

U.S. DEPARTMENT OF THE INTERIOR **BUREAU OF LAND MANAGEMENT**
Heritage Resources

Fossil Collecting on Public Lands

On March 30, 2009, the [Paleontological Resources Preservation Act \(PRPA\)](#) became law when President Barack Obama signed the Omnibus Public Lands Management Act (OPLA) of 2009, Public Law 111-011. P.L. 111-011, Title VI, Subtitle D on Paleontological Resources Preservation (OPLA-PRP) requires the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on Federal land using scientific principles and expertise.

The OPLA-PRP does not change the Bureau of Land Management's (BLM's) basic policy for allowing casual collecting of reasonable amounts of common invertebrate and plant fossils from public lands for personal use without a permit. Nor does the OPLA-PRP change the prohibition on bartering or selling common invertebrate and plant fossils.

Consistent with existing policy, the OPLA-PRP includes provisions allowing for casual or hobby collecting of common invertebrate and plant fossils without a permit on public lands under certain conditions.

Casual collecting in Section 6301(1) of PRPA means:

“... the collecting of a reasonable amount of common invertebrate and plant paleontological resources for non-commercial personal use, either by surface collection or the use of non-powered hand tools resulting in only negligible disturbance to the Earth's surface and other resources.”

The OPLA-PRP requires that the Secretary develop regulations implementing the legislation and will include defining certain commonly used terms.

In addition, the OPLA-PRP does not change BLM's requirement for issuance of a paleontological resources use permit for the collection of vertebrate and other paleontological resources of paleontological interest by qualified researchers.

On April 24, 2009, the BLM issued an instruction memorandum, [IM 2009-113](#), on Casual Collecting of Common Invertebrate and Plant Paleontological Resources under the Paleontological Resources Preservation Act of 2009 which provides guidelines on casual collecting under the OPLA-PRP.

What fossils can I collect from public lands?

Visitors to public lands are welcome to collect reasonable amounts of common invertebrate and plant fossils without a BLM permit.

No permit is needed for plant fossils, such as leaves, stems, and cones, or common invertebrate fossils, such as ammonites and trilobites.

Petrified wood can be collected too for personal use —up to 25 pounds each day, plus one piece, but no more than 250 pounds in any calendar year (43 CFR 3622).

These materials must be for your personal collection and cannot be sold or traded.

Commercial collection of any type of fossil from Federal lands is not allowed, except for petrified wood which was designated a mineral material by Congress in 1962, and therefore, is salable under the Mineral Materials Act (43 CFR 3622.)

BLM Paleontology
Paleontological Laws
Fossil Collecting
Fossil Education
Fossil Contacts
Paleontological Legislation

Heritage Resources Home
Staff Directory
BLM Preservation Board
Data Sharing Partnership
Historic Preservation
Tribal Consultation
Heritage Education
Scientific Research
Paleontology
Museum Collections
BLM and NAGPRA
Fire and Heritage Resources
Cultural Policy and Guidance
Publications
Links

More information about fossil collecting on public lands can be found at your local BLM office and in the BLM brochure, [Fossils on America's Public Lands](#) .

Paleontology Permits

The OPLA-PRP does not change BLM's requirement for issuance of a paleontological resources use permit for the collection of vertebrate and other paleontological resources of paleontological interest by qualified researchers.

The permit requirement in Section 6304 of the PRPA provides:

"Except as provided in this subtitle, a paleontological resource may not be collected from Federal land without a permit issued under this subtitle by the Secretary."

Section 6301(4) defines paleontological resource as:

"... any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth..."

Paleontological resources do not include any materials associated with an archaeological resource as defined in section 3(1) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb(1)), or any cultural item as defined in section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).

Basic BLM policies for collection under, and issuance of, paleontological resources use permits have not changed and will be clarified in subsequent instruction memoranda or in new regulations promulgated under the Act.

Permits for collection are issued by the BLM, primarily for vertebrate fossil specimens (organisms with a backbone), and scientifically significant invertebrate (organisms without a backbone) and plant fossils. BLM permits are generally issued only to professional paleontologists, who must agree to preserve their finds in a public museum, a college, or a university because of their relative rarity and scientific importance.

Usually a permit is not needed for the recreational collection of common invertebrate and plant fossils as long as you are not collecting in a special use area such as a Wilderness Study Area or Area of Critical Environmental Concern. It's important to check with your local office for more specific information, since some fossil invertebrate and plant localities may be significant and are closed to casual collection.

On April 24, 2009, the BLM issued an instruction memorandum, [IM 2009-113](#) , on Casual Collecting of Common Invertebrate and Plant Paleontological Resources under the Paleontological Resources Preservation Act of 2009 which provides guidelines regarding collecting of paleontological resources under the OPLA-PRP.

Survey and Excavation Permits

There are two types of permits that are issued to qualified applicants such as vertebrate paleontologists.

1) Survey/ limited surface collection permits allow the researcher to search for evidence of vertebrate and other scientifically significant fossils. Bones lying on the surface may be removed, but with only about one square meter of the surface allowed to be disturbed.

A survey permit is also issued to qualified paleontological consultants for the

purpose of investigating federal actions such as pipelines, coal mines, oil & gas pads, power-lines, roads or any major surface disturbing activity that may occur in areas that are suspected to have significant paleontological values.

2) Excavation permits allow the researcher to dig trenches to further explore for buried bones; dig pits to remove buried bones; and open an area to the bone bed that is large enough to map, photograph and work safely to remove the discovered bones. Before authorizing an excavation permit, the BLM needs to assess potential impacts to the area, including a review by a BLM archeologist and a BLM wildlife biologist. An environmental assessment must be written to document any and all concerns and must be approved by the field manager.

Please check with the BLM office nearest you for more information on permit requirements and the locations of special use areas.

For general information on paleontological resources use permits, please contact the [BLM Regional Paleontologist](#) or [BLM State Office](#) .

If you have any additional questions about collecting fossils on public lands, please contact your local [BLM State Office](#).

[Back to top](#)