

BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

DOCKET NO. EL18-003

**IN THE MATTER OF THE APPLICATION BY DAKOTA RANGE I, LLC AND
DAKOTA RANGE II, LLC FOR A PERMIT OF A WIND ENERGY FACILITY IN GRANT
COUNTY AND CONINGTON COUNTY, SOUTH DAKOTA,
FOR THE DAKOTA RANGE WIND PROJECT**

**DIRECT TESTIMONY OF PAIGE OLSON
ON BEHALF OF THE COMMISSION STAFF
May 4, 2018**



1 **Q. State your name.**

2 A. Paige Olson.

3

4 **Q. By who are you employed?**

5 A. State of South Dakota.

6

7 **Q. For what department or program do you work and what is your job title?**

8 A. State Historic Preservation Office (SHPO), Review and Compliance Coordinator.

9

10 **Q. Please explain the program goals and your role and duties within SHPO.**

11 A. The National Historic Preservation Act of 1966 is the foundation for the
12 preservation work of the South Dakota State Historical Society (SDSHS). The
13 State Historic Preservation Office (SHPO), a program under the SDSHS, is
14 responsible to survey historic properties and maintain an inventory; identify and
15 nominate properties to the National Register of Historic Places; advise and assist
16 federal, state, and local government agencies in fulfilling their preservation
17 responsibilities; provide education and technical assistance in historic
18 preservation; develop local historic preservation programs; consult with federal
19 and state agencies on projects affecting historic properties; and advise and assist
20 with rehabilitation projects involving federal assistance. My specific role is to
21 monitor state permitted and federally funded, licensed or permitted projects to
22 ensure historic properties are taken into consideration. I provide technical

1 analyses, reviews and assistance to government agencies to ensure compliance
2 with state and federal guidelines. I serve as the lead over the review and
3 compliance function of SHPO.

4
5 **Q. On whose behalf was this testimony prepared?**

6 A. This testimony was prepared on behalf of the Staff of the South Dakota Public
7 Utilities Commission.

8
9 **Q. State and explain the South Dakota laws that protect archaeological and
10 historic resources in this state.**

11 A. South Dakota Codified Law 1-19A-11.1 - Preservation of historic property –
12 Procedures. The state or any political subdivision of the state may not undertake
13 any project which will encroach upon, damage or destroy any property included
14 in the State Register of Historic Places or National Register of Historic Places.

15
16 **Q. Have you reviewed the Application and Dakota Range’s testimony?**

17 A. I have reviewed the Application and the pre-filed testimony of David Phillips. I
18 have also reviewed the following documents: *Level I Cultural Resources Records*
19 *Search and Regulatory Review for the Dakota Range I Wind Project (Revised*
20 *Boundary)* (Appendix M), *Cultural Resources Monitoring and Management Plan*
21 *for the Dakota Range I Wind Project* (CRMMP) (Appendix N), and *Level III*
22 *Archeological Inventory of the Dakota Range I Wind Project Archeological High*
23 *Probability Areas, Codington and Grant Counties, South Dakota.*

1 My office also received the report entitled *Reconnaissance Level Architectural*
2 *Survey of the Dakota Range I Wind, LLC Project, Grant and Codington Counties,*
3 *South Dakota.* This report was reviewed by Kate Nelson, Restorations Specialist,
4 also from the SHPO.

5
6 **Q. Has SHPO provided any recommendations to Dakota Range regarding**
7 **places of historical significance and cultural resources?**

8 A. Yes.

9
10 **Q. Please describe what those recommendations were.**

11 A. I recommended standard methods for the identification of cultural resources
12 within the project area, which included the following:

13 1. An official record search from the Archaeological Research Center,
14 which is the official repository for all archaeological information in South Dakota.
15 The record search provides baseline information about previous archaeological
16 surveys conducted in the project area and cultural resources identified as a result
17 of those surveys.

18 2. Conduct a Level III Intensive Survey to relocate known cultural
19 resources and identify unrecorded cultural resources in the project area.

20 3. Analyze the visual effects to architectural resources located within one
21 mile of the project boundaries. The one mile buffer is a standard
22 recommendation made for all wind farm projects given the vertical extent of the

1 project. This is important to consider when attributes such as viewshed are an
2 important element in the significance of the resource.

3 4. Contact the Tribal Historic Preservation Officers (THPO) in South
4 Dakota. THPOs and /or designated tribal representatives are a recognized
5 source of information regarding places of religious and cultural significance to
6 them.

7
8 **Q. Did Dakota Range adequately address those recommendations? If not,
9 please explain.**

10 A. Yes.

11
12 **Q. Do you agree with Dakota Range's conclusions made in the Application
13 and testimony regarding impacts to places of historical significance and
14 cultural resources? If not, please explain.**

15 A. Yes.

16
17 **Q. Is SHPO waiting for any additional studies to review? If so, please explain
18 what those studies are and what SHPO will ultimately do with those
19 studies.**

20 A. No.

21
22 **Q. In your opinion, does the Application and Dakota Range's pre-filed
23 testimony as presented to the Commission contain enough information to**

1 **properly understand any potential adverse impacts to places of historical**
2 **significance and cultural resources? If not, please explain.**

3 A. Through the development of the CRMMP for the Dakota Range I Wind Project,
4 Dakota Range has committed to avoid physical impacts to cultural resources,
5 and coordinate with the SHPO to minimize impacts to resources if complete
6 avoidance is not possible.

7
8 However, the issue of direct and indirect impacts to pre-historic or pre-contact
9 cultural resources was not specifically addressed in the information provided to
10 my office. I was not involved in Dakota Range's engagement with the Sisseton
11 Wahpeton Oyate (SWO) to identify cultural resources, and I am not aware of any
12 subsequent findings or recommendations made by SWO. Dakota Range will
13 need to provide the Commission with SWO's findings and recommendations, if
14 available.

15
16 **Q. If Dakota Range changed any turbine locations from those presented in the**
17 **preliminary layout could that change any of the conclusions Dakota Range**
18 **made regarding potential impacts to places of historical significance and**
19 **cultural resources? Please explain.**

20 A. Dakota Range has committed to reviewing unevaluated areas and complete
21 additional Level III surveys in areas identified as high probability areas in
22 accordance with the CRMMP.

23

1 **Q. Do you have a recommendation for a permit condition, or conditions, the**
2 **Commission should consider?**

3 A. 1. Not only are cultural resource sites non-renewable, but no two sites are same.
4 Once a resource is damaged or destroyed the information the resource may
5 contain about the history of South Dakota is gone. Therefore, I recommend the
6 following condition:

7 “The Applicant agrees to avoid direct impacts to cultural resources
8 that are unevaluated, eligible for or listed in the National Register of
9 Historic Places (NRHP). When NRHP unevaluated, eligible or
10 listed site cannot be avoided, Applicant shall notify the State
11 Historic Preservation Office (SHPO) and the Commission of the
12 reasons that complete avoidance cannot be achieved in order to
13 coordinate minimization and/or treatment measures.”

14
15 2. An unanticipated discovery plan is designed to provide step by step guidance
16 when human remains and/or cultural resources are inadvertently discovered
17 during construction activities. On site employees, contractors or subcontractors,
18 who may not be trained in cultural resources, may be the individuals who initiate
19 the plan. Therefore, I recommend the following condition:

20 “The Applicant agrees to follow the unanticipated discovery plan
21 outlined in the document entitled “Cultural Resources Monitoring
22 and Management Plan for the Dakota Range I Wind Project.”

23

1 3. Places of religious and cultural significance are often comprised of related
2 locations for which the connections may not be obvious to those outside of the
3 culture that holds them significant. It stands to reason that the appropriate
4 individuals to determine which properties are or are not of religious and cultural
5 significance to American Indian tribes is a representative designed by the tribe.

6 Therefore, I recommend the following condition:

7 "The Applicant agrees to consult American Indian tribes in the
8 identification and assessment of the project's impacts to cultural
9 resources that may be of religious and cultural significance to their
10 tribe."

11

12 **Q. Does this conclude your testimony?**

13 **A. Yes.**

PAIGE HOSKINSON OLSON
Pierre, SD 57501

Education

1998-2001 Master of Arts, Anthropology
University of Montana, Missoula, MT
Major: Cultural Resource Management
Minor: Archaeology

1989-1995 Bachelor of Arts
University of Montana, Missoula, MT
Major: History
Minor: Political Science

1985-1989 Whitehall High School, Whitehall, MT

Professional Experience

January 2007 - Present Archaeological Review and Compliance Coordinator, South Dakota State Historical Society - State Historic Preservation Office (SHPO), 900 Governors Drive, Pierre, SD

- Assess impact of projects on historic properties and ensure those properties are taken into consideration during planning and implementation of project in accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended and South Dakota's state preservation law, South Dakota Codified Law 1-19A-11.1.
- Assess the eligibility of properties for listing on the National Register of Historic Places in accordance with the criteria developed by the National Park Service.
- Review archaeological survey reports and documentation submitted by federal, state and contracting archaeologist to determine if proper methodology and standards established by state and federal government are met.
- Negotiate with and assist agencies in developing legal agreements to mitigate effects to historic properties, such as memorandums of agreement.
- Negotiate with and assist agencies in developing legal agreements to provide for alternative review and compliance procedures, such as programmatic agreements.
- Provide technical assistance to government and tribal officials, contactors, and the general public concerning federal and state laws.
- Participate in consultation meetings to discuss project effects on historic properties with federal, state and tribal officials.
- Develop effective public information programs about state and federal preservation laws and archaeology.
- Ensure a database of all projects submitted for review is maintained and accurate for reports and future federal funding requests.
- Monitor changes in the interpretation of federal and state rules and regulations.
- Provide work direction and training for review and compliance program staff to ensure project are reviewed in an accurate, consistent and timely manner.
- Supervise student interns and volunteers in various projects.
- Site Manager for Fort Pierre Chouteau National Historic Landmark.
- Prepare and write comprehensive plans to manage cultural resources in South Dakota and update guidelines to ensure historic properties are identified and protected.
- Manage contracts focused on archaeology.
- Coordinate annual Archaeology Camp for twenty school age children.

- Participate in State Hazard Mitigation Group.
- Participated as a member of the Social Cultural Economic Technical Team for the development of the Missouri River Ecosystem Restoration Plan.

June 2002 –
January 2007

Historic Archaeologist, South Dakota State Historical Society - State Historic Preservation Office, 900 Governors Drive, Pierre, SD

- Assessed impact of projects on historic properties and ensure those properties are taken into consideration during planning and implementation of project in accordance with Section 106 of the National Historic Preservation Act and South Dakota's state preservation law, South Dakota Codified Law 1-19A-11.1.
- Assessed properties eligibility for listing on the National Register of Historic Places in accordance with criteria established by the National Park Service.
- Reviewed archaeological survey reports and documentation submitted by federal, state and contracting archaeologist to determine if proper methodology and standards established by the state and federal government are met.
- Negotiated with and assisted agencies in developing legal agreements to mitigate effects to historic properties, such as memorandums of agreement.
- Negotiated with and assisted agencies in developing legal agreements to provide for alternative review and compliance procedures, such as programmatic agreements.
- Provided technical assistance to government officials, contactors, and the general public concerning federal and state laws and compliance requirements under Section 106 of the National Historic Preservation Act.
- Maintained a database of all projects submitted for review.
- Supervised student interns in various projects.
- Site Manager for two National Historic Landmarks owned by the state.
- Updated state guidelines for cultural resource surveys and survey reports specifically for Section 106 review and compliance.
- Managed contracts focused on archaeology.
- Coordinated Archaeology/ Preservation Month.

April 2001-
June 2002

Historic Preservation Specialist, South Dakota State Historical Society - State Historic Preservation Office
900 Governors Drive, Pierre, SD

- Functioned as West River Coordinator for National and State Register of Historic Places Programs, Certified Local Government program and historic preservation grant program.
- Apply National Register Criteria to make preliminary determinations of eligibility for listing properties on the National Register of Historic Places.
- Prepared and edited in house National and State Register Nominations.
- Surveyed commercial and residential districts to update existing National Register nominations.
- Furnished technical advice and grant management services to local historic preservation organizations and the general public.
- Acted as contact for GIS Technical Advisory Group.
- Used GoeExplorer III for data collection and ArcView/Mapit to create accurate maps.
- Consulted on review and compliance issues under state preservation law.

January 2000 –
April 2001

Archival Technician, National Park Service, Grant-Kohrs Ranch National Historic Site, PO Box 790, Deer Lodge, MT

- Functioned as field archaeologist observing ground disturbing activities and making

- onsite assessments for work associated with Natural Resource Damage Assessment.
- Acted as liaison between NPS personnel and University of Montana field research crews.
- Worked closely with Natural Resource Management Division to protect cultural and natural resources.
- Oversaw groundwater, soil, vegetation and range management research occurring at the Grant-Kohrs Ranch.
- Provided relevant information to University of Montana field crews to comply with state and federal laws.
- Drafted necessary documents involving Section 106 compliance for the Montana State Historic Preservation Office.
- Attended and represented the Grant-Kohrs Ranch at Natural Resource Damage Assessment meetings.
- Gathered financial information for Natural Resource Damage Assessment cost recovery.
- Maintained Administrative Record for Grant-Kohrs Ranch damage assessment.
- Worked with confidential and sensitive legal material.
- Completed a two-month detail in Atlanta, Georgia working directly with NPS Natural Resource Damage Assessment staff.

January 2000 –
May 2001

Thesis Project, Bureau of Land Management, Fort Missoula Road, Missoula, MT

- Updated Cultural Resource Inventory for abandoned mining town of Coloma.
- Surveyed and recorded approximately 149 structures and features related to mining activities.
- Used GeoExplorer II for data collection to map structures and features.
- Documented current condition of structures and features using appropriate Bureau of Land Management forms and photographs.
- Completed literature search and develop comprehensive history of Coloma.
- Researched and compiled annotated bibliography.
- Supervised documentation of archaeology sites by volunteers.

February 2000 –
May 2000

Intern, Montana State Historic Preservation Office, Helena, MT

- Performed record searches and entered archaeology site data using Oracle databases: Cultural Resource Information System, Cultural Resource Annotated Bibliography System, and Project, Eligibility and Effect Reports System.
- Compiled information to complete narrative and physical descriptions for nomination of historic district.
- Completed National Register of Historic Places nomination for Slayton Mercantile, Lavina, Montana.
- Surveyed and evaluated historic structures located within historic district for nomination as National Historic Landmark.
- Reviewed and prepared site files to be assigned Smithsonian Numbers.

Field Schools and Volunteer Experience

April 2014

Natural Resource Conservation Service, Pierre Field Office, Pierre, SD

- Assisted NRCS Archaeologist in three archaeological inventories for the placement of pipelines and tanks.
- Inventory included walking transects to identify historic and prehistoric resources.

October 1999 –

Bureau of Land Management, Fort Missoula Road, Missoula, MT

November 1999

- Assisted BLM Archaeologist in archaeological inventory for timber sale and land exchange.
- Walked 30 meter transects to identify historic and prehistoric artifacts and features.
- Identified and recorded prehistoric and historic sites

July 1998

University of Montana Field School, Prehistoric Campsite
Department of Anthropology, Missoula, MT

- Laid out, excavated, and screened soil from excavation units.
- Conducted block style excavations.
- Mapped vertical and horizontal stratigraphy.
- Point plotted artifacts and established vertical provenience.
- Maintained detailed excavation notes.

August 1998 -
December 1998

University of Montana Field School, Historic Structure at Fort Missoula
Department of Anthropology, Missoula, MT

- Laid out, excavated, and screened soil from excavation units.
- Conducted block style excavations.
- Mapped vertical and horizontal stratigraphy.
- Point plotted artifacts and established vertical provenience.
- Maintained detailed excavation notes.

Training

July 2015

The Section 106 Advanced Seminar
Advisory Council on Historic Preservation
Pierre, SD

July 2015

Section 106 Essentials
Advisory Council on Historic Preservation
Pierre, SD

June 2014

Working in Indian Country
Larry D. Keown
Rapid City, SD

May 2014

Current Archaeological Prospection Advances for Non-Destructive Investigations in the 21st Century
National Park Service, Midwest Archeological Center
Aztalan State Park., Aztalan, WI

September 2012

Archaeological Damage Investigation and Assessment; Archaeological Violation Investigation Class
Martin E. McAllister
Pierre, SD

August 2010

National Register/ National Historic Landmark Workshop
National Park Service
Virginia City, NV

June 2008

Section 106 Essentials
Advisory Council on Historic Preservation, Pierre, SD

- April 2008 Native American Sensitivity Training
Curley Youpee, Russell Eagle Bear and Ben Rhodd
Pierre, SD
- May 2007 *Identification and Management of Traditional Cultural Places*
National Preservation Institute, Claudia Nissley
Seattle, WA
- February 2006 National Environmental Policy Act (NEPA) Training
Federal Highway Administration
Pierre, SD
- November 2005 - Native American Awareness Training
December 2005 Albert White Hat, Dorothy LeBeau, Wayne Evans, and Craig Howe
Pierre, SD
- August 2005 *Shenandoah-Dives Mill HAER Documentation and Historic Structure Assessment
Workshop*
San Juan Historical Society
Silverton, CO
- September 2004 *Section 106: How to Negotiate and Write Agreements*
National Preservation Institute, Claudia Nissley
Honolulu, HI
- September 2004 *Integrating Cultural Resources in NEPA Compliance*
National Preservation Institute, Claudia Nissley
Honolulu, HI
- July 2003 *Archaeological Law Enforcement Class*
Archaeological Resource Investigations, Martin McAllister, Wayne Dance and John Fryar
Pierre, SD
- September 2002 *Section 106 for Practitioners*
National Preservation Institute, Tom King
Seattle, WA
- July 2001 *Introduction to ArcView GIS Version 3.1*
Kadmas, Lee and Jackson
Pierre, SD

Publications

A Cultural Site Evaluation Coloma, Montana, 2000. Missoula: University of Montana Press, 2001.

“Creations in Stone: Petroforms in East River SD”, South Dakota History. Vol. 35, No. 4 (Winter 2005): 347-362.