

# TECHNICAL NOTE

CULTURAL RESOURCES TECHNICAL NOTE NO. 1

OCTOBER 15, 2010

## YANKTON SIOUX TRIBE ASSUMES TRIBAL HISTORIC PRESERVATION OFFICE (THPO)

Dana Vaillancourt, Cultural Resource Specialist (CRS)

On December 15, 2009, the National Park Service (NPS) formally approved the proposal of the Yankton Sioux Tribe to assume certain state historic preservation officer (SHPO) duties within the exterior boundaries of the Tribe's reservation in South Dakota (SD) pursuant to Section 101 (d) (2) of the National Historic Preservation Act (NHPA). Among these duties, the THPO has assumed formal responsibility for review of federal undertakings pursuant to Section 106 of the NHPA (i.e., cultural resources/historic properties). The NPS recently admitted that they erred in accepting those boundaries for the purpose of the NHPA and determined that the Yankton Sioux Tribe THPO has jurisdiction *only* on Trust lands within Charles Mix County. Fee lands in Tribal ownership have not currently been resolved and currently NHPA requirements indicate the SHPO agreement will apply at this time.

In summary, the State Level Agreement (SLA) the Natural Resources Conservation Service (NRCS) has with the SD SHPO applies to non-Trust lands in Charles Mix County.

Please contact Dana Vaillancourt, State CRS, at (605) 352-1217, if you have questions in this regard.

For your information, current NPS approved THPOs, in SD, include the following:

Standing Rock Sioux Tribe (within exterior reservation boundaries)  
Cheyenne River Sioux Tribe (within exterior reservation boundaries)  
Sisseton-Wahpeton Sioux Tribe (Tribal or Trust land within old reservation boundaries in Marshall, Roberts, Day, and Codington Counties)  
Rosebud Sioux Tribe (within exterior reservation boundaries)  
Oglala Sioux Tribe (Pine Ridge) (within exterior reservation boundaries)  
Yankton Sioux Tribe (Trust lands in Charles Mix County)