

South Dakota Material Source Quick Guide

South Dakota State law (SDCL 45-6C Determination) requires approval from the South Dakota State Historic Preservation Office (SHPO) and Dept. of Agriculture and Natural Resources Board of Mineral Mining (DANR) to mine sand, gravel, rock to be crushed and used in construction – this includes pegmatite minerals, and limestone, iron ore, sand, gypsum, or shale used to make cement or lime; or dredging for commercial resale.

FEMA in agreement with the South Dakota State Historical Preservation Office (SHPO) has determined the following guidelines for using borrow material (gravel, and all other fill/surface materials).

NO SHPO approval required if:

- Borrow material comes from a known commercial source – identification must be noted in the Scope of Work on the Project Worksheet. Note that the **approved** existing County, DOT, and private commercial gravel pits are identified by Site # and License # - *please include this information*. If material comes from a South Dakota licensed pit. Each license /permit will have a tracking number that is cross referenced by county.
- Material obtained from stockpiles owned by the county, township, or a contractor. Please include the street address and any other identifier: County/Twp road yard, storage area, etc. must be included.
- The material comes from skimming a ditch – this is considered to be previously disturbed soil. **NOTE:** Skimming is not to exceed four inches in depth and must not impact previously undisturbed soils.
- The material comes from a berm around a stock dam/pond. The berm is assumed to a result of digging the dam/pond and is considered to be previously disturbed soil. **NOTE:** Dirt used must not be removed below ground level or the surface where the dirt was originally piled.
- If the site has an existing official SHPO clearance. Please provide relevant information.

***If borrow material comes from the approved options 1-3, compliance with the State Archaeological office/SHPO, SD Game, Fish and Parks, and the local conservation district is assumed.**

IF ONE OF THE ABOVE CONDITIONS DOES NOT APPLY, BORROW MATERIAL MUST BE REVIEWED AND APPROVED BY FEMA EHP AND THE SHPO PRIOR TO USE.

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If any archaeological artifacts or human remains are uncovered during construction or earthmoving activities, **all work must stop immediately**, and reported to FEMA and SHPO for guidance.