

The Department of the Interior regulation under PRPA will be ready for publication soon. Many of your members provided detailed comments, so I think the final regulation will have great interest for AAPS. I think you will see that amateur collecting is promoted in a much more positive way in the final version. I am willing to meet with anyone at AAPS if you have questions or want more information about anything.

The spring 2019 update is as follows:

### **Department of the Interior Rulemaking under the Paleontological Resources Preservation Act (PRPA)**

A departmental regulation will be ready for publication soon. The interbureau team completed a revised final regulation in the Fall of 2018 and has been working to get it into bureau and departmental signature since that time. As of today (May 13, 2019), the final regulatory package (rule + departmental response to public comment + front matter [explaining compliance with regulatory requirements]) is awaiting three separate approvals before it will go to signature. These three approvals are for compliance with other laws, specifically the *Paperwork Reduction Act*, the *Privacy Act*, and Executive Orders regarding regulatory burden. We have made significant progress with all three of these requirements and expect the package to be ready for signature very soon. The signature (or surname) process will be very complex, including surname from more than 50 people or offices across four bureaus and four divisions of the department. In order to expedite this process we have briefed these offices in order to anticipate any concerns that any of these offices might have. The new regulation will be published in the Federal Register and will go into effect 30 days later.

The Department of the Interior (DOI) and US Department of Agriculture (USDA) regulations under PRPA will be complementary, though not identical. There are two reasons for this. First, the DOI regulation underwent revision into "plain text" as a result of DOI direction to make regulations readable to the public, and DOI changed some provisions in the casual collection subpart to make it more accessible to the public. Content differences are minor, so neither department will need to pursue conforming amendments to their regulatory language in order to match the meaning of the other.

### **BLM Paleontology Program, Spring 2019**

The BLM paleontology program is pursuing four priorities:

1. Implementation of the Paleontological Resources Preservation Act (PRPA). In conjunction with publication of a regulation at 43 CFR Part 49 the BLM will introduce

internal policy in two specific areas, *confidentiality* and *permitting*. The regulation mirrors the Act in requiring paleontological resource location data to be kept confidential unless release of that information meets three criteria (1. disclosure furthers the Act; 2. disclosure will not create risk or harm to the resource; and 3. disclosure is in accordance with other laws). The new BLM policy will provide a unified professional best practice on how bureaus, repository partners, and permittees disclose paleontological locality data from BLM-administered lands. The BLM will also revise its permitting policy to accommodate a wider range of permits that may be issued in order to address all types of collecting of paleontological resources. This will include removing specific education requirements to receive a permit (applicant must demonstrate that they are qualified to do the proposed work, but will not need to possess a specific certificate or advanced degree), and allow the bureau wider discretion to issue permits for educational and avocational uses, such as to amateur clubs that work in partnership with museums or universities.

2. Expansion of the Potential Fossil Yield Classification (PFYC). The BLM is working to expand the number of states with comprehensive PFYC maps. PFYC includes three parts: 1. assignment of paleontological resource potential (1-5) for every mapped geological unit in the state; 2. development of a GIS and map coverage for that state that displays the PFYC potential in five separate colors; and 3. production of a technical report that explains the rationale for each PFYC assignment across that state. Use of the PFYC system allows non-paleontologists to make early assessments of where paleontological resources may be located prior to authorizing a potentially conflicting land use. Paleontological surveys are prioritized and assigned based on the PFYC.

3. Implementation of the Recreation And Permit Tracking & Online Reporting (RAPTOR) system. Currently in development, RAPTOR will allow applicants to apply for permits online and report on those permits by interacting with the system directly. Eventually, information, such as field inventory and annual reports, may be entered through mobile applications. The bureau will receive information quicker and be able to use that information immediately and permittees will spend less time reporting on permits.

4. Data standard. BLM is working on a single data standard that will allow the bureau to receive and share information across multiple data platforms. The standard will cover PFYC (see above), field localities, and permit issuance and reporting.

---

Scott E. Foss, PhD  
BLM Senior Paleontologist  
20 M St. SE, Suite 2134, Washington, DC 20003  
[sfoss@blm.gov](mailto:sfoss@blm.gov), 202-912-7253