

Joint Aquatic Resource Permit Application 'JARPA'

To prospect in this state, one of three things needs to happen:

1. Using hand held and [certain] non-motorized equipment, you may look for gold year-round in any waterway, except lakes and salt water.
2. Following the '**Mineral Prospecting With Timing Restrictions**' rules in the Gold and Fish pamphlet allows you expanded equipment usage, but with timing restrictions.
3. For prospecting outside the allowed timing and equipment, you need to file a JARPA to receive an HPA (Hydraulic Project Approval).

The Gold and Fish pamphlet covers basic equipment and timing. It is the permit needed to mineral prospect in the State of Washington. While not required to be in your possession for #1, you should know the rules and equipment restrictions.

For #2, a copy needs to be with you, on site, while working.

For #3, the pamphlet, along with the written HPA **and** a copy of your JARPA must be on site.

Filling out a JARPA looks intimidating. It isn't. We have some easy steps and a sample to help you. You may fill the JARPA out, using word, print it and mail or, print out the PDF copy, fill in the blanks, and mail. Keep 1 copy for your records. Remember to sign each one. Signature 'copies' are not legal.

The official 'e-permitting' website for JARPAs:

http://www.epermitting.wa.gov/site/alias__resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx

1. Follow the sample instructions (below) and suggestions, putting in your pertinent information: name, where you plan to prospect, equipment you will use, and sign and date.
2. The sample contains suggested language. You will need to put your own wording in places. S/A: location and type of prospecting and equipment you will use.
3. According to WDFW You may:
 - A. Deliver you Application in person
 - a) Natural Resources Building, Olympia, WA
 - B. Submit via USPS registered Mail
 - a) MAKE 3 COPIES. Two(2) to mail in and one for your records. (Note: Each copy must be signed, after it is copied. An original signature is required.)
 - b) Mail the original and 1 copy by 'return receipt'. (Will costs approximately \$4) Keep the receipt from that and the green slip when it arrives. Attach to your copy. This is important! Keep good records.
 - c) Mail to:
Habitat Program
600 Capitol Way North
Olympia, Washington 98501-1091
 - C. Submit via E-Mail
 - a) Send To: HPAapplications@dfw.wa.gov
 - b) The subject line of each email must state "JARPA for HPA".
 - c) Your application materials may only be in the following formats Microsoft Word, Microsoft Excel, or Microsoft Access programs or in PDF, TIFF, JPEG, or GIF.
 - d) The JARPA must include your signature.

- e) The combined size of the attachments to any single email must be less than 30 megabytes. Submit several emails with fewer attachments to avoid exceeding this size limit.
- f) When Washington Department of Fish and Wildlife receives your email it will send notification of receipt to the sending email address. If you do not receive this notification, your application has not been received and you should resubmit it with fewer or smaller attachments and double-check your spelling of the email address.
- g) Applications packages submitted by email must contain all application materials you are submitting for consideration.
- h) Do not additionally submit paper copies to supplement your emailed application.

4. Once WDFW receives your JARPAs, they have, by law, 45 days to:
- A. Deny your request
 - B. Allow, with conditions
 - C. Allow fully

Occasionally, WDFW has been telling us the application is 'incomplete'. This puts the 45-day requirement on hold. This may be for missing information on the form, forgetting to sign, site inaccessible to survey (snow), or a host of other issues. While we feel [some of] these reasons lend themselves to a 'delaying tactic', by law they do have this right.

If the time is closing in on 45 days and no HPA or communication from WDFW has occurred, a phone call to the AHB (Area Habitat Biologist) should be made. Or, call Lisa Wood: 360-902-2260.

You may also receive an HPA with conditions you feel obstructive. S/A: 'must dredge in 10' of water or more, only on bedrock, process high-banking material 30' from the water. (Note: they may be very creative, so read the conditions carefully and completely)

Timing is another concern. You may wish to prospect in June. The HPA could show only July or August.

Also, there may be a requirement to contact enforcement 24 hours prior to starting work and 48 hours after. This is a difficult task, especially if there is no cell phone service where you wish to work. Currently, this issue is being debated.

You have the right to appeal. **But, you only have 30 days to do so.** Make the decision.

Appeals normally cost nothing, Except time.

Two means to appeal

Informal Appeal to WDFW

Directly to the Pollution Control Hearings Board (A Legal Proceeding)

This step is not to be taken lightly. It will involve court time, in front of the Pollution Control Hearing Board, and be bound by court rule. You will be required to present 'discovery' and act as your own attorney, if you don't wish to hire one. This may be expensive. And, be lengthy (several months).

Include a map of the area showing where you wish to prospect. Most Associations have claim maps that work just fine. Make a copy, highlight where you will be working and include that with the JARPA.
