



SOCIETY FOR CALIFORNIA ARCHAEOLOGY
P.O. Box 2582
Granite Bay, CA 95746

October 9, 2024

Hon. Sara C. Bronin
Chair
Advisory Council on Historic Preservation
401 F Street NW, Suite 208
Washington, DC 20001

Re: Comments on ACHP's Draft Program Comment on Accessible, Climate Resilient, Connected Communities

Dear Chair Bronin,

The Society for California Archaeology (SCA) appreciates the opportunity to provide comments on the proposed Advisory Council on Historic Preservation's (ACHP) "Program Comment on Accessible, Climate Resilient, Connected Communities" (Program Comment), pertaining to certain housing-related, climate-smart building-related, and climate-friendly transportation infrastructure-related activities. For the reasons below, the SCA opposes the draft Program Comment and urges the ACHP to consider alternative approaches to achieve its objectives of advancing historic preservation goals while helping to satisfy the nation's pressing needs to expand access to housing, facilitate climate-resilient and zero emissions buildings, and promote climate-friendly transportation.

The SCA is a non-profit scientific and educational organization dedicated to research, understanding, interpretation and conservation of the heritage of California and the regions that surround and pertain to it. With more than 1250 members, the SCA seeks to increase public appreciation and support for archaeology by helping agencies, planners, landowners and developers to understand their obligations and opportunities to manage archaeological sites and by representing the concerns of California archaeologists before government commissions and agencies, and on legislation.

The SCA supports efforts to improve efficiencies and historic preservation outcomes that are in accordance with 36 CFR Part 800 and the intent of the National Historic Preservation Act. The SCA finds that this Program Comment as drafted however, diminishes the opportunity for parties to meaningfully engage in consultation with federal agencies to identify historic properties and seek ways to avoid, minimize, and mitigate effects to them.

The exemptions within the draft Program Comment that would allow for numerous classes of undertakings to proceed without identification efforts and assessments by professionally qualified archaeologists based on determination by non-qualified personnel of "previously disturbed contexts" is of particular concern to the SCA. Professionally qualified archaeologists are trained to understand the potential to encounter buried or artificially obscured sites and should be relied upon to do so, not only to ensure appropriate measures are in place to avoid effects to historic properties, but also to limit post-review discoveries and avoid costly project delays.

Lastly, the SCA calls into question the need or justification for this Program Comment. The ACHP has not sufficiently demonstrated that the standard Section 106 process at 36 CFR Part 800 or the numerous program alternatives, including programmatic agreements, existing, in-place, and available for use are not sufficient to effectively and efficiently accommodate the federal actions in the housing, building, and transportation sectors necessary to produce affordable housing, improve climate resilience, cut energy costs, and decarbonize the transportation sector. The ACHP has instead listed in the draft Program Comment, the

numerous program alternatives that it has recently issued and in its 2024 triennial report on stewardship achievements of federal agencies in managing historic properties, *"In a Spirit of Stewardship, A Report on Federal Historic Properties"*, it in fact states that "Agencies have effectively used Section 106 program alternatives to tailor Section 106 project reviews for multiple land- and property-managing agency benefits, including focusing limited resources on preservation priorities and contributing to comprehensive historic property management strategies. Program alternatives have also improved efficiency and effectiveness of project reviews for infrastructure projects affecting historic properties on federal lands."

The SCA looks forward to further assisting the ACHP in identifying measures to enhance existing program alternatives that judiciously and sensibly improve efficiencies in project delivery and historic preservation outcomes.

Please contact SCA President Tony Overly at tony@scahome.org should you have any questions.

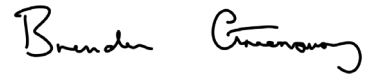
Best regards,



Tony Overly
President, Society for
California Archaeology



Monica Strauss
President Elect, Society for
California Archaeology



Brendon Greenaway
Immediate Past President,
Society for California
Archaeology