



SOCIETY FOR AMERICAN ARCHAEOLOGY

March 26, 2025

Megan Healy
Principal Deputy Director for NEPA
Council on Environmental Quality
730 Jackson Place NW
Washington, DC 20503

RE: CEQ-2025-0002

Dear Ms. Healy,

The Society for American Archaeology (SAA) appreciates this opportunity to comment on the interim final rule to remove the existing implementing regulations for the National Environmental Policy Act of 1969 (NEPA), in response to Executive Order (E.O.) 14154, *Unleashing American Energy*.

The SAA is an international organization dedicated to the research, interpretation, and protection of the archaeological heritage of the Americas. With more than 7,000 members, the Society represents professional, student, and avocational archaeologists working in a variety of settings, including government agencies, colleges and universities, museums, and the private sector.


The nation's cultural resources, and the archaeological record in particular, are fragile, irreplaceable, and very susceptible to damage from environmental degradation and careless development. Once the knowledge and history that are contained within those resources are lost, they cannot be recovered, and tangible connections to our shared cultural past are severed forever. Protecting them not only protects our past but also benefits our economy today, and NEPA is one of the keystone laws that makes this happen.

NEPA incorporates many of the tenets of the National Historic Preservation Act, and even though the current NEPA regulations, as written by CEQ, will be rescinded through this interim final rule, the statute must still be implemented by each federal agency. The lack of CEQ guidance on NEPA compliance will create confusion and slow down agency actions. Because it will take years for each federal agency to develop and implement its own NEPA regulations, we recommend that each agency use its existing NEPA Handbook as guidance in the interim. Federal agencies each have a NEPA Handbook that reflects their policies and missions and can find ways to streamline compliance within this familiar framework. Every agency's NEPA Handbook must reflect the priorities that Congress intended when the law was enacted. These include the fundamental goal to incorporate, to the maximum extent practicable, the viewpoints

of the public, local communities, the states, and federally recognized Tribes on development projects that use public funds and/or lands and that impact historic resources. This is to ensure that the damage caused by some federal project and facilities construction is not repeated. To that end, the SAA strongly endorses the procedures utilized by the Federal Highway Administration (FHWA), Federal Railroad Administration, and the Federal Transit Administration to implement NEPA: <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-771>. This policy provides for the effective protection of environmental and historic resources impacted by federal undertakings, while still facilitating maximum public input and encouraging flexibility to reach project delivery timetables. Even if the CEQ will no longer draft government-wide NEPA regulations, the Council could act as a clearinghouse and a consultant to support the adoption or updating of other agencies' policies to reflect those of the FHWA.

We thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Sandweiss", is written over a faint rectangular grid background.

Daniel H. Sandweiss, Ph.D., RPA
President