

Attachment 3: Determining Archaeological Significance Under ARPA & NHPA

	Archaeological Resources Protection Act (ARPA)	National Historic Preservation Act (NHPA)
Statute General Purpose	Governs the excavation of archaeological sites on Federal and Indian lands in the United States, and the removal and disposition of archaeological collections from sites	Establishes Federal agencies historic preservation programs and accountability for considering the adverse effects of undertakings on historic properties
Implementing Regulations	43 CFR Part 7	State Protocol or 36 CFR Part 800 (Standard Regs)
Rule Determining Resource Significance	Subpart B, 7.33 Determination of loss or absence of archaeological interest	Sections 106 (for undertakings) & 110 (for general program)
Standards for Determining Archaeological Significance	<u>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</u> (48 FR 44716, Sept. 29, 1983) and 36 CFR parts 60, 63, and 65, which define the <u>National Register Criteria</u> and process for evaluating the information potential (i.e., significance) of archaeological sites.	<u>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</u> (48 FR 44716, Sept. 29, 1983) and 36 CFR parts 60, 63, and 65, which define the <u>National Register Criteria</u> and process for evaluating the information potential (i.e., significance) of archaeological sites.
Relation to other statutes and regulations	43 CFR 7.1(b) "The regulations in this part do not impose any new restrictions on activities permitted under other laws, authorities, and regulations relating to mining, mineral leasing, reclamation, and other multiple uses of the public lands."	36 CFR Part 800.3(b) <i>Coordinate with other reviews.</i> "The agency official should coordinate the steps of the section 106 process, as appropriate, with the overall planning schedule for the undertaking and with any reviews required under other authorities such as the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Archeological Resources Protection Act... "
Applicability	At the Agency's discretion when making determinations that certain material remains are not or no longer of archaeological interest, and in accordance with MS 8110.42F - Identifying and Evaluating Cultural Resources.	When making National Register eligibility determinations using the State Protocol or Standard Regs