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MDHTALK Event Calendar September What is a News Brief? The news brief provides a brief look into any news event. The intent of the news brief is to provide you, the reader, with news clips on what was taking place in the hobby last month. To read the whole story select the Article Link or go to MDHTALK.org. There are more news stories placed on the MDHTALK website for August the news stories listed in the MDHTALK News Brief are just a portion of all the hobby related news reported the past month. *The news Brief is now available in Adobe PDF format, there is a link at the top of this webpage.* The news brief is no longer emailed; it is only available on the MDHTALK website and can be downloaded.

**The Website's featured article for this month is:** Is Recreational Metal Detecting on the Endangered List By: Lee Wiese Download this article Updated: 12-30-20

Metal Detecting took form in the 1950-60s and the detectorists who were metal detecting at that time had very few restrictions and the finds were fabulous. Metal detecting during this period can be described similar to being in the old west with open ranges and anything goes. The finds stories from those in the hobby during that period are hard to believe against today's detecting results.

So is Metal detecting on the Endangered List? Let's take a look at the barriers and variables that affect the hobby.

Barriers to Recreational Metal Detecting

The Law: Today, the U.S. metal detecting environment is controlled by a hodgepodge of Federal, State, City, County laws. A major reason for this is that there is no regulation, law or statue at the Federal level that provides any support for recreational metal detecting.

Some of the Federal statues were written before metal detecting became a popular hobby and since these acts were drafted to protect America's Heritage it may have been felt that users of a metal detector on federal lands would rob America of some of its heritage. There were four major federal acts drafted to protect America's heritage and everyone (detectorist) should read each of them. They are:

- 1906 American Antiquities Act act link
- 1966 National Historic Preservation Act, As amended in 2000 act link
- 1979 Archaeological Resources Protection Act act link
- 1990 Native American Graves Protection and Repatriation Act act link

The four acts indeed do protect Americas Heritage but at the same time limit or in most situations make metal detecting an unlawful act. If someone is caught metal detecting in National Parks, National Historical Sites, National Monuments, National Recreational Areas, Native American Lands or on archaeological sites the penalties can be severe. There are a few exceptions where portions of Federal Forest Service and BLM lands allow metal detecting if no archaeology sites are present.

During the past 35 years most, if not all, of the fifty states now have laws modeled after the federal acts thus making many state lands unavailable to metal detecting. Many states have also enacted specific metal detecting laws that make it unlawful to detect, or may require special permits and permission to metal detect state land areas. The result is that individual state laws have direct impact and control over recreational metal detecting in the 50 states. Of course this includes state parks, historical sites and state archaeological sites. Usually metal detecting laws are very different from state to state.

In more recent times counties, cities and school districts have also enacted regulations that restrict, forbid or require a permit to

metal detect. Each year in the U.S. the list of cities, counties and school districts grows in length as new restrictions are exacted against metal detecting.

The result is that more and more public lands are becoming unavailable to recreational metal detecting. Plus some states are in the process of enacting changes to their archaeology law which in the future may or will impact the ability to metal detect on private lands without specific permits and permission.

Governmental Staffing. The federal government has agencies or very large departments that support the various acts related to the preservation of America's Heritage. All of these agencies are fully staffed with professionals educated in their specific disciplines to protect and evaluate America's heritage and resources.

To compliment the Federal agencies are state agencies and departments which are also staffed, but at lesser levels, to handle the same types of issues. Counties and cities usually have staff in various departments responsible for the oversight of the same American Heritage issues.

Currently you can find staffing at all levels of government that support America's Heritage. So it has become very difficult to get laws and regulations passed, or just modified to support recreational metal detecting. There are now many barriers and no one in the public sector is interested or chartered in providing support for the hobby.

#### Variables that affect Recreational Metal Detecting

National Detecting Association. In the U.S. there are no metal detecting associations that truly represent the metal detecting hobby. Yes, there are national associations in name but do they really represent the hobby at any government level? No. Occasionally, after an incident occurs these associations take up an issue. Therefore, they do take on small skirmishes but the associations are not proactive in working with government officials just re-active to a given situation. The major reason for this is the lack of funding, the volunteer staff, and the lack of strong hobbyist loyalty to protect the hobby.

What might be the requirements for an association that truly can, could and would represent metal detecting?

#### Association Requires:

- a paid association staff
- vision, mission, strategies, tactical plans, commitment, and financial resources
- alliances with other hobby associations (Prospecting, Off Road, Gem & Rock Hounds, Bottle Collectors, Coin & Token Collectors and other like hobbies)
- recognition and support by detector companies
- strong support from U.S. clubs and individual detectorist
- involvement in governmental legislation

# One recognized U.S. National Detecting Associations is:

• FMDAC - Federation of Metal Detecting and Archaeology Clubs web link

State Detecting Association. There is a vacuum in the U.S. when it comes to state metal detecting associations. These associations could provide a great deal of metal detecting support at the state level. Any state that has five or more clubs should be represented by a state metal detecting association. The primary role of this association would be to introduce state metal detecting legislation, monitor other state legislation and provide direct support to local clubs. Currently there are two state associations:

- Metal Detecting Association Of Washington web link
- Texas Council of Treasure Clubs web link

Each of these organizations would be a good model to emulate for setting up new state association.

Detecting Clubs. There are around 550 metal detecting clubs in the U.S. with only a small number of these clubs being actively involved in their local community; far more clubs take no leadership role in the support and protection of the hobby. Some large clubs with good organizational structure and membership involvement do not participate in any way at the national, state level, or in their community. Generally, clubs do not even have a training program for new detectorist, yet with the influx of new detectorists the need of such a program is very desirable.

Clubs are usually centered on internal club events. This is good for the membership but in today's environment these same clubs must dedicate people, club time and resources to do much more to support the hobby.

The Hobby. With the retirement of the boomer generation the hobby will experience many new detectorists. These new retirees are looking for an experience that will provide exercise, enjoyment, a new challenge and getting outdoors. This influx of adults into recreational metal detecting may add to the endangerment of the hobby. Why is this? These new detector hobbyists are not educated on the laws influencing metal detecting, the responsibilities of the detectorist, the ethics, the proper recovery of a target and how to

detect without annoying people in their immediate area. This lack of metal detecting knowledge can lead to damaging public and private properties as well as the public's image of the hobby. This in turn may cause more lands to become off limits to metal detecting since public officials will be quick to make metal detecting unlawful if complaints arise.

There is also the issue of proper etiquette while metal detecting. Etiquette encompasses the use of detecting ethics, the detectorist responsibilities and displaying proper respect for others in one's immediate metal detecting area. Example: Proper beach detecting etiquette is extremely important by

- keeping a wide distance or margin away from other beach goers
- not lifting your sand scoop up high and shake it when sand can be blown from the scoop onto people laying on the beach
- not metal detecting on the beach during the busiest times of the day
- always removing all metal trash from the beach
- etc, etc.

#### Metal detecting etiquette will be a future mdhtalk article.

**Detectorist Responsibility.** The term Responsible Metal Detecting can be found in the Code of Practice on Responsible Metal Detecting in England and Wales web link to responsibilities. However, the term Responsible Metal Detecting in the U.S. is rarely used or defined. Below you will find six major heading of an article on the responsibilities available on the MDHTALK website. Responsible Metal Detecting is to:

- Know and Follow the Law
- Gain Permission
- Always Apply the Metal Detecting Code of Ethics
- Join a Metal Detecting Club and National Metal Detecting Association
- Understand the Potential Cultural Value of Your Find
- Volunteer Your Services to the Hobby

You will find more detail for each of these responsibilities at: web link to article Metal Detecting Ethics: web link to article

Night Hawking. Night Hawking is metal detecting on public and private lands under the cover of darkness. As there is an increasing effort to curb the hobby by making more laws and greater enforcement of existing laws detectorist will out of desperation, turn to night hawking to detect and remove those remaining good targets.

As the public becomes aware of metal detecting abuses such as night hawking, public officials will be lobbied more and more by groups that support the preservation of native American artifacts, historical sites and archaeological resources. The result will be more restrictions and greater enforcement against the hobby.

Detectors Technology: During the last ten years metal detector technology has greatly improved by providing greater depth sensitivity, LCD displays, target id technology, software control, and enhanced coil technology. The detectors of today provide the user with the opportunity to detect targets at greater and greater depths. This greater depth capability is a plus for the hobbyist and can be a minus for the hobby. Putting this technology in the hands of inexperienced hobbyist can lead to the destruction both public and private land. This is because recovering targets that are much deeper can result in creating wider and deeper holes in the turf to recover the target. Without proper target recovery training these deeper target recovery efforts can be disastrous to the turf and in turn to the public's image of the hobby.

Environment. The laws to protect the environment, the laws to protect animal & marine species and laws to protect other archaeology resources will in the future have a greater impact on beach detecting (fresh & salt water). On salt water beaches during certain periods of the year you can find small taped off areas to protect turtle eggs. In the future as more attention is placed on protecting marine life you will probably see complete beaches and coastal areas un-accessible for public activities.

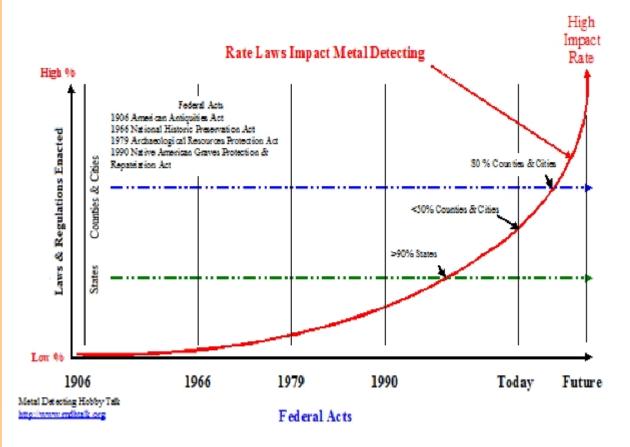
Here is one example: The California Marine Life Protection Act (MLPA), calls for the creation of a science-based network of marine protected areas along the state's coastline similar to national parks regulation on land. web site link

There have also been numerous examples drafted to establish a National Landscape Conservation Program to cover BLM lands. This type of legislation could be similar to the national park regulations for outdoor use and be very restrictive. This legislation would impact all outdoor hobbies not just metal detecting.

Fresh water beaches, lakes and streams are starting to be protected by archaeology laws as the states rush to protect more of America's Heritage. In the future, these laws will become better defined and enforceable towards fresh water beaches, adjacent water areas, lakes and streams and will most likely make them un-accessible to metal detecting.

Conclusion. The U.S. wide environment for recreational metal detecting during the past twenty-fives years has gotten much more restrictive and far more restrictions are expected in the next twenty years. Take a look at the graphic below.

- The "X" axis has key dates that concise with the four major federal acts plus today and the future.
- The "Y" axis represents how rapidly states, counties and cities have enacted laws and regulations supporting the federal acts.
- The red arc (line) from 1906 to the Future displays the rate at which public entities have adopted or created laws that
  indirectly or directly effect recreational metal detecting.
- High Impact Rate. This is the projected rate at which laws and regulations are enacted that will make metal detecting unlawful, or require a permit, or permission.
- *Graphic Disclaimer.* This graphics is based on the analysis of the federal acts, state laws, and the review of many county and city regulations. The percentages are a bit of a guess when it comes to the level of law enacted in each entity (states, counties, cities) however the error factor is probably relatively small.



In summary

the graphic is an interpretation of the previous discussed on the barriers to metal detecting and the variable that effect metal detecting as represented by the opinion of this author.

As laws and regulations continue to be enacted in more and more public entities there is a lack of evidence that national detecting associations, state detecting associations and detecting clubs have had any impact on slowing down the generation of these laws and regulations.

With many more inexperience detectorists entering into the hobby and using the greatly improved detector technology the issue is; there is no clear and consisted way to educate them on the dos' and don'ts of the hobby. Finally, the future looks bleak when it comes to new environmental legislation that may be passed and in turn could impact the hobby's future.

By just looking at the time period from 1990 to today you can see that a great deal of change is taking place in relationship to the laws and regulations driven by the hobbies popularity and distrust of the hobby by those in government. The expectation is that this curve will accelerate in the next twenty years as the result of more regulation of the hobby. The result will be that at some point metal detecting will probably not be available on most lands in the U.S. So.....

The question: Is Recreational Metal Detecting on the Endangered List? YES, one can find no evidences that the current trend rate will not continue to go up and to the right on the graphic. Currently, there is nothing in the works to change or diminish the metal detecting barriers or to alter the metal detecting variables.

Next month there will be a follow-up article on some alternatives to aid the hobby. If you have an opinion about this article, or a possible alternate view, or a possible solution MDHTALK would like to hear from you.

# General U.S. and World Wide Hobby News

## **Other News Sources**

- 'I've found tools over 10,000 years old': Inside the lives of twenty-first century treasure hunters. Article Link
- Glen Ridge resident continues to dredge local history with his metal detector. Article Link
- 10 Places You Can Still Pan For Gold In California's Hills. Article Link
- Town of Culpeper bans digging in parks, allows surface metal-detecting. Article Link
- Froggy's Metal Detecting Finds. Article Link
- Milwaukee metal detector enthusiast visits dozens of homes searching for treasure. Article Link
- Proposed BLM rules for Missoula area near finalization. Article Link
- Magnet fishers fined after reporting ammunition catch at Fort Stewart. Article Link
   Crimic Tology The importance of firsts. Article Link
- Grim's Tales: The importance of firsts. Article Link
- Some positive energy': Diver finds lost family heirloom in Oneida Narrows. Article
   Link
- Treasure trove of jewels and gold from 17th century shipwreck found in Bahamas. Article Link
- How to Find Treasure. Article Link
- P.E.I. tourists from Ontario, Nova Scotia reunited with lost rings thanks to New Brunswick metal detector hobbyist. Article Link
- Metal detecting inspires Mitchell artist to transform old U.S. coins into works of art dubbed 'hobo nickels'. Article Link
- Big pink diamond discovered in Angola, largest in 300 years. Article Link
- Gold panning returns to Taylor. Article Link
- Local Metal Detectorists Are Practitioners of an Uncommon Pursuit. Article Link
- County Derry metal detectors building reputation for recovery on the North Coast. Article Link

## U.K. News

- HEART OF KENT METAL DETECTING RALLY 2022 KICKS OFF WITH MINELAB. Article
   Link
- Plan to encourage responsible metal detecting on Anglesey. Article Link
- Channel 5 show Digging for Treasure filmed in Northallerton. Article Link
- 17th century gold ring is treasure. Article Link
- Metal detecting rules set to change in one North Wales county. Article Link
- Archaeologists Have Uncovered a Vast Trove of Gold Rings Buried Alongside an 'Extremely Rich' Ancient Noblewoman in Romania. Article Link
- Bronze Age treasures found in burial site. Article Link
- French history myths: There is buried treasure in Rennes-le-Château. Article Link
- Norwich detectorists describe Roman gold coin hoard find. Article Link
- Treasure hunters find hoard of Anglo-Saxon coins worth tens of thousands of pounds. Article Link
- Ireland's priceless treasure hidden by monks. Article Link
- Proposed changes to metal detectorists access arrangements. Article Link
- Mum unearths mysterious object in garden and people think it could be a weapon. Article Link
- Royton couple's hobby inspired by BBC show Detectorists. Article Link

# North America Archaeology News

- WestConn students uncover treasures from Native Americans in archaeological dig in Litchfield County. Article Link
- Digging into history in state parks and forests. Article Link
- Domestic chores marked Utes' use of site on Uncompany Plateau. Article Link

- American Digger Relic Roundup. For diggers and collectors of history. An hour long program every Monday Night at 9:00 PM eastern standard time. Join your hosts Butch Holcombe, Jeff Lubbert and Heath Jones as they explore the past. Learn more about Metal Detecting, Treasure hunting in all it's forms, and the preservation of history. August Pod Cast Link
- Coin World Numismatic and Coin Collecting August
   News
- Garrett Searcher April 19 Searcher
- Gold Prospectors Assn of America (GPAA) News on legal issues for the gold prospecting community August News
- Mel Fisher Salvage Update
- Prospecting and Mining Journal (IMCJ) August News
- The Archaeology and Metal Detecting Magazine The Archaeology and Metal detecting magazine are one of the lead online sites in their genre. Offering multiple platforms for Archaeological, Historical and metal detecting news, articles, research areas and much more. August News
- 1715 Fleet Society September Newsletter

# Jewelry Returns

- Man returns wedding ring to owner after finding it at Hampton, NH beach with metal detector. Article Link
- Precious lost family pendant found by metal detectorists. Article Link
- West Virginia man's lost ring found after 43 years. Article Link
- Elderly Woman Reunited with Lost Engagement Ring in Emotional Video. Article Link
- Metal detectorist reuniting people with mislaid treasures. Article Link
- Group of Metal Detectors Locate Missing Wedding Rings in Westbrook Article Link
- Group of Metal Detectors Find Set of Three Wedding Bands at Beach. Article Link
- Ravenswood High School alum finds missing class ring after 4 decades. Article Link

#### W.W. Meteorite News

- Piece of meteorite that created boom over Utah gifted to University of Utah. Article Link
- What's the difference between a meteor, meteoroid, and meteorite? Article Link
- Did you see that bright light in the night sky? Here's what it was. Article Link

#### **Event News**

### Metal Detecting & Gold Prospecting Events.

Now is the time to start planning and getting your club's 2022/23 hunt information on the web. The sooner it is out and available to the metal detecting community the greater the chance for people to see it and give your event some consideration.

- September 03, 2022 (Two Days) Crab Orchard, Kentucky
   4th Annual Moonshine Treasure Hunt Terry and Brenda Causey
- September 23, 2022 (Three Days) Salome, Arizona 2022 WWATS Rendezvous Open Hunts WWATS - World Wide Association of Treasure Seekers
- September 24, 2022 (Two Days) Deal, New Jersey 31st Annual Jersey Shore Treasure Hunt Deep Search Metal Detecting Club
- September 30, 2022 (Three Days) Stanton, Arizona Mining Event - Push Dig LDMA-Lost Dutchman Mining Assn

Select here to View the Complete Event

Add Your Event Information Here

Check out your event before going it may have been postponed, canceled or changed

#### Proposed BLM rules for Missoula area near finalization By Joshua Murdock Website Link

New rules for memorial signs, pellet guns and other activities are coming to the 167,000 acres of public lands around Missoula managed by the Bureau of Land Management.

The rules, on track to take effect later this year, would prohibit certain activities and allow others only with prior authorization from the BLM. Some rules apply to all lands overseen by the field office, spanning Missoula, Granite and Powell counties. Others apply only to specific sites including Garnet Ghost Town, the Rattler Gulch climbing area near Drummond and the Blackfoot Special Recreation Management Area.

Burning treated lumber or wood containing hardware like nails or screws would require prior authorization. Firing airsoft or paintball guns over travel routes, over water or near structures or camps would not be allowed, and projectiles would have to be either biodegradable or collected after firing. Erecting or placing memorials, shrines and plaques would not be allowed without prior authorization. Personal property left unattended longer than 72 hours would be considered abandoned and able to be removed by the agency.

Along the Blackfoot River in the Blackfoot Special Recreation Management Area, jumping from bridges over the river would be prohibited, and day-use sites would be closed from 10 p.m. to 5 a.m. daily. At Garnet Ghost Town, camping and use of metal detectors would not be allowed without prior authorization. Discharging firearms or fireworks, smoking in or near a building, or establishing a fire outside of an official fire ring, would be prohibited. Animals would be allowed only on leashes 6 feet or shorter. In the Limestone Cliffs area, a rock climbing site northwest of Drummond referred to as Rattler Gulch, installation of fixed climbing hardware (often referred to as bolts) on new or existing routes would require prior authorization. Shooting would be prohibited there, except for legal game hunting, and pets would need to be leashed.

"Those were either specific issues we had seen or safety concerns, things that were presenting public safety concerns for us, that were outside of our existing (rules) — but we were unable to enforce," Erin Carey, the Missoula Field Office manager, said on Wednesday. She explained that while federal law and agency-wide rules provide enforceable backing for much of the regulations on BLM-managed lands, field offices implement their own supplementary rules to manage activity to their area's, or an individual site's, specific needs.

"We did not have the backing rules," Carey said. "These were identified issues for resource protection and public safety that were not covered by rules that allowed us to take enforcement action on them. So it is specifically enforcement" that's prompting this proposal.

Some proposed rules, like the one addressing abandoned items, could allow the agency to address what Carey described as a common problem of dumped vehicles, or detritus left behind by people living on public lands.

"Abandoned vehicles, it's not an uncommon problem," she said. "Abandoned campsites, you see those. Maybe they were camping, they were probably residing, and then they just left. Those sites are pretty full of trash."

A determination of what, exactly, is or isn't abandoned after 72 unattended hours would come down to the discretion of officers enforcing the rule. Hunting and camping, Carey said, are often easy to differentiate from abandoned vehicles or vacated camps.

The set of 10 proposed supplementary rules, containing some subsections within individual rules, was submitted to the Federal Register on Aug. 4. A 60day comment period on the proposed rules closes Oct. 3. After that, the proposed rules and any comments will undergo an internal staff review before heading to Sonya Germann, the BLM's state director for Montana and the Dakotas, for her review and approval. If approved, the rules would be published again in the Federal Register and would take effect in 30 days. Federal challenges

The rules were previously published and available for comment in 2019 alongside a draft of the Missoula Field Office's Resource Management Plan, and again in 2020 alongside the office's proposed RMP.

The RMP, crafted during the presidency of Donald Trump, was subject to legal wrangling between then-Montana Gov. Steve Bullock and the Department of the Interior. In a victory for Bullock, a federal judge ruled that William Perry Pendley – who as acting director of the BLM had approved the RMP – was not a legitimate leader of the agency because the president hadn't appointed him to the position. The court also ruled that Pendley did not resolve protests to

the plan from the Bullock administration. The judge set aside the Missoula and Lewiston field offices' RMPs signed by Pendley.

But, ultimately, then-Secretary of Interior David Bernhardt approved the RMP himself after the Bullock administration chose not to appeal the agency's determination that the plan meshed with state laws. The plan went into effect in January 2021.

Unlike the RMP they were presented alongside, the proposed supplementary rules have not generated controversy or litigation. Carey said that the proposed supplementary rules will allow the agency to enforce management priorities laid out in the RMP. For example, rules proposed for Garnet aim to achieve the agency's priority of managing the ghost town for historic preservation, particularly fire prevention. The proposed rules don't seem to be controversial, she said, noting that they garnered no public comments during each of the last two public comment periods.

"We want to do our due diligence and make sure the public has an opportunity to comment," she said, "but based on what we've seen ... this is small potatoes. These are not expected to be controversial. But you never know, somebody could come out of the woodwork."

On Wednesday, Michael Moore of the Western Montana Climbers Coalition wrote in an email that the organization, which advocates for climbing access on public lands, "does not have a problem with the new notification rule which will go into effect later this year." The coalition has been aware of the proposed rule, which would require that bolt installation occur only with prior coordination with the field office, for more than a year, he said, and he's discussed it with Carey. "We're not very concerned about it."

Unlike other portions of public lands where installing new bolts or maintaining existing hardware has been banned or put on hold, the proposed rule on bolting around Rattler Gulch is not a ban, Carey wrote in an email Wednesday.

"Climbers coordinate with the BLM and receive authorization prior to developing new routes or replacing existing hardware," she wrote.

Other actions, like erecting a memorial on BLM-managed land, would likewise require prior authorization from the agency under the proposed rules.

"That is an issue across public lands, a lot of memorials," Carey said. "Whether it's tombstones or crosses or a lot of memorabilia placed, it sounds kind of callous, but it's not an appropriate place."

Authorization for a memorial is "going to be very case by case, whether you're wanting to scatter ashes or whether you're wanting to install a plaque or build a bench with someone's name on it," she said, noting that "we have to think about the much larger management picture that's at play."

Some rules, like those proposed for a parcel known as the Dupont Acquired Lands, would simply allow the agency to enforce existing deed restrictions put in place by the previous landowner who transferred the property to the BLM. Those proposed rules prohibit camping outside of designated sites, prohibit campfires and warming fires, prohibit unauthorized motor vehicle use, prohibit unauthorized firewood collecting and prohibit discharging a firearm except for legal game hunting. Similar rules are proposed for Bear Creek Flats, with the exception of the prohibition on motor vehicle use.

To comment on the proposed supplementary rules, enter a comment via the Federal Register, email BLM\_MT\_Missoula\_FO@blm.gov, or mail: Proposed Supplementary Rule, Bureau of Land Management, Attention: Erin Carey, Missoula Field Manager, Missoula Field Office, 3255 Fort Missoula Road, Missoula, MT 59804.

Metal Detecting Hobby Talk MDHTALK HOME PAGE http://www.mdhtalk.org