

Paleontology and Public Lands

Access, permits, and potential land use conflicts

For scientists, geoscientists and paleontologists in particular, access to public lands is crucial. This table illustrates who is allowed to access federal public lands, the permits and expertise required to use them, and whether or not public lands are open to commercial development for any number of applications. The agencies represented here manage more than 97% of all federal land, with the remaining parcels managed by a plethora of other federal entities.

Casual or amateur collecting is considered hobby collecting, meaning that it is only intended for personal use; items collected may not be sold. These specimens can be collected in reasonable amounts, or those that could be displayed or stored in an individual's home. As such, lands that allow casual collecting are open to the general public. Meanwhile, scientific collecting necessitates an affiliation with an organization, detailed explanations and methodology for the work being conducted, and identified repositories for collected fossils to be deposited.

Regulations for Collection, Research, and Land Use on Federal Lands

Federal Agency	Casual or Amateur Fossil Collecting	Scientific Fossil Research and/or Collection	Commercial or Extractive Land Use	Scientific Permitting Qualifications	Specific Forms (if available)
Bureau of Land Management	Casual collection of common invertebrate and plant fossils allowed. Petrified wood is allowed up to 25 lbs/day (not to exceed 250 lbs/year).	Vertebrate fossils can only be collected with a permit issued for scientific research.	BLM land is open for timbering, mining, oil and gas extraction, and renewable energy installations upon authorization.	Graduate degree in paleontology (or related field) or equivalent experience.	Paleontological Resource Use Permit Application (DI Form 9002); Repository Receipt; Annual Activity Report
Forest Service	Casual collection of common invertebrate and plant fossils allowed. Free Use permits may be available. See CFR 228.62 (e).	Vertebrate fossils can only be collected with a permit for FS-2800-22B. Research efforts for all paleontological resources requires a permit.	Mining, timbering, and grazing are allowed following authorization.	Qualifiers dependent upon nature of work being conducted. May require graduate degree or commensurate experience.	Application for Authorization for Paleontological Resources Research or Collection (FS-2800-22A)
Fish and Wildlife Service	Not allowed.	Allowed following authorization.	Extraction of common variety and hardrock minerals is not generally allowed.	Dependent on nature of work being conducted.	Paleontological Resource Use Permit Application (DI Form 9002), Special Use permit
National Park Service	Not allowed.	Allowed following authorization.	New mineral leases are not allowed.	Graduate degree in paleontology (or related field) or equivalent experience.	Research Permit and Reporting System (RPRS) (therein New Research Permit, Investigator's Annual Report, Final Report and Products)
Department of Defense	Not allowed.	Organizations and individuals can petition for research use when "compatible with military mission activities."	Timbering is managed by the Department of Defense and is not available to private companies.	Unavailable.	Unavailable.
Bureau of Reclamation	Casual collection of common invertebrate and plant fossils allowed. Petrified wood is allowed up to 25 lbs/day (not to exceed 250 lbs/year).	Paleontological research and excavations allowed.	Timbering, agriculture, and grazing, and removal and extraction of aggregates and mineral resources is permitted upon authorization.	Dependent on nature of work being conducted.	BOR Form 7-2540

AGI Geoscience Workforce Program; Data derived from the U.S. Bureau of Land Management, U.S. Forest Service, U.S. Fish and Wildlife Service, U.S. National Park Service, U.S. Department of Defense, and the U.S. Bureau of Reclamation.

The juxtaposition of casual, scientific, and commercial use is intended to provoke thought around the prioritization for science or commercial industry. When these two are placed in conflict of most types of public land, theoretically the [Potential Fossil Yield Classification](#) is used by the Bureau of Land Management to evaluate the potential impacts of the proposed activities on paleontological resources. Should the proposed land be ranked 3, 4, or 5 (most likely to contain significant fossil yields), the project must conduct further mitigation measures to prevent damage to paleontological resources. However, there is little precedent of consequences enacted against commercial entities that did not fully comply with those assessment and mitigation actions.

This document utilizes information that is publicly available through government publications and resources. If you have had a different experience working with these government agencies, please contact Sophie Hanson at shanson@americangeosciences.org.

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Links to additional resources by federal agency

Bureau of Land Management:

- https://www.blm.gov/sites/blm.gov/files/programs_paleontology_quicklinks_PRPA%20fact%20sheet.pdf
- <https://www.blm.gov/sites/blm.gov/files/documents/files/8270-1%20instructions%2020170505.pdf>

Forest Service

- https://www.fs.fed.us/sites/default/files/media_wysiwyg/fs_2800_22a-form-508.pdf
- <https://www.govinfo.gov/content/pkg/FR-2015-04-17/pdf/2015-08483.pdf>

Fish and Wildlife Service

- https://www.fws.gov/carlsbad/PalmSprings/DRECP/d_Volume%20III/III.10%20Paleontological%20Resources.pdf

National Park Service

- <https://irma.nps.gov/DataStore/DownloadFile/494569>

Department of Defense

- http://www.dodnaturalresources.net/files/DoDI_4715_03.pdf

Bureau of Reclamation

- <https://www.usbr.gov/lands/docs/429.pdf>

EveryCRSReport.com

- https://www.everycrsreport.com/reports/R42346.html#_Toc476565245

