
- (2) Standards for historic preservation, restoration, and rehabilitation projects;
- (3) Project application procedures;
- (4) Requests for project information;
- (5) Project approval and nonapproval;
- (6) Terms of project certification;
- (7) County notification of certification;
- (8) Terms of restrictive covenants;
- (9) Filing of restrictive covenants;
- (10) Violation of covenants; and
- (11) Cancellation of certification.

Source: SL 1994, ch 16, § 3.

Statewide Preservation Plan

South Dakota Codified Laws

SDCL 1-19B

SDCL-1-19B County and Municipal Historic Preservation Activities

1-19B possess the legal basis for local historic preservation activities in South Dakota.

1-19B-1. Legislative findings – Purpose of chapter.

Whereas the Legislature of the State of South Dakota has determined that the historical, architectural, archaeological, paleontological, and cultural heritage of this state is among its most important assets, it is hereby declared to be the purpose of this chapter to authorize the local governing bodies of this state to engage in a comprehensive program of historic preservation, to promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of this state.

Source: SL 1974, ch 21, § 1; SL 1980, ch 12, § 4.

1-19B-1.1. Definition of terms.

Terms used in this chapter have the same meaning as defined in § 1-19A-2.

Source: SL 2011, ch 9, § 1.

1-19B-2. County and municipal historic preservation commissions – Purpose.

The governing body of any county or municipality may establish an historic

preservation commission, to preserve, promote, and develop the historical resources of such county or municipality in accordance with the provisions of this chapter.

Source: SL 1974, ch 21, § 2; SL 2009, ch 1, § 70.

1-19B-3. Members of preservation commission – Terms of office – Residence.

The Historic Preservation Commission shall consist of not less than five nor more than ten members, who shall be appointed by the governing body with due regard to proper representation of such fields as history, architecture, urban planning, archaeology, paleontology, and law. Each member of the commission shall serve for terms not to exceed three years, being eligible for reappointment as shall be specified by the governing body. Any residency requirement shall be as specified by the governing body.

Source: SL 1974, ch 21, § 2; SL 1980, ch 12, § 5; SL 2015, ch 9, § 1.

1-19B-4. Employment of personnel.

The Historic Preservation Commission may employ such qualified staff personnel as it deems necessary.

Source: SL 1974, ch 21, § 2.

Statewide Preservation Plan

1-19B-5. Annual special purpose tax levy – Approval by voters required.

To achieve the purposes of this chapter, the governing body of any county or municipality may levy annual taxes therefore as a special purpose, in addition to any allowed by the Constitution of the State of South Dakota. No tax shall be levied for the purposes of this chapter unless it shall have been first approved by the qualified voters of the county or municipality.

Source: SL 1974, ch 21, § 22.

1-19B-6. Revenue bonds authorized.

To achieve the purposes of this chapter, the governing body of any county or municipality may issue revenue bonds in accordance with chapter 9-40.

Source: SL 1974, ch 21, § 23; SL 1984, ch 43, § 59.

1-19B-7. Appropriations for operating expenses and acquisition and management of historic properties.

The governing board of a county or municipality is authorized to make appropriations to an historic preservation commission established pursuant to this chapter in any amount that it may determine necessary for the expenses of the operation of the commission and may make available any additional amounts necessary for the acquisition, restoration,

preservation, operation, and management of historic properties.

Source: SL 1974, ch 21, § 4.

1-19B-8. Survey of local historic properties – Standards and criteria.

Any county or municipal historic preservation commission established pursuant to this chapter may conduct a survey of local historic properties, complying with all applicable standards and criteria of the statewide survey undertaken by the South Dakota State Historical Society of the Department of Education.

Source: SL 1974, ch 21, § 3 (1); SL 2003, ch 272 (Ex. Ord. 03-1), § 80; SL 2009, ch 1, § 71; SL 2011, ch 1 (Ex. Ord. 11-1), § 91, eff. Apr. 12, 2011; SL 2015, ch 277 (Ex. Ord. 15-1), §§ 19, 21, eff. Apr. 20, 2015; SL 2021, ch 7, § 4.

1-19B-9. Entry on private lands for survey – Consent required to enter building.

Any county or municipal historic preservation commission established pursuant to this chapter may enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey. However, no member, employee, or agent of the commission may enter any private building or structure without the express consent of the owner or occupant.

Source: SL 1974, ch 21, § 3 (10); SL 2009, ch 1, § 72.

Statewide Preservation Plan

1-19B-10. Participation in local planning processes.

Any county or municipal historic preservation commission established pursuant to this chapter may participate in the conduct of land-use, urban renewal, and other planning processes undertaken by the county or municipality.

Source: SL 1974, ch 21, § 3 (7); SL 2009, ch 1, § 73.

1-19B-11. Cooperation with governmental agencies.

Any county or municipal historic preservation commission established pursuant to this chapter may cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation.

Source: SL 1974, ch 21, § 3 (6); SL 2009, ch 1, § 74.

1-19B-12. Contractual powers of preservation commission.

Any county or municipal historic preservation commission established pursuant to this chapter may contract, with the approval of the local governing body, with the state or the federal government, or any agency of either, or with any other organization.

Source: SL 1974, ch 21, § 3 (5); SL 2009, ch 1, § 75.

1-19B-13. Acquisition of historic properties.

Any county or municipal historic preservation commission established pursuant to this chapter may acquire fee or lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest, or donation.

Source: SL 1974, ch 21, § 3 (2); SL 2009, ch 1, § 76.

1-19B-14. Title to property acquired – Supervision and control.

All lands, buildings, structures, sites, areas, or objects acquired by funds appropriated by a county or municipality shall be acquired in the name of the county or municipality unless otherwise provided by the governing board. So long as owned by the county or municipality, historic properties may be maintained by or under the supervision and control of the county or municipality. However, all lands, buildings, or structures acquired by an historic preservation commission from funds other than those appropriated by a county or municipality may be acquired and held in the name of the Historic Preservation Commission, the county or municipality, or both.

Source: SL 1974, ch 21, § 5.

1-19B-15. Maintenance and operation of historic properties.

Any county or municipal historic preservation commission established pursuant to this chapter may preserve,

Statewide Preservation Plan

restore, maintain, and operate historic properties under the ownership or control of the commission.

Source: SL 1974, ch 21, § 3 (3); SL 2009, ch 1, § 77.

1-19B-16. Acquisition of historical easements.

Any county or municipality may acquire, by purchase, donation, or condemnation, historic easements in any area within its respective jurisdiction wherever and to the extent that the governing body of the county or municipality determines the acquisition to be in the public interest. For the purpose of this section, the term, historic easement, means any easement, restriction, covenant, or condition running with the land, designated to preserve, maintain, or enhance all or part of the existing state of places of historical, architectural, archaeological, paleontological, or cultural significance.

Source: SL 1974, ch 21, § 14; SL 1980, ch 12, § 6; SL 2009, ch 1, § 78.

1-19B-17. Lease or disposition of historic properties – Rights reserved.

Any county or municipal historic preservation commission established pursuant to this chapter may lease, sell, and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants

and in a manner that will preserve the property.

Source: SL 1974, ch 21, § 3 (4); SL 2009, ch 1, § 79.

1-19B-18. Educational and interpretive programs.

Any county or municipal historic preservation commission established pursuant to this chapter may promote and conduct an educational and interpretive program on historic properties within its jurisdiction.

Source: SL 1974, ch 21, § 3 (9); SL 2009, ch 1, § 80.

1-19B-19. Recommendations and information to governing body.

Any county or municipal historic preservation commission established pursuant to this chapter may recommend ordinances and otherwise provide information for the purposes of historic preservation to the county or municipal governing body.

Source: SL 1974, ch 21, § 3 (8); SL 2009, ch 1, § 81

1-19B-20. Ordinances designating historic properties – Criteria – Procedure.

The local governing body of any county or municipality may adopt an ordinance designating one or more historic properties on the following criteria: historical, architectural, archaeological, and cultural

Statewide Preservation Plan

significance; suitability for preservation or restoration; educational value; cost of acquisition, restoration, maintenance, operation, or repair; possibilities for adaptive or alternative use of the property; appraised value; and the administrative and financial responsibility of any person or organization willing to underwrite all or a portion of such costs. In order for any historic property to be designated in the ordinance, it must in addition meet the criteria established for inclusion of the property in the state register of historic places established pursuant to chapter 1-19A. No ordinance designating an historic property pursuant to this section may be adopted until the procedural steps set forth in § 1-19B-21 to 1-19B-24, inclusive, have been taken.

Source: SL 1974, ch 21, §§ 15, 16.

1-19B-21. Investigation and report before designation of historic property.

Before an ordinance designating an historic property is adopted pursuant to § 1-19B-20, the local historic preservation commission shall make an investigation and report on the historical, architectural, archaeological, or cultural significance of the property in question.

Source: SL 1974, ch 21, § 16 (1).

1-19B-22. Hearing on designation of historic property – Notice.

Before an ordinance designating an historic property is adopted pursuant to § 1-19B-20, the local governing body shall hold a public hearing on the proposed ordinance, after giving sufficient written notice to the owners and occupants of the property and posting public notice in its normal manner.

Source: SL 1974, ch 21, § 16 (2).

1-19B-23. Ordinance enforcing waiting period – Posting of sign.

For each designated historic property, an ordinance adopted pursuant to §§ 1-19B-20 to 1-19B-24, inclusive, shall require that the waiting period set forth in § 1-19B-27 be observed prior to its demolition, material alteration, remodeling, or removal. The ordinance shall also provide for a suitable sign or marker on or near the property indicating that the property has been so designated.

Source: SL 1974, ch 21, § 15.

1-19B-24. Notification to owners of historic property designated – Filing of ordinance.

Upon adoption of an ordinance pursuant to § 1-19B-20, the owners and occupants of each designated historic property shall be given written notification of such designation by the local governing body. One copy of the ordinance shall be filed by the local historic preservation commission in the office of the register of deeds for the

Statewide Preservation Plan

county in which the property is located.

Source: SL 1974, ch 21, § 16 (3).

1-19B-25. Notice to director of equalization of designation of historic property – Consideration in appraisal.

Upon the adoption of an ordinance designating an historic property pursuant to § 1-19B-20 or if the property is designated an historic property by the Department of Interior or the national park service, the local historic preservation commission shall give notice of such designation to the director of equalization of the county in which the property is located. The designation and any recorded restrictions upon the property limiting its use for preservation purposes shall be considered by the director of equalization in appraising it for tax purposes.

Source: SL 1974, ch 21, § 16(4); SL 1987, ch 19, § 3; SL 1989, ch 82, § 41.

1-19B-26. Transfer by owners of development rights in historic properties.

Any county or municipal governing body may establish procedures authorizing owners of designated historic properties to transfer development rights in such amounts and subject to such conditions as the governing body may determine. For the purposes of this section, development rights are the rights granted under applicable local law respecting the permissible bulk and size of

any improvements to be erected.

Source: SL 1974, ch 21, § 21; SL 2009, ch 1, § 82.

1-19B-27. Notice by owner before demolition or alteration of historic property – Waiting period – Negotiations by commission.

A historic property designated by ordinance as herein provided may be demolished, materially altered, remodeled, relocated, or put to a different use only after one hundred eighty days' written notice of the owner's proposed action has been given to the local historic preservation commission. During this period, the commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the property.

Source: SL 1974, ch 21, § 17.

1-19B-28. Negotiations during waiting period for acquisition of historic property.

During the waiting period required by § 1-19B-27, or at any time prior thereto following notice of designation to the owner as provided in § 1-19B-24 and where such action is reasonably necessary or appropriate for the continued preservation of the property, the Historic Preservation Commission may enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise of the property or any interest therein.

Source: SL 1974, ch 21, § 17.

Statewide Preservation Plan

1-19B-29. Waiver of waiting period when preservation of character of property ensured.

The Historic Preservation Commission may waive all or any portion of the waiting period required by § 1-19B-27. However, the alteration, remodeling, relocation, or change of use shall be undertaken subject to conditions agreed to by the commission ensuring the continued maintenance of the historical, architectural, archaeological, or cultural integrity and character of the property.

Source: SL 1974, ch 21, § 17; SL 2009, ch 1, § 83.

1-19B-30. Reduction of waiting period for extreme hardship.

The Historic Preservation Commission may reduce the waiting period required by § 1-19B-27 in any case where the owner would suffer extreme hardship, not including loss of profit, unless a reduction in the required period were allowed.

Source: SL 1974, ch 21, § 17.

1-19B-31. Ordinary maintenance and repairs not prohibited – Changes required for public safety.

Nothing in this chapter prevents the ordinary maintenance or repair of any exterior feature in or on an historic property that does not involve a change in design, material, or outer appearance, nor prevents the construction, reconstruction,

alteration, restoration, demolition, or removal of any such feature if a building inspector or similar official certifies to the Historic Preservation Commission that such action is required for the public safety because of an unsafe or dangerous condition.

Source: SL 1974, ch 21, § 18; SL 2009, ch 1, § 84.

1-19B-32. Establishment of district study committee authorized.

A historic district study committee may be established as provided by § 1-19B-33 for the purpose of making an investigation of a proposed historic district.

Source: SL 1974, ch 21, § 8.

1-19B-33. Composition of district study committee – Residence of members.

A committee established pursuant to § 1-19B-32 shall consist of not less than three nor more than seven members appointed by the local governing body with due regard to proper representation of fields such as history, architecture, architectural history, urban planning, archaeology, paleontology, and law. If possible, the members shall be selected from residents of the proposed district.

Source: SL 1974, ch 21, § 8; SL 1980, ch 12, § 7; SL 2009, ch 1, § 85.

1-19B-34. Investigations by district study committee – Criteria.

A historic district study committee,

Statewide Preservation Plan

established pursuant to § 1-19B-32, shall make an investigation of the historical, architectural, archaeological, paleontological, and cultural significance of the buildings, structures, sites, or surroundings included as any proposed historic district. The committee's investigation and recommendations shall comply with the criteria adopted by the State Historical Society Board of Trustees pursuant to chapter 1-19A.

Source: SL 1974, ch 21, § 7 (1); SL 1980, ch 12, § 8.

1-19B-35. Report of findings by district study committee.

The historic district study committee shall report its findings to the local planning board, the local historic preservation commission, and the State Historical Society Board of Trustees for their consideration and recommendations.

Source: SL 1974, ch 21, § 7 (1).

1-19B-36. Hearing on establishment of historic district – Notice to property owners.

Sixty days after transmittal of its findings pursuant to § 1-19B-35 the historic district study committee shall hold a public hearing thereon after due notice, which shall include written notice, postage prepaid, to the owners of all properties to be included in any proposed historic district.

Source: SL 1974, ch 21, § 7 (2).

1-19B-37. Final recommendations by study committee – Draft ordinance.

A historic district study committee shall submit a final report with its recommendations and a draft of a proposed ordinance to the county or municipal governing body.

Source: SL 1974, ch 21, § 7 (3).

1-19B-38. Establishment of historic district by ordinance – Commission required.

A county or municipality may, after meeting the requirements of §§ 1-19B-34 to 1-19B-37, inclusive, establish by ordinance one or more historic districts within the area of its jurisdiction.

Whenever an historic district is established, an historic district commission shall be established.

Source: SL 1974, ch 21, §§ 7, 8.

1-19B-39. Amendment of historic district ordinance – Studies and reports.

Any ordinance adopted pursuant to § 1-19B-38 may, from time to time, be amended in the same manner except that the historic district commission established as provided in § 1-19B-38 shall study such proposed amendments and report thereon as required under §§ 1-19B-34 to 1-19B-37, inclusive.

Source: SL 1974, ch 21, § 7.

1-19B-40. Composition of district commission – Residence of members – Terms of office – Chair and vice chair.

A historic district commission

Statewide Preservation Plan

established pursuant to § 1-19B-38 shall consist of not less than three nor more than seven members appointed by the local governing body with due regard to proper representation of fields such as history, architecture, architectural history, urban planning, archaeology, paleontology, and law. If possible, the members shall be selected from residents of the proposed district. The appointments to membership on the commission shall be so arranged that the term of at least one member will expire each year, and any successor shall be appointed in like manner for a term of three years. The commission shall elect annually a chair and vice chair from its membership.

Source: SL 1974, ch 21, § 8; SL 1980, ch 12, § 9; SL 2009, ch 1, § 86.

1-19B-41. Promulgation of regulations – Personnel – Gifts.

A historic district commission established pursuant to § 1-19B-38 may adopt regulations not inconsistent with the provisions of this chapter, and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept and expend gifts of money for such purposes.

Source: SL 1974, ch 21, § 8; SL 2009, ch 1, § 87.

1-19B-42. Certificate of appropriateness required for exterior alterations in historic district.

After the designation of an historic district, no exterior portion of any building or other structure (including walls, fences, light fixtures, steps, and pavement, or other appurtenant features) nor above-ground utility structure nor any type of outdoor advertising sign may be erected, altered, restored, moved, or demolished within such district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the Historic District Commission. The municipality shall require such a certificate to be issued by the commission prior to the issuance of a building permit or other permit granted for purposes of constructing or altering structures. A certificate of appropriateness is required whether or not a building permit is required.

Source: SL 1974, ch 21, § 9; SL 2009, ch 1, § 88.

1-19B-43. Exterior features defined.

For purposes of this chapter, the phrase, exterior features, includes the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the color, the kind and texture of the building material, and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures, and natural features such as trees and shrubbery. In the case of outdoor advertising signs, the term, exterior features,

Statewide Preservation Plan

means the style, material, size, and location of all such signs.

Source: SL 1974, ch 21, § 9; SL 2009, ch 1, § 89.

1-19B-44. Interior arrangement not subject to control – Restriction on commission activities.

The Historic District Commission may not consider interior arrangement and may take no action under § 1-19B-42 except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or natural features in the historic district which would be incongruous with the historical, architectural, archaeological, or cultural aspects of the district.

Source: SL 1974, ch 21, § 9; SL 2009, ch 1, § 90.

1-19B-45. Certificate of appropriateness required for change in use within historic district – Prerequisite to zoning change.

No change in the use of any structure or property within a designated historic district is permitted until after an application for a certificate of appropriateness has been submitted to and approved by the Historic District Commission. The county or municipality shall require such a certificate to be issued by the commission prior to the approval of any change of zoning classification

within the historic district.

Source: SL 1974, ch 21, § 10; SL 2009, ch 1, § 91.

1-19B-46. Certificate issued in case of extreme hardship.

The Historic District Commission may approve an application for a certificate of appropriateness in any case in which the owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness were issued forthwith.

Source: SL 1974, ch 21, § 11; SL 2009, ch 1, § 92.

1-19B-47. Notice and hearing before action on certificate of appropriateness.

Prior to issuance or denial of a certificate of appropriateness the historic district commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application, and shall give the applicant and such owners an opportunity to be heard. In cases in which the commission deems it necessary, it may hold a public hearing concerning the application.

Source: SL 1974, ch 21, § 11; SL 2009, ch 1, § 93.

1-19B-48. Issuance of certificate when proposed change appropriate.

If the Historic District Commission determines that the proposed construction, reconstruction,

Statewide Preservation Plan

alteration, moving, or demolition is appropriate, it shall forthwith approve such application and shall issue to the applicant a certificate of appropriateness.

Source: SL 1974, ch 21, § 11.

1-19B-49. Denial of certificate – Reasons recorded – Notice to applicant.

If the Historic District Commission determines that a certificate of appropriateness should not be issued, the commission shall place upon its records the reasons for such determination and shall forthwith notify the applicant of such determination, furnishing the applicant an attested copy of its reasons therefor and its recommendations, if any, as appearing in the records of the commission.

Source: SL 1974, ch 21, § 11; SL 2009, ch 1, § 94.

1-19B-50. Appeal to circuit court by applicant for certificate.

Any applicant aggrieved by a determination of the Historic District Commission may appeal to the circuit court for the county in which the land concerned is situated.

Source: SL 1974, ch 21, § 11.

1-19B-51. Maintenance and repairs not changing appearance permitted – Correction of unsafe conditions.

Nothing in this chapter prevents the ordinary maintenance or repair of any exterior feature in an historic district

which does not involve a change in design, material, color, or outer appearance thereof, nor prevents the construction, reconstruction, alteration, restoration, or demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an unsafe or dangerous condition.

Source: SL 1974, ch 21, § 12; SL 2009, ch 1, § 95.

1-19B-52. Ordinances to prevent deterioration by neglect – Misdemeanor.

The governing body of any county or municipality may enact an ordinance to prevent the deterioration by intentional neglect of any designated historic property or any property within an established historic district. Any property owner violating an ordinance established pursuant to this section shall be guilty of a Class 2 misdemeanor. Each day that a violation continues to exist shall constitute a separate offense.

Source: SL 1974, ch 21, § 19; SL 1980, ch 24, § 5.

1-19B-53. Governing body's power to protect historic properties.

In addition to any power or authority of a county or municipality to regulate by planning or zoning laws and regulations or by local laws and regulations, the governing body of any county or municipality may provide by regulations,

Statewide Preservation Plan

special conditions, or restrictions for the protection, enhancement, preservation, and use of historic properties. Such regulations, special conditions, and restrictions may include appropriate and reasonable control of the use or appearance of adjacent or associated private property within the public view, or both.

Source: SL 1974, ch 21, § 13; SL 2009, ch 1, § 96.

1-19B-54. Exemption of historic properties from health and building codes.

The governing body of any county or municipality, in order to promote the preservation and restoration of historic properties within its jurisdiction, may exempt an historic property from the application of such standards contained in the county or municipal health or building codes, or both, as the governing body, upon recommendation of the local historic preservation commission, shall determine would otherwise prevent or seriously hinder the preservation or restoration of said historic property.

Source: SL 1974, ch 21, § 20.

1-19B-55. Public regulation or acquisition of historic properties unimpaired.

Nothing in this chapter prevents the regulation or acquisition of historic buildings, structures, sites, areas, or objects owned by the state or any of its political subdivisions, agencies, or

instrumentalities.

Source: SL 1974, ch 21, § 6; SL 2009, ch 1, § 97.

1-19B-56. Conservation easements – Definitions.

Terms used in §§ 1-19B-56 to 1-19B-60, inclusive, mean:

(1) "Conservation easement," a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, paleontological or cultural aspects of real property;

(2) "Holder":

(a) A governmental body empowered to hold an interest in real property under the laws of this state or the United States; or

(b) A charitable corporation, charitable association or charitable trust, the purposes or powers of which include retaining or protecting the natural or open-space values of real property, assuring the availability of real property for agricultural, forest, recreational or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological,

Statewide Preservation Plan

paleontological, or cultural aspects of real property;

3) "Third-party right of enforcement," a right provided in a conservation easement to enforce any of its terms granted to a governmental body, charitable corporation, charitable association, or charitable trust, which, although eligible to be a holder, is not a holder.

Source: SL 1984, ch 280, § 1.

1-19B-57. Conservation easement creation, modification, transfer, and termination.

A conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements. The term of the conservation easement shall be established by the parties to the easement. No right or duty in favor of or against a holder and no right in favor of a person having a third-party right of enforcement arises under a conservation easement before its acceptance by the holder and recording the acceptance. An interest in real property in existence at the time a conservation easement is created is not impaired by it unless the owner of the interest is a party to the conservation easement or consents to it.

Source: SL 1984, ch 280, § 2; SL 2005, ch 14, § 1.

1-19B-58. Actions affecting conservation easements.

An action affecting a conservation easement may be brought by:

- (1) An owner of an interest in the real property burdened by the easement;
- (2) A holder of the easement; or
- (3) A person having a third-party right of enforcement.

Sections 1-19B-56 to 1-19B-60, inclusive, do not effect the power of a court to modify or terminate a conservation easement according to the principles of law and equity.

Source: SL 1984, ch 280, § 3.

1-19B-59. Validity of conservation easements.

A conservation easement is valid even though:

- (1) It is not appurtenant to an interest in real property;
- (2) It can be or has been assigned to another holder;
- (3) It is not of a character that has been recognized traditionally at common law;
- (4) It imposes a negative burden;
- (5) It imposes affirmative obligations upon the owner of an interest in the burdened property or upon the holder;
- (6) The benefit does not touch or concern real property; or
- (7) There is no privity of estate or of contract.

Source: SL 1984, ch 280, § 4.

1-19B-60. Application to conservation easements.

The provisions of §§ 1-19B-56 to 1-19B-60, inclusive, apply to any interest created after July 1, 1984, which

Statewide Preservation Plan

complies with §§ 1-19B-56 to 1-19B-60, inclusive, whether designated as a conservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise. The provisions of §§ **1-19B-56 to 1-19B-60**, inclusive, apply to any interest created before July 1, 1984, if it would have been enforceable had it been created after July 1, 1984, unless retroactive application contravenes the Constitution or laws of this state or the United States. The provisions of §§ 1-19B-56 to 1-19B-60, inclusive, do not invalidate any interest, whether designated as a conservation or preservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise, that is enforceable under other law of this state.

Source: SL 1984, ch 280, § 5; SL 2009, ch 1, § 98.

1-19B-61. Rejected by special referendum election held September 14, 1993.

1-19B-62. Ordinance requiring review of undertakings which will encroach upon, damage or destroy historic property.

Any county or municipality may enact an ordinance requiring a county or municipal historic preservation commission to review any undertaking, whether publicly or privately funded, 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. The ordinance may require the issuance of a permit before any undertaking which will encroach upon, damage, or destroy historic property may proceed. The decision to approve or deny a permit shall be based on the standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to § 1-19A-29. Properties owned by the State of South Dakota are exempt from local review.

Source: SL 1994, ch 16, § 4; SL 2011, ch 9, § 2.



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Statewide Preservation Plan

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