

## PROSPECTING, MINING, AND SEARCHING FOR TREASURE IN WILDERNESS AREAS ON THE TONTO NATIONAL FOREST

**This brief outline discusses mining-related activities within wilderness areas. Additional information may be obtained at Bureau of Land Management or Forest Service offices.**

**PROSPECTING:** Prospecting is the gathering of information on minerals resources. Prospecting is allowed within a designed Wilderness Area, but an approved Plan of Operations is required. No person can acquire any right or interest to mineral resources discovered by prospecting or other information-gathering activity. Extraction of minerals (except a small grade sample) is a type of mining, and must comply with all related laws and regulations. (See "Mining" below). If the search is for precious worked metal or other treasure, see "Treasure Trove Hunting" below.

**MINING:** Mining is any activity that attempts to extract minerals (which are valuable and locatable) from their natural setting. **No mining of any type** (whether for recreation and/or for profit) is allowed **except** with an approved Notice of Intent and/or Plan of Operations for activity on a legal claim with valid existing rights. New mining claims can no longer be filed on designated Wilderness Areas. The Wilderness Act of 1964 allowed mining claims to be filed until January 12, 1984, at which time all wilderness areas were closed to new mineral entry. Subsequently, designated wilderness areas were closed to minerals entry when the new law was enacted.

**GOLD PANNING:** This category includes panning, sluicing, or dredging wet or dry material. If any mineral is extracted by this activity (for recreation and/or profit) it is a type of mining: see "Mining" above. If minerals were not extracted, this activity would be a type of prospecting (See "Prospecting" above).

**METAL DETECTING:** If a metal detector is used to search for and/or extract locatable minerals, the activity is considered either a form of prospecting or mining (See "Prospecting" and "Mining" above.) If the search is for money (except recent vintage coins) or precious worked-metal (See "Treasure Trove Hunting" below.) If the search is for recent vintage coins, no permit is needed so long as there is no significant soil disturbance.

**Q:** Where can you metal detect on the Tonto National Forest?

**A:** The Tonto National Forest is not closed to metal detecting but neither are specific areas set aside for such activities. The detector's search should be a recreational pursuit confined to areas with no historic or prehistoric value. Specific areas might include the numerous developed recreational sites along the Chain of Lakes on Verde and Salt Rivers. It is the responsibility of the detectors to avoid disturbing, altering, or removing archaeological resources protected by federal law. The Forest Service does not mark or disclose the location of archaeological or historic sites unless they are developed and interpreted for public visitation. If you're unsure of what is or isn't an archaeological site or resource, you should contact the Forest Archaeologist at 602-225-5231.

**TREASURE TROVE HUNTING:** A treasure trove is defined as money, gems, or precious worked-metal (in the form of coins, plate, bullion, etc.) of unknown ownership. Not included are recent vintage coins, located minerals, or archeological resources and specimens. A Treasure Trove Permit must authorize searching for such treasures. Applications for Treasure Trove Permits are evaluated on a case-by-case basis; approval requires that evidence of treasure is of such a character that a person of ordinary prudence would be justified in the expenditure of labor and funds, with a reasonable possibility of success. Permits are issued for a specific number of days and the site is subject to inspection.

If you are interested in doing any of these activities in a designated Wilderness, you should first discuss your intentions with a local Forest Service officer. Remember that only a small part of each national forest is classified as Wilderness; many opportunities exist outside these special areas where the types of activities described above can be carried out in compliance with the laws and regulations which pertain to those non-Wilderness areas.