

CHAPTER 64
METAL DETECTOR~~S~~ USE IN STATE AREAS
[Prior to 12/31/86, Conservation Commission [290] Ch 43]

571—64.1(461A) Definitions.

“*Beach*” or “*beach area*” means that portion of state parks or recreation areas designated for swimming activity including the sand, a 200-foot buffer of land surrounding the sand or a designated area which is fenced in, and the water area contiguous to the beach as marked by swim buoys or swim lines.

“*Metal detector*” means a portable electronic device carried by an individual used only for detecting metal above or below the surface of the ground.

571—64.2(461A) Use areas. Metal detector use in state parks and recreation areas is prohibited except in the following areas:

64.2(1) Designated beach areas. From May 22 to September 7 each year, metal detectors may be used on designated beach areas from 4 a.m. to 11 a.m. each day. From September 8 to May 21 each year, metal detectors may be used on designated beach areas during the hours established in ~~571—61.1(461A)~~ 571-61.10(10).

64.2(2) Drained lakes. When an artificial lake has been drained or the water level lowered for any reason, metal detector use may be allowed during the hours established in ~~571—61.1(461A)~~ 571-61.10(10) only after the lake bed has been thoroughly surveyed for archaeological resources and a survey report has been completed and approved by the state historic preservation office.

571—64.3(461A) Archaeological/scientific studies. When the use of a metal detector may support an archaeological or scientific study, a sovereign lands construction permit may be issued ~~by the manager in charge of the property~~. Review of all sovereign lands construction permit applications shall be coordinated with the state historic preservation office ~~and the state archaeologist~~. The DNR shall take the state historic preservation officer's and the state archaeologist's views into account before acting upon the issuance of a permit.

571—64.4(461A) Found items. All items found are subject to the provisions of Iowa Code chapter 556F.

571—64.5(461A) Lost item search by owner. An owner of lost property may use a metal detector to search for that item in an area where such use is prohibited under the following conditions.

64.5(1) Written approval has been granted by the director of the department of natural resources or designee.

64.5(2) The search is confined to a reasonable area within the park or recreation area.

64.5(3) The search is limited to 12 hours or less in length.

571—64.6(461A) Tools used. Tools used to recover items detected beneath the ground level shall be limited to the following:

64.6(1) Probes not over 12 inches long, 1-inch wide, and ¼-inch thick.

64.6(2) A sand scoop or sieve not over 10 inches in diameter.

571—64.7(461A) Digging limitations and restoration.

64.7(1) In recovering items located below the ground, a person shall not unduly disturb the earth and shall limit all excavations to less than three inches square when using probes and ten inches in diameter when using sand scoops or sieves.

64.7(2) When digging is done to search for an object, the metal detector operator shall restore the disturbed area as nearly as possible to its original condition.

571—64.8(461A) Disposal of litter. Persons using metal detectors shall wear or carry a litter apron or bag, and All litter that is recovered shall be disposed of in approved trash receptacles.

These rules implement Iowa Code section 461A.35.

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