



South Dakota State Historical Society

Preservation Covenant Project Notification

Last updated: October 2024

General Information

This form is for use by property owners (or a designated representative/officer) of historic properties that are under active restrictive covenants or easements held by the South Dakota State Historical Society.

Many preservation covenants held by SHPO are in place because a property has received a Deadwood Fund Grant or 8-year State Property Tax Moratorium. Covenants may also be held for reasons such as other funding incentives received or as a condition of sale. The language in our covenants is typically consistent. However, any specific language, attachments, terms, etc. in your covenant will supersede anything stated in this document.

The form that follows can be used to submit written notification of a project to the South Dakota State Historic Preservation Office (SHPO) for approval review. This notification should be sent by the property owner, a designated representative (provide a written letter of designation from the owner), or the designated officer of an owner that is a company, government, non-profit organization, etc. It can be mailed with printed attachments to SD SHPO at 900 Governors Drive, Pierre SD 57501, or emailed to shpo@state.sd.us. (Be advised, attachment sizes may be limited by our email system. Sending photos etc. in smaller batches is acceptable. Contact us if there are questions about a method to send the information.)

SHPO staff will review the project information provided, consult within our staff, and respond in writing with approval, additional questions, and/or non-approval—subject to any timelines required in the terms of the covenant. SHPO staff will complete reviews in accordance with the Secretary of the Interior's [Standards for Rehabilitation](#). If the project does not currently meet the Standards, SHPO staff can offer guidance to the property owner (or the designated representative or officer) to find an appropriate alternative to the proposed work that could meet the Standards.

SHPO review of the project under a preservation covenant does not exclude a project from the procedures required by Section 106 of the National Historic Preservation Act or S.D. Codified Law 1-19A-11.1. However, an owner might include a copy of SHPO approval of a project under covenant with any subsequent requests for permits or funding for that project from federal, state, or municipal government, which may expedite those reviews.

Typically, SDSHS covenants require the property owner (or a designated representative/officer) to issue written prior notification to our SHPO office for any proposed project or work on the subject property that may affect its historic integrity or significance until the expiration of the covenant. This is done so the property remains eligible for continued listing in the National Register of Historic Places throughout the covenant period. The types of work that might affect the property's historic integrity or significance will vary depending on the property and why it is was listed in the National Register.

Some covenants may include a list of what features or spaces of the property for which any work should be approved. If it does not, the following are intended to help determine if the type of project(s) under consideration may affect the historic integrity or significance of the property:

- Work on the **exterior** of the building, especially that which is on primary historic elevations, may affect the historic integrity or significance, and notification should be submitted to SHPO.
- For some properties, there are **interior spaces** that may affect the historic integrity or significance, and notification should be submitted to SHPO. Most buildings also have secondary (or tertiary) interior spaces that are less likely to affect historic integrity or significance.
- **New additions to the property** that would be physically connected to the historic resource or in close proximity (and may affect the visibility of the historic resource or its relationship to its setting/surroundings) may affect the historic integrity or significance, and notification should be submitted to SHPO.
- **Work on non-historic sections of a property** (outside the period of significance for the National Register nomination) is less likely to affect the historic integrity or significance of the property. However, large-scale changes to the size, massing, design, or materials of non-historic sections may affect the integrity or significance of the property overall, and notification should be submitted to SHPO.

If it is unclear whether the project is the type of work that might affect the historic integrity or significance of the property, preliminary information can be submitted to SHPO for a response on whether complete project details should be sent for SHPO approval. To request a preliminary response, send only sections A and B of the notification form.

A. Property and Contact Information

Complete the following for all notification requests.

Name of Historic Property (if applicable):

Property's Street Address, City or Township, and County:

Contact Name:

I am the:

- Property Owner
- A designated representative of the property owner. Attach letter of designation from the owner.
- A designated officer of a company, government, or non-profit property owner. Provide the following information.

Position/Title:

Organization/Company:

Phone:

Email Address:

Mailing Address:

I prefer to receive SHPO's written reply by:

- Email
- Mail
- Both (Letter mailed and scan of letter emailed)

B. Basic Project Information

Complete the following for all notification requests. Use last page for extra space.

What is the location of the project on or in the property?

If it would add clarity, attach an elevation drawing, photograph copy, floorplan layout, and/or site plan with an outline marking where work would be occurring.

Summarize the goals of the proposed work.

Is the aim to stabilize the property against deterioration or repair damage?

Is the aim to adapt a feature/space for a new use? What use?

Summarize the scope of the proposed work.

Will existing design or materials be retained and repaired?

Would any existing design or materials be removed or covered?

Would any materials or features be added?

Attach current photographs of the feature or space(s) where work would be occurring. Take photos from enough angles to convey information about its character and condition. The number of photos may vary depending on the features or spaces involved and on the scope of the project.

If covering multiple spaces or a complex property, it is recommended to label photographs with locations on the property (and perhaps direction-of-camera, i.e. "looking east") by adding this info to their file names or by including it in a separate photograph log or key.

C. Complete Project Information

Use last page for extra space.

- Describe existing features/spaces that would be affected by the proposed work.**
Do the existing features/spaces have historic materials or design?

- For repair of existing historic features, materials, or designs:**
What methods and materials would be used to complete repairs?

- If any historic features, materials, or designs will be removed or covered,** what about their condition or the requirements of the project necessitate this work?
What alternatives have been considered?

- **For replacement of existing historic features, materials, or designs:**
How will replacements match the historic in design, color, texture, and other visual qualities and, where possible, materials?
What physical evidence on the property or historical images/plans informed the choice? For instance, will replacement wood windows be designed based on extant windows elsewhere on the building, or based on historical photographs of those window openings?

- If **reconstructing a historic feature**, what physical evidence or historical images/ plans are being used to plan the reconstruction?

- **Attachments of current project plans and/or drawings** can be included in addition to the above written descriptions. **Note: Discrepancies between the written description above and any attachments will likely result in SHPO staff needing to ask for additional clarification.
- If applicable, **attachments of historical photographs or building plans** on which replacement/reconstructed features are based can be included in addition to the above written descriptions. Send quality scans or photocopies; it is strongly recommended to not send original historical documents.

This notification can be mailed with printed attachments to SD SHPO at 900 Governors Drive, Pierre SD 57501, or emailed to shpo@state.sd.us.

Visit <https://history.sd.gov/preservation/contact.aspx> or call 605-773-3458 for additional staff contacts.

Extra Writing Space