

## **FAQs on Meteorites on Public Land**

### **Why is the Bureau of Land Management (BLM) issuing a policy on meteorites on public lands at this time?**

The BLM is formalizing a policy on collecting meteorites found on public lands because confusion and misinformation has been created by recent media attention. In addition, recreation by the public has steadily increased on public lands. Therefore, the BLM would like to educate the public about meteorite hobby collecting and the scientific values of meteorites.

### **What is the BLM's policy on meteorites found on public lands?**

Meteorites found on public lands may be collected by recreationists and hobbyists with some limitations. Meteorites can be collected for scientific and educational purposes, and can also be commercially collected.

### **What are the authorities that govern collecting meteorites from public lands?**

The courts have long established that meteorites belong to the owner of the surface estate on which meteorites are found. This premise is based on the common laws of property as amended by the courts. As such, the BLM is responsible for the management of meteorites under the Federal Land Policy and Management Act (FLPMA) of 1976 as amended, including casual and commercial collection. In addition, the Ninth Circuit Court determined that scientific collecting is authorized by the Antiquities Act of 1906.

### **Can a mining claim be located for meteorites?**

No, a mining claim may not be located for meteorites. Meteorites do not meet the definition of a mineral resource under the general mining and mineral laws. The extraterrestrial origins of meteorites have made them unique and of extreme commercial and scientific value. Therefore, because of their origins they are not subject to the mining and mineral laws.

### **Can meteorites be collected free of charge and without a permit?**

Yes, meteorites may be casually collected, i.e., for free and without a permit, under FLPMA. However, in accordance with the BLM's regulations at 43 CFR 8365.1-5 (1) collection is limited to certain public lands, (2) only specimens up to ten pounds may be collected per person per year, and (3) only surface collection with the use of non-motorized and non-mechanical equipment is allowed; metal detectors are okay. However, specimens that are casually collected are for personal use only, and may not be bartered or sold for commercial purposes.

## **How can meteorites be collected from public lands?**

Meteorites found on public lands may be casually collected by recreationists and hobbyists. The limit on the amount that may be casually collected is meteorite specimens up to ten pounds that can be easily hand-carried and transported, per person per year. Collection is from the surface only. Motorized and mechanized equipment is not allowed; however, use of metal detectors is permitted. Meteorites may be collected without a permit or collection fee. Casual collection is for personal use only, and therefore, cannot be bartered or sold for commercial purposes.

Meteorites may be collected for scientific and educational purposes under a permit issued under the authority of the Antiquities Act. The applicant must be a qualified researcher, and any property collected under this type of permit remains the BLM property. The meteorite collected under permit must be curated in an approved repository that conforms to curatorial standards provided in 36 CFR 79.

Meteorites may also be commercially collected under a permit issued under the authority of FLPMA. The applicant must pay an application fee, a purchase price based on a unit price or the percentage of fair market value on the amount of material to be removed, and a reclamation fee, as appropriate. A permittee must also comply with all environmental laws and regulations for surface disturbing activities on public lands.

## **Are there any limits to what amounts of meteorites may be collected from public lands?**

For casual collection, there is a limit of ten pounds of meteorite specimens per person per year. There is no limit for scientific or commercial collection.

## **How does this policy affect collecting of meteorites by rock hounds and other hobbyists?**

The BLM policy clearly outlines how rock hounds and other hobbyists may casually collect meteorites from public lands. No permit is required and no charge is assessed when collecting for personal use. There are limits on how much may be collected – only ten pounds of meteorite specimens per person per year. Collection is only from the surface, and motorized and mechanized equipment is not allowed. However, metal detectors are okay. Meteorites collected for personal use and cannot be bartered or sold.

**Where can the public casually collect meteorites on public lands?** Meteorites may be casually collected from open public lands. Public lands that are closed to casual collection of meteorites include: (1) developed recreational sites; (2) certain units of the National Landscape Conservation System (NLCS) where the units have been designated for their

natural and scientific resource values, including national monuments and national conservation areas; (3) areas that may have been withdrawn from casual collecting by a land use plan, such as

an Area of Critical Environmental Concern (ACEC) and some wilderness areas; and (4) closures by supplemental regulations. Those interested should contact the appropriate BLM office to learn details for their area of interest.

### **Can meteorites casually collected from public lands be bartered or sold?**

Casual collection of meteorites from public lands is only for an individual's personal use. Sale or barter is considered commercial use. A permit must be issued for commercial activities and fees will be collected, including a purchase price based on a unit price or the percentage of fair market value, and a reclamation fee, if required.

### **Can meteorites be collected for commercial use and/or sale?**

Yes, meteorites may be collected from public lands under authority of an approved permit unless otherwise prohibited by other laws, regulations, land use plans, or closures. A permit is required for commercial use or sale, and fees will be collected. These fees may include application and permit processing fees, the purchase price, and reclamation fees.

### **Where can I get a permit to collect meteorites for commercial use or sale?**

A permit application for commercial collection of meteorites may be obtained from and filed with the local BLM field office with administrative jurisdiction in the area you wish to collect.

### **Where can I obtain a permit to collect meteorites for scientific research?**

A permit application for the scientific or educational collection of meteorites can be obtained from and must be filed with the BLM State Office with administrative jurisdiction in the State you wish to collect. All Antiquities Act permits are reviewed and approved by the authorized officer in the State Office with administrative jurisdiction over the Cultural Resources Management program.

### **Can meteorites be collected for exhibit in museums or other educational institutions?**

Yes, meteorites can be collected for exhibit in museums or other educational institutions under an Antiquities Act permit. An application must be filed with the BLM State Office with administrative jurisdiction in the state you wish to collect. All Antiquities Act permits are reviewed and approved by the authorized officer in the State Office with administrative

jurisdiction over the Cultural Resources Management program. Exhibits or loans of the BLM's meteorites held by approved repositories are subject to prior approval by the BLM as well as to the terms and conditions of loans of the repository managing the collections for the BLM.

**Can meteorites be casually collected from other Federal lands, such as the National Forests or the National Parks?**

No. This policy only applies to public lands administered by the BLM under its agency authorities. Casual collecting is not allowed on lands administered and controlled by the National Park Service, Bureau of Reclamation, and the U.S. Fish and Wildlife Service.

**Can meteorites be scientifically collected from other Federal lands, such as the National Forests or the National Parks?**

You must check with the agency having administrative jurisdiction of the area you wish to collect for scientific purposes to see if this type of activity is allowed.

**What happens if meteorites are collected illegally from public lands?**

If meteorites are collected illegally from public lands you can be cited under FLPMA and the regulations at 43 CFR 8365.1-5(a) for illegal removal of any personal property or any scientific resource or natural object. You may also be subject to criminal prosecution under title 18, section 641 for the theft of Federal property and related criminal statutes depending on the type of illegal activity, including false labeling under title 18, section 1001.