

**23. AQUATIC LANDS ENHANCEMENT ACCOUNT GRANT PROGRAM –
RULE ACTION**

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Meeting dates:	November 2-3, 2007 Meeting (Rule Action)	#23
Agenda item:	Aquatic Lands Enhancement Account (ALEA) Volunteer Cooperative Grant Program Overview and Open Application Period – Rule Action	
Staff Contact:	Josh Nicholas, Cooperative Projects Coordinator (Fish Program)	
Presenter(s):	Morris Barker, Ph.D., State Marine Resource Manager (Fish Program)	

Background:

PROGRAM OVERVIEW

The ALEA Volunteer Cooperative Grant Program provides \$1.4 million each biennium to volunteer organizations and individuals who undertake projects that are beneficial to Washington’s fish and wildlife. Funding comes from the Aquatic Lands Enhancement Account. Project types include: Research, Artificial Production, Habitat Enhancement, Outreach/Education and Facility Development. The current application period is from January 2 – March 31 annually as provided under WAC 220-130-040 (2). Applicant proposals are reviewed and scored by WDFW personnel. Applicants are notified of the results of their proposals by May 31 and contracts are issued for projects effective July 1.

In May 2007, a new process for reviewing and ranking ALEA project proposals was implemented called the ALEA Grant Selection Panel. This involved bringing together eighteen WDFW managers and biologists from across all Regions and Programs to review and rank projects over a two-day period. Based on feedback from the panel members, it was determined that additional time is needed to perform a more thorough review of project applications prior to the panel meeting. Changing the application period to December 1 – February 28 would allow this needed review time while continuing to offer applicants a three-month window for submitting project proposals. Additionally, it would provide more time to resolve any contracting issues that could prevent contracts from being distributed prior to July 1 of each year.

Policy issue(s) you are bringing to the Commission for consideration:

Changing the application period for the ALEA Volunteer Grant Program to allow for a more thorough review of project applications and a more timely response to prospective grantees regarding application status.

Public involvement process used and what you learned:

Public input on the proposed change to the application period was requested from past and current grantees. Notice was also posted on the Agency web page. Public comment received was favorable toward this proposal.

In general, the public has access to updated information concerning the ALEA Grant Program, including an electronic version of the annual report, on the department website.

Action requested

Commission to consider adoption of the proposed amendment to WAC 220-130-040 (2).

Draft motion language:

Move to adopt amendments to WAC 220-130-040 (2).

Justification for Commission action:

This action is justified under RCW 77.12.047. It will allow for a more thorough review of project applications and a more timely response to prospective grantees regarding application status.



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 07-15-027 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) WAC 220-130-040, Review and selection process. Describes the review and selection process for the Aquatic Lands Enhancement Account (ALEA).

Hearing location(s): Natural Resources Building, Room 172, 1111 Washington Street SE, Olympia, WA 98504

Date: October 12 & 13, 2007 Time: 8:00 a.m.

Date of intended adoption: November 2 & 3, 2007
(Note: This is NOT the effective date)

Submit written comments to:

Name: Josh Nicholas

Address: 600 Capitol Way N
Olympia, WA 98501-1091

e-mail alea@dfw.wa.gov

fax (360) 902-2183 by (date) October 11, 2007

Assistance for persons with disabilities: Contact

Susan Yeager by

TTY (360) 902-2207 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this proposal is to change the application period in WAC 220-130-040(2) from January 2 through March 31 to December 1 through February 28.

Reasons supporting proposal: -

- Agency personnel will have time to perform a more thorough review of ALEA proposals.
- The Contracts Office will have additional time to prepare contracts prior to the July 1 start date of ALEA projects.
- Applicants who received grant awards will have an additional month for project planning.
- Applicants who are not selected for a grant will have additional time to seek alternative funding for their projects.

Statutory authority for adoption: RCW 77.12.047

Statute being implemented: RCW 77.12.047

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
September 4, 2007

NAME (type or print)
Lori Preuss

SIGNATURE *Lori Preuss*

TITLE Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **September 04, 2007**
TIME: **10:27 AM**

WSR 07-18-070

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Washington Department of Fish and Wildlife

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Josh Nicholas	Fish Program, 1111 Washington St., SE, Olympia, WA	(360) 902-2685
Implementation.... Lew Atkins	Fish Program, 1111 Washington St., SE, Olympia, WA	(360) 902-2651
Enforcement..... Bruce Bjork	Enforcement Program, 1111 Washington Street, SE, Olympia, WA	(360) 902-2929

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rule change will not impose costs on businesses.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: The proposed rule does not affect hydraulics.

AMENDATORY SECTION (Amending Order 03-306, filed 12/11/03, effective 1/11/04)

WAC 220-130-040 Review and selection process. (1) The application method is on application forms provided by the department specifically for this purpose. Application forms will be available by request from the Olympia headquarters and at all regional offices of the department.

(2) Applications for projects will be accepted each year during the open application period of (~~January 2 through March 31~~) December 1 through February 28.

(a) Applications accepted prior to the start of a biennium may be for project funding for one or both years of the ensuing biennium.

(b) Applications accepted during the first year of a biennium will be for project funding in the second year of a biennium.

(3) The funding decision deadline is May 31 of the year of application.

(4) Exceptions to the funding deadline dates will only be allowed in the event of applications for volunteer projects which are responsive to an emergency situation which may arise and which has been declared to be an emergency by the director.

(5) The department will send each applicant, within forty-five days of receipt of each application, a written acknowledgment of the receipt of the application and give the applicant an estimated date when notification of acceptance or rejection of the proposal can be expected. The written acknowledgment will also provide the department's selection criteria and a general description of the review and selection process. Final decisions and notification of acceptance or rejection of proposals where funding is requested will be made only after the biennial budget is passed by the legislature and signed by the governor.

(6) The department will determine when a proposed project might affect the management programs of federal, other state, and local agencies and of treaty tribes and will make contact with these entities, when the department determines that it is appropriate to do so, during the review and selection process. If the department determines that ongoing coordination between a volunteer group and another agency or tribe would be appropriate, it may be required as a condition of the agreement, when issued.

(7) The department may provide suggested modifications to the proposal which would increase its likelihood of approval together with the name and telephone number of the person within the department responsible for monitoring the review of the proposal.