



south dakota  
STATE HISTORICAL SOCIETY  
DEPARTMENT OF EDUCATION



March 10, 2021

Mark Hughes  
Box 533  
Custer, SD, 57730

RECEIVED  
MAR 15 2021  
MINERALS & MINING PROGRAM

RE: ARC #2021.0041- Exploration Notice of Intent (ENXI), S. 3 and 34, T4S, R3E, Custer County, South Dakota, SDCL 45-6C-11 Restrictions.

Dear Sir or Madam:

On February 23, 2021, the Archaeological Research Center (ARC), a program of the South Dakota State Historical Society, received an Exploration Notice of Intent from Mark Hughes for review as required under SDCL 45-6C. The proposed disturbance is in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 3 and the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 34, Township 4 South, Range 3 East, Custer County, South Dakota. This proposed project is entirely within the Black Hills National Forest in the Black Hills. The proposed project is west of the city of Custer, SD, along US Highway 16. On February 24, 2021, ARC's databases of cultural sites and surveys of the proposed disturbance were reviewed.

**Record Search:**

**Previous Archaeological Surveys**

- Three cultural resource surveys have been conducted within the proposed disturbance, one of which has been performed within 20 years

**Archaeological Sites**

- No previously recorded archaeological sites are located within the proposed disturbance

**Inspection:**

- March 9, 2021
- ARC: Lisa Nesselbeck and Cassie Vogt
- South Dakota Department of Environment and Natural Resources (DENR): Roberta Hudson, Eric Holm, Mark Keenihan
- Game, Fish and Parks (GFP): Stan Michals
- Operator: Mark Hughes
- Forest Service: Jonathan Manning
- Gently rolling hills
- Vegetation included ponderosa pine, sage, both short and tall prairie grasses, and burn piles
- Ground surface visibility was five percent
- In addition to the 'existing disturbed area' there were additional adits and prospecting pits extending south from the 'existing disturbed area' along the east side of the two track



***Under 45-6C-11, the operator shall abide by any restrictions ARC makes concerning site disturbances, the restrictions are as follows:***

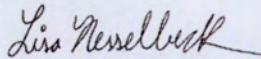
- *No further restrictions are recommended at this time by ARC*
- *Any and all recommendations by Forest Service/Black Hills National Forest Archaeologists should be complied with*

If any human remains, animal bones, artifacts, cultural features, foundation remnants, or other evidence of previously unrecorded past human use are discovered within the project area during the exploration or related activities, all work should halt. The area in and around the discovery should be protected. Then, Renee M. Boen, the state archaeologist, should be notified at once, 605.394.1936 or 605.381.8738.

This letter does not clear the project or materials for use in federally funded, South Dakota Department of Transportation (SDDOT) contractor options, or related projects which require a National Historic Preservation Act (NHPA) of 1966, as amended, Section 106 review process. As a reminder, the information contained herein is protected by state law SDCL 1-20-21.2 and is not for public distribution.

Under SDCL 45-6C-11, Notice to State Archaeologist, ARC acknowledges your partial fulfillment of this law. If you have any questions or require further information, please call (605) 209-2581 or email me at [Lisa.Nesselbeck@state.sd.us](mailto:Lisa.Nesselbeck@state.sd.us). Thank you for your concern in preserving South Dakota's cultural heritage.

Sincerely,



Lisa Nesselbeck, MA  
Senior Archaeologist

cc: Roberta Hudson, Engineer Manager I, DENR  
cc: Mark Hughes, Operator  
cc: Jenna Carlson Dietmeier Review and Compliance Coordinator, SHPO  
cc: Jess Gregory Review and Compliance Archaeologist, SHPO  
cc: Mike Hilton, Heritage Program Manager, Forest Service, BHNF  
cc: Jonathan Manning, Forest Service