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**Date: April 11, 2014**

**To: Mr. Dave Frankel, esq.  
Attorney-at-Law**

**Mr. Frankel,**

**Although the latest brief from Power Tech's so-called legal team is at best demeaning and lacking in any meaningful understanding of professional archeological or anthropological standards or methods, I will attempt to reply in terms that even they may understand. First, my statements are based on those of someone that has attained the level of a Doctorate in my field ergo, I am usually referred to as "Doctor" rather than "Mister". A small point, however it defines the statements that I make as being from someone that has a deeper understanding of the methods and standards of what is relevant than someone off the proverbial street, a "Mister". Second, the department in South Dakota that necessarily needs to agree with this process involving any mitigation of cultural properties is the State Historical Preservation Office, NOT the South Dakota Department of Environment and Natural Resources. Whether SDDENR concurs in the Level III Archeological Study or not is irrelevant as they are not the agency BY LAW defined to protect cultural resources within the borders of the State of South Dakota.**

**The statement that my claim that subsurface testing is required for all sites at the proposed Dewey-Burdock project is NOT misguided. In South Dakota, it is, to the best of my understanding, the policy that upon encountering cultural materials, a sub-surface investigation is undertaken to determine (a) whether the materials are an isolated manifestation; (b) whether they represent an insignificant archeological site; or (c) whether they represent a potentially significant archeological site. Simply encountering a so-called "hard-pan" surface does not preclude sub-surface testing. In my almost 30 years of experience excavating archeological sites, I have found that it is common for there to be multiple living floors below so-called "hard-pan" surfaces. I know of no "existing professional guidances" that does not require subsurface testing for all sites where the surface is not "amenable" to such testing. If there are any further questions, please feel free to contact me at the above.**

**Sincerely,**



**Louis A. Redmond, PhD  
President, Red Feather Archeology**