

## Information Bulletin #46 (Third Amendment)

**SUBJECT:** Geocaching on DNR Properties

### 1. Purpose and Application

The purpose of this information bulletin is to provide guidance for the management of geocaching on a DNR property. A person who participates in geocaching is subject to [312 IAC 8](#). A "cache" is a "device" and requires a license from the department under [312 IAC 8-2-10\(6\)\(B\)](#). The standards for a license are outlined by this information bulletin.

### 2. Definitions

- (1) "Cache" means a container that is used in association with geocaching. A cache typically includes items such as a logbook, pen, pencil, map, or trinkets.
- (2) "Containerless cache" refers to the target for geocaching for which there is no container or logbook. Objects are not traded at the site of a containerless cache. The term includes any cache type without a container listing a DNR property, or identifying global positioning system (GPS) coordinates on a DNR property, as the cache location.
- (3) "Department" or "DNR" refers to the department of natural resources.
- (4) "DNR property" has the meaning set forth in [312 IAC 8-1.5-6](#).
- (5) "Geocaching" means a game pursued by GPS users. An individual or organization places a cache or caches and shares its or their location on the Internet. A participant in the game applies the GPS coordinates to locate a target cache or caches. When located, the participant records the find on a designated website such as [www.geocaching.com](http://www.geocaching.com). The game may provide that objects are traded at the cache.
- (6) "Multi-cache" refers to containers that are located from information received in another cache.

### 3. License Applications

- (1) A person must obtain an "official geocaching placement license" on a department form before placing a cache on or within a DNR property. A cache that is placed without first obtaining a license under this information bulletin may be removed by the department and disposed as provided in "Personal Property Found on DNR Properties" (Information Bulletin #23, Second Amendment) that was posted on March 21, 2012, in the Indiana Register at [20120321-IR-312120149NRA](#).
- (2) The property manager is authorized to issue, condition, or deny a license application.
- (3) A person who is aggrieved by a determination by the property manager may seek informal review from the division director. A determination by the division director is subject to administrative review under [312 IAC 3-1](#).

### 4. General Prohibitions, Limitations, and Requirements

- (1) In the placement of a cache or other participation in a geocaching activity, a person must not do any of the following:
  - (A) Violate [312 IAC 8](#) or another state or federal law.
  - (B) Dig or otherwise disrupt the ground to place a cache.
  - (C) Place a cache more than 25 feet from a developed trail, road, or access point.
  - (D) Place a containerless cache anywhere other than on or discoverable directly from a developed trail, road, or access point.
  - (E) Locate any cache other than a containerless cache on a property administered in whole or in part by the division of nature preserves.
  - (F) Seek a containerless cache on a property administered in whole or in part by the division of fish and wildlife.
- (2) The maximum number of caches that can be approved on a DNR property at any time is the lesser of the following:
  - (A) 50; or
  - (B) the number derived by dividing the total acreage of the DNR property by 200 acres. A DNR property containing at least 200 acres but not more than 1,000 acres is limited to not more than five caches. A DNR property containing fewer than 200 acres does not qualify for geocaching.
- (3) A property manager is not required to approve any multi-cache but may approve not more than five multi-caches under an official geocaching placement license. Not more than five stages may be established in any one multi-cache.
- (4) As soon as practicable after placing a cache, the person who holds an official geocaching placement license must record the exact location on the copy of the license maintained by the property manager.

- (5) A person that holds an official geocaching placement license must inspect any cache at least once every six months to help ensure compliance with this information bulletin. During the inspection, the person must remove from the cache any food, alcohol, firearms, drugs, items unsuitable for minors, or other items that may pose a danger to people or wildlife.
- (6) An official geocaching placement license expires:
  - (A) on January 1 of the year following the date of issuance; or
  - (B) if issued after October 31, on January 1 of the second year following the date of issuance.
- (7) A property manager may renew an official geocaching placement license for a subsequent period under the terms described in part 6 of this paragraph.

## 5. License Standards

The property manager shall exercise reasonable discretion in determining whether to issue, condition, or deny an application for an official geocaching placement license. In the exercise of discretion, the following factors and principles apply:

- (1) A cache shall not be approved for placement in a sensitive archaeological, historical, or ecological area. Examples include an historic building or structure, a cave, or an area that contains a rare, threatened, or endangered plant or animal.
- (2) A scheduled resource management activity, such as a timber sale or a prescribed burn, shall be considered in evaluating a license application.
- (3) A cache cannot be approved for placement in an area that could reasonably cause danger to a geocaching participant or to another person who visits the DNR property. Examples of inappropriate areas include a cliff, bluff, tree, lake, stream, road, or flood prone area.
- (4) For inclusion with the license application, the property manager may require a person issued an official geocaching placement license to provide a photograph of the cache, the site where the cache is placed, or both.
- (5) Any other factor reasonably consistent with proper use and protection of the particular DNR property, including implementation of a master plan.
- (6) A containerless cache is exempted from licensing under this information bulletin, but a person who administers or seeks a containerless cache must comply with [312 IAC 8](#).

## 6. License Suspension or Revocation and Site Reclamation

- (1) The property manager may suspend or revoke an official geocaching placement license if a term of the license or of this information bulletin is violated or if the location of the cache is found to pose a hazard to safety or the environment. The property manager shall make a reasonable attempt to notify the license holder of the action, as well as to notify the designated website. The reasons for the property manager's action shall be recorded with the license. If the license holder elects to relocate the cache, a new license application is required.
- (2) Upon the suspension, revocation, or termination of an official geocaching placement license, the license holder is responsible for removal of the cache, for site restoration, and for any associated expenses. A person who places a cache without a license has the same responsibilities as if issued a license.
- (3) A person that is aggrieved by a suspension or revocation may seek administrative review under [312 IAC 3-1](#).

## 7. History

The Natural Resources Commission approved this information bulletin on November 16, 2004. The bulletin was published in the Indiana Register and effective January 1, 2005. The Commission approved amendments in September 2005 to include the Division of Museums and Historic Sites among DNR properties eligible for geocaching. The amendments were effective November 1, 2005. In July 2009, the Commission approved amendments to allow what are now called "containerless caches" on properties administered by the Division of Nature Preserves and to allow geocaching on the Interlake State Recreation Area. The amendments were effective August 1, 2009. In September 2012, at the request of the DNR and geocaching organizations, the Commission made numerous amendments to the bulletin. Reference to the Division of Museums and Historic Sites was removed because the division was repealed by P.L.167-2011. The amendments were effective October 1, 2012.

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