



United States  
Department of  
Agriculture

# Recreational Prospecting

## Rockhounding and Fossil Hunting in the Montana National Forests of the Northern Region



Your national forests and grasslands are a great place to experience a wide range of recreational opportunities. Prospecting, rockhounding, and fossil hunting are among the many outdoor pursuits visitors enjoy in the Northern Region of the Forest Service.

### What is prospecting, rockhounding, and fossil hunting?

**Rockhounding** involves the searching and collection of small quantities of common variety rocks, gems, or other geologic materials for personal use or enjoyment.

**Prospecting** is searching for valuable minerals. This can range from collecting hand samples of mineralized rock and gold panning, to using metal detectors and operating small sluices for dredges as long as they "do not cause significant surface disturbance" 36 CFR 228.4a(1)(iv).

Forest Service mining regulations listed in the 36 Code of Federal Regulations (CFR) 228, Subpart A and C, govern prospecting and rockhounding activities.

**Fossil hunting** allows the collection of petrified wood, invertebrate and plant fossils for personal use. Invertebrate fossils, such as clams, do not have an internal skeleton. Collection of vertebrate (has internal skeleton) fossils requires a permit (36 CFR 261.9i). The rules for petrified wood collection are found under 36 CFR 228, Subpart C.

Be advised that unauthorized collection of archaeological artifacts, such as arrowheads, old bottles, other historic artifacts etc. is prohibited on National Forest lands.

### How can I determine if a permit is required for my forest activities?

Prospecting, rockhounding, petrified wood, and invertebrate and plant fossil hunting usually do not require a permit when there is little or no disturbance to the ground, other resources, and environment. Check with the local ranger district if you have questions on whether a permit may be needed. For example, a free use permit may be required for removal of mineral materials. A Notice Of Intent (NOI) for prospecting activities should be submitted to the District Ranger which might cause significant surface disturbance. In part, this means if you plan to:

- Use explosives
- Use power equipment for excavation
- Drive vehicles off public roads or trails
- Clear or remove vegetation
- Store petroleum products or other hazardous or flammable material near streams

Based on the information provided in the NOI, a plan of operation may be required. Forest users should be sensitive to how their activities affect the environment. Rockhounds and prospectors need to carefully refill and revegetate any excavation, no matter how small.

Water quality and fish habitat are critical concerns on national forests and grasslands, so activities in or near streams must be handled with special care. Consideration should also be given to possible cumulative effects when you do the same activity year after year in the same place.

Any sale or commercial use of petrified wood found on lands administered by the Forest Service requires a permit. A free use permit is required for amateur collectors and scientists to take limited quantities for personal use.

### Are all national forest lands available for prospecting?

**NO.** Some areas may be excluded, even from non-commercial activities. Examples include:

- Wild and Scenic River corridors
- Historical or archeological sites
- Campgrounds
- Wilderness Areas
- Administrative sites
- Areas "withdrawn" from mineral entry



In addition, you should not work on someone else's "mining claim" without permission. Claimants have rights to valuable mineral deposits on those sites. It's always a good idea to check with the local ranger district to identify closed areas and claim locations before you start. Claim information can also be found at [www.blm.gov/lr2000](http://www.blm.gov/lr2000).

### Are there any special restrictions that apply to suction dredging?

State and federal permits are required. A permit from the Montana Department of Environmental Quality (DEQ) is required for all dredging operations, even for small nozzles (4" or less). There is an application fee as well as an annual fee. A "310 Permit" is required from the local conservation district. The following website has more information related to state permitting: <http://www.deq.mt.gov/wqinfo/MPDES/SuctionDredge.mcpx>

Also, because of the potential effects to streams and fish habitat from suction dredging activities, a NOI should be filed with the district ranger to determine if a plan of operations is necessary. State permits require prior approval and the decision whether or not a Plan of Operations is required must be made before you operate, so schedule paperwork well in advance of dredging.

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R1-10-07

The Forest Service regulations apply even if you are a member of a group, such as the Gold Prospectors Assn. of America. In Montana waterways, your permit will only apply to the specific area you designate and the actual dates agreed upon by you and the agencies.

#### Where should I go to enjoy prospecting, rockhounding, and fossil hunting on the national forests?

Many national forests do not have formally designated mineral collecting areas. However, local groups such as the Ravalli County Gem and Mineral Society, Hellgate Mineral Society, Butte Mineral and Gem Club, Northwestern Montana Gold Prospectors and Kalispell Rockhound Club take regular field trips and can provide more information. The local Chamber of Commerce offices have current contacts, and area bookstores sell several good references for rockhounding in Montana.

Fossils vary in abundance on these forests depending on the age of the rocks exposed at the surface. Check with the Forest Service offices listed for geologic and fossil information.



#### For safety reasons, do not go into abandoned mines!

#### General Guidelines for Mining and Ground Disturbance on Land Managed by the National Forests

If your Operation:	You will need:	From
Will cause little or no surface disturbance (e.g., gold panning, fossil hunting, and rockhounding).	No permit-(Exceptions: Some Restrictions may apply. Check with Ranger District.)	Forest Service
Uses a small sluice or rocker box.	Notice of intent.	Forest Service
Uses a suction dredge with up to a 4" suction hose.	Notice of Intent/Plan of Operations MPDES Permit DNRC 310 Permit	Forest Service Montana DEQ Conservation District
Uses a sluice or dredging operation with a hose over 4" diameter or 15 hp motor	Notice of Intent/Plan of Operations MPDES Permit DNRC 310 Permit	Forest Service Montana DEQ Conservation District
Uses motorized earth moving equipment	Plan of Operation Small Miners Exemption	Forest Service Montana DEQ
<i>Depending on location land ownership, and scope of operations, additional agencies may be involved in your operation and additional permits required.</i>	<b>MPDES:</b> Montana Pollutant Discharge Elimination System (406) 444-3080	
<b>DEQ:</b> Montana Department of Environmental Quality (406) 444-2544	<b>DNRC:</b> Montana Department of Natural Resources and Conservation (406) 444-6667	

#### Where do I go for more information?

The best way to ensure a bright future for recreational prospecting, rockhounding, and fossil collecting on public lands is to comply with the state and federal regulations. Start by bringing your questions or concerns to any appropriate agency in the area you plan to work. Call one of the forests below to get connected with the appropriate ranger district or to get copies of the Code of Federal Regulations that apply.

##### Bitterroot National Forest

1801 N. 1st Street  
Hamilton, MT 59840  
(406) 363-7100

##### Beaverhead-Deerlodge National Forest

420 Barrett Street  
Dillon, MT 59725-3572  
(406) 683-3900

##### Custer National Forest

1310 Main Street  
P.O. Box 50760  
Billings, MT 59105  
(406) 657-6200

##### Flathead National Forest

650 Wolfpack Way  
Kalispell, MT 59901  
(406) 758-5200

##### Gallatin National Forest

P.O. Box 130  
10 E. Babcock Ave.  
Bozeman, MT 59771  
(406) 587-6701

##### Helena National Forest

2880 Skyway Drive  
Helena, MT 59602  
(406) 449-5201

##### Kootenai National Forest

31374 US Highway 2  
Libby, MT 59923  
(406) 293-6211

##### Lewis & Clark National Forest

1101 15th St. N.  
Box 869  
Great Falls, MT 59403  
(406) 791-7700

##### Lolo National Forest

Fort Missoula Bldg. 24  
Missoula, MT 59804  
(406) 329-3750

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