



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 14-17-121 on 8/20/14

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. This WAC details the application requirements and selection process for volunteer groups applying for a cooperative fish and wildlife project.

Hearing location(s):

Capital Events Center
605 Tye Drive SW
Tumwater, WA 98512

Date: December 12-13, 2014 Time: 8:30 a.m.

Submit written comments to:

Name: Joanna Eide, Rules Coordinator
Address: 600 Capitol Way N.
Olympia WA 98501-1091

e-mail Rules.Coordinator@dfw.wa.gov
fax (360) 902-2155 by (date) December 5, 2014

Assistance for persons with disabilities: Contact

Tami Lininger by November 26, 2014

TTY 1-800-833-6388 or (360) 902-2267

Date of intended adoption: On or after January 2, 2014

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this proposal is to amend WAC language so Washington Department of Fish and Wildlife (WDFW) Aquatic Lands Enhancement Account (ALEA) grants may be offered once per biennium, rather than annually. This rule change will not affect the underlying process or funding and it primarily a technical change to promote efficiency in the grant process.

Reasons supporting proposal:

Conducting an annual application, review and selection process requires significant staff time. Amending department rule to offer grants once per biennium and conduct the process once per biennium will result in significant savings of staff time. The department estimates this change will result in a savings of \$3,950; the annual subscription cost of Fluidreview, the department's online application, review and scoring system for ALEA grants. This change does not affect the amount of grant funds that will be available to award to ALEA grant recipients.

Statutory authority for adoption: 77.04.012, 77.12.047, 77.100.060, and 77.100.080

Statute being implemented: 77.04.012, 77.12.047, 77.100.060, and 77.100.080

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 21, 2014

TIME: 8:06 AM

WSR 14-21-138

DATE
October 21, 2014

NAME (type or print)
Joanna Eide

SIGNATURE

TITLE
Rules Coordinator

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

Additional information about the public hearing and the December Fish and Wildlife Commission meeting is available at: <http://wdfw.wa.gov/commission/meetings.html>.

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	1111 Washington Street SE, Olympia, WA 98504	(360) 902-2685
Implementation.... Josh Nicholas	1111 Washington Street SE, Olympia, WA 98504	(360) 902-2685
Enforcement..... Josh Nicholas	1111 Washington Street SE, Olympia, WA 98504	(360) 902-2685

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.

This proposal 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:

This proposal does not affect hydraulics.

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)~~) at least once per biennium during the open application period of 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) If applications are accepted (~~(during the first year of a)~~) after the start of the biennium, they 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.