

METAL DETECTING ON FEDERAL LANDS

Gordon Harnack, Tucson, Arizona

Throughout the West, the Forest Service is attempting to require individuals and organizations to provide a local Forest Service office with a **Statement of Intent** PRIOR to visiting any Federal lands for the purpose of prospecting.

I believe that if you are legally using an existing claim which has filed a **Plan of Operations (POO)**, existing regulations do not require that you file a **Statement of Intent**. Additionally, I believe that if you **INTEND** to **ONLY SEARCH** and **SAMPLE** for mineral resources in Federal land, not excluded from mining activities, existing regulations do not require that you file a **Statement of Intent**.

I have used an earlier version of the following **STATEMENT OF INTENT** when approached by a representative of the Forest Service, who, when presented with my **STATEMENT OF INTENT**, completely backed off implying that a filed **Statement of Intent** was required prior to my search and sampling activities. I modified that earlier draft to the one below and believe that if you carry this with you, your metal detecting activities should be unobstructed by Forest Service personnel IF you comply with the statements of the notice.

If any Forest Service agent disagrees with this opinion, politely request that you be shown the precise regulation(s) that require you to submit a **STATEMENT OF INTENT**...based on what you are doing and/or **INTEND** to do. Document that referenced regulation number(s), the Forest Service person's name, office address and phone number. State that you intend to report the incident and those claimed regulations authorities and, if the agent is acting beyond the scope of the regulations you will take appropriate action(s).

Using the **STATEMENT OF INTENT** notice:

Print several copies, trim each one and print your name on the top line

Sign and date at the bottom of the notice

Keep one in your vehicle, wallet and/or prospecting gear at all times

STATEMENT OF INTENT for _____

To: Any U.S. DA Forest Service Officer or other representative of the US DAFS

Subject: Statement of Intent to Search and Sample for Mineral Resources

Although not required by Forest Service regulations, you are provided with this written notice as a **STATEMENT OF INTENT** to:

1. Comply with all Forest Service regulations, and specifically **36 CFR, Chapter II, Part 228—Locatable Minerals**.
2. The undersigned claims to be complying with **36 CFR, Chapter II, Part 228.4(a)(1)**, in that any requirement to provide the Forest Service with an **Notice of Intent (NOI)** to Operate and/or a **Plan of Operations (POO)** does **NOT** apply to the undersigned because:
 - a. The undersigned is authorized to be on **this** claim with a current **POO** on File, and/or
 - b. The undersigned is **searching** for and occasionally removes small mineral **samples** or **specimens** from Forest Service lands, and/or
 - c. The undersigned is **searching and sampling** in such a manner as to **not** cause significant surface resource disturbance which will not involve removal of more than a reasonable amount of mineral deposit for **analysis and study**, and/or
 - d. The undersigned, at this time, is not in the process of marking and monumenting a mining claim, and/or
 - e. The undersigned claims to limit all **search and sample** operations to ensure that they will not cause significant surface resource disturbance.

Signed: _____ Date: _____