

PANDEMIC AAR AGENCY INPUT

Agency: **Department of Commerce**

Representative: **Kendrick Stewart, Deputy Director**

Executive Summary

The Department of Commerce administers a diverse portfolio of programs. These programs work to strengthen communities across a broad set of categories including support to local governments, infrastructure development, economic development, clean energy transformation, social services and housing. When the state experiences a disaster, Commerce contributes to statewide response and recovery efforts in the following areas:

- Leads and Coordinates ESF 12 – Energy
- Supports housing and social services through ESF 6 – Mass Care
- Contributes to the Joint Information Center / ESF 15
- Leads the state’s Housing Recovery Support Function
- Leads the state’s Economic Recovery Support Function
- Provides a conduit for numerous federal relief funds to local governments, non-profits, and businesses

For a more detailed summary of the agency’s COVID-19 Response and Recovery efforts, visit the Department of Commerce website: <https://www.commerce.wa.gov/about-us/agency-response-to-covid-19/>

Agency Impact

Internally

The pandemic had a massive impact to agency operations. In March 2020, our agency made the decision to go to near 100% virtual work. This was an undertaking which occurred without clear policy guidance in place. To add to this challenge, the agency’s budget was increased during each legislative session that occurred during the pandemic. This has forced the agency to navigate the move to the virtual environment all while hiring large numbers of new employees and standing up new programs. In some cases, internal process-improvement efforts were put on hold or canceled so that staff could focus entirely on pandemic-related work objectives.

The agency was able to maintain all mission essential functions throughout the pandemic, but at times was challenged by resource scarcity and lack of HR, payroll and communications guidance. The move to perform agency operations almost entirely from the virtual environment highlighted the agency’s near total dependence on information technology. IT staff were able to rise to meet the challenge, but at times programs struggled to adapt to the new paradigm.

Externally

The pandemic impacted almost every program at Commerce. In some instances, it required that programs completely pivot from their previous focus to address an area of the state’s pandemic response or recovery effort. It challenged relationships with the agency’s customers but also provided new opportunities to connect and collaborate. Communication with customers took a new, virtual form which prevented challenges in some areas and opportunities in others.

Interagency

Coordination across agencies was stressed during the pandemic. Not necessarily because communications were impacted, but due to the rapidly evolving pandemic and the public health interventions needed to slow the spread of the virus. The State Emergency Operations Center (SEOC) provided valuable coordination during the early days of the response. But as time went on, it became less clear which organization structure was providing direction – the SEOC’s ICS structure, or the normal organization and structure of executive branch agencies.

Agency’s involvement in areas specifically listed in the legislation [SB 5092 (9)(d)(i) (A)-(H)]:

The Department of Commerce was directly involved in, and has feedback for the following areas:

- (A) Aspects of the COVID-19 response that may inform future pandemic and all-hazards responses.
- (B) Emergency responses that would benefit the business community and workers during a pandemic.
- (C) Standards regarding flexible rent and repayment plans for residential and commercial tenants during a pandemic.
- (F) Gaps and needs for tools to measure the scale of an impact caused by a pandemic and tailoring the pandemic response to affected regions based on the scale of the impact in those regions.

Strengths

Core Capability	Strength
Planning	ESF 12 worked with our agency AGO to develop a new template for energy supply alerts in response to potential travel restrictions that would have potentially caused supply disruptions.
	Statewide planning for Non-pharmaceutical interventions was well executed with good participation across the state enterprise on a tight timeline.
	The Commerce Emergency Operations Plan was up-to-date and provided a good outline for the agency’s COOP activation and mobilization of staff in support of the state’s response.
Operation Coordination	Daily internal COVID-19 response meetings helped out agency’s programs coordinate actions during a rapidly changing situation.
	By staffing the UCG, Multi-agency Coordination Group, and SEOC, our agency was able to better coordinate across all levels of the response structure.
	ESF 12, ESF 3, and LNI worked swiftly to generate safety guidelines for critical infrastructure workers which helped ensure uninterrupted service from the energy, water and wastewater sectors.
	ESF 12 developed a FAQ tool for the energy sector to ensure energy stakeholders remained aware of the evolving PPE and safety guidelines and requirements released by DOH and the Governor’s office.

	<p>MIL IT did a great job granting non-MIL agency personnel access to O365 to allow for better virtual coordination across the Teams platform.</p> <p>Commerce maintains strong connections with business sectors in the state and we have a great ability to quickly process and distribute funding. Commerce is flexible and good at improvising which helped us navigate the dynamic environment. Additionally, Commerce is not in charge of business compliance which allowed us to remain an ally of the business by staying neutral on some contentious issues.</p>
Situational Assessment	<p>ESF 12 implemented a data analysis unit that created re-occurring survey tool to assess energy sector resource requests, safety information, and to track operational capabilities. This tool was very useful to help stay ahead of emerging challenges.</p>
	<p>ESF 12 advocated for energy sector stakeholders around prioritization for PPE and disinfecting resources.</p>
	<p>The Washington Energy Infrastructure Assessment Tool (WEIAT) was quickly deployed a few months ahead of schedule. That effort helped provide a geographical view of the changes in energy sector operations based on the safety requirements, and during the pandemic we had concurrent incidents which changed how the energy sector responded to incidents, such as power outages during storms. Knowing the changes allowed ESF 12 to share with partners on the delayed timing for restoration.</p>
Operational Communication	<p>ESF 12 facilitated regular coordination calls with energy sector stakeholders. The feedback was received from these calls was extremely helpful in getting updated and accurate information.</p>
	<p>ESF 12 shared the state’s situation reports, the COVID-19 data dashboard, and other official links with their energy emergency distribution list. These resources were well received by energy sector stakeholders.</p>
Mass Care	<p>Commerce released isolation and quarantine funds to local jurisdictions on March 16th, 2020. The state was lucky in terms of timing – this was the end of the legislative session and allowed us to re-direct recently appropriated funding. This allowed us to rapidly and flexibly distribute funding.</p>
	<p>The legislature ultimately defined what an appropriate rent-repayment plans. They made it mandatory for landlords to provide a re-payment plan if a tenant missed payments due to the pandemic. Can’t be more than a 1/3 of original rent amount per month. Due to this pandemic, WA state has had a pretty dramatic re-working of our state’s landlord/tenant laws that should provide benefits in the years to come.</p>
Economic Recovery	<p>Commerce contracted the development of the Economic Recovery Dashboard to track the state’s economic recovery across a number of different data indicators. This dashboard allows for analysis on a county-by-county basis and will help inform state programs through COVID-19 recovery and beyond.</p>
	<p>Commerce funded and developed the Small Business Resiliency Network to provide technical assistance to small businesses from culturally relevant, trusted community messengers.</p>

Areas for Improvement

Core Capability	Area for Improvement
Planning	Energy Supply Alert Governor Authorities are not flexible enough to address potential concerns for a pandemic.
	Revisiting the business re-entry program is recommended from critical infrastructure partners. Specifically how do the local jurisdictions see how this program is managed and coordinated, how the state can better serve those who would actually need an official pass to gain access to travel to restricted areas, and how can the state provide education on the program to those who would need to register and use the passes provided.
	By the time the state got through the majority of planning for non-pharmaceutical interventions (NPI), there were still 2 that did not get as much planning time specifically the one addressing travel restrictions and the identification of the state wide essential workers identification process. These two efforts were extremely rushed for those responsible for the operational implementation and communication with our different sectors. The challenge here is that the work that was created was then overruled by the UCG and the communication on that was not pushed down to the operational level.
	Prioritization for the distribution of PPE and early vaccinations did not consider critical infrastructure workers in the highest category. The safety and continuity of energy, water/wastewater, transportation or communication work is critical toward ensuring continued operation of society, to include frontline healthcare facilities.
	The process for identifying essential workers didn't use pre-existing methodologies for defining critical infrastructure and business sectors. The format of the list of essential workers did not provide a clear process through which businesses could understand which of their workers were determined essential. Absent a process, the Joint Information Center was forced to react to a huge demand for information and problem solving in a short amount of time.
	The agency COOP was not well known to all members of agency leadership and staff who designated to support mission essential functions.
	The agency COOP organizes actions according to an Incident Command Structure (ICS). This system for organizing the response created more confusion than value as regular lines of authority remained in place and communications remain un-interrupted. Future disasters should consider whether an ICS response structure is relevant for agency COOP activations.
	Agencies did not receive clear guidance until many months into the response. Payroll, communications, HR were all left to problem solve at the agency level, often unsure if their actions were meeting the intent of the emergency order without violating other pre-existing policies. At times, guidance from CDC, DOH, OFM and L&I were not clear or consistent.
	The agency's policies around activation pay were not clearly defined. There wasn't clarity around who was eligible, given that many of our jobs included COVID-19 response/recovery work and our "normal day-to-day" non-pandemic work.

	<p>Many agency programs had not explored paperless options for completing their work. This created issues around signatures and access to paper documents when the agency moved to virtual operations.</p>
Operational Coordination	<p>Grantee organizations have limited capacity to distribute funding. When massive federal relief dollars were issued, there was no clear way to ramp up local capacity to perform case management and process these funds. This left contracted grantees with an impossible task, given the timeline, and meant that some economic recovery grants had to be distributed directly to the community without partnership with local organizations.</p>
	<p>There are not enough trained Disaster Case Managers in the state. Case managers from around the country are not as effective at connecting to the community.</p>
	<p>The roles and responsibilities of Emergency Support Function 6 – Mass Care and the Housing Recovery Support Function need to be better defined. Coordination of sheltering is a response mission area that should be done through ESF 6. Commerce has worked to develop the State Housing Task Force which should be better integrated into both ESF 6 and the Housing RSF.</p>
	<p>The state struggled to be active participants at the tribal level. Specifically, support to develop policies to help inter-governmental agreements to address weaknesses in the local economy faced by shutdown.</p>
	<p>Emergency funding to local governments was not adequately coordinated with the State Auditor’s Office. Local governments are now being scrutinized by the State Auditor’s Office using non-emergency criteria for funding processes that were established rapidly during the pandemic. These audit findings are now being used against these local governments and will impact their eligibility for future federal funding.</p>
	<p>Within the SEOC structure, there was a MAC Group multi-agency coordination group and also a UCG Unified Coordinating Group. It was unclear what the difference in role and function was from these groups and how information either flowed up and down through them from the SEOC and the subject matter experts and staff working on the implementation of the response.</p>
	<p>The energy emergency management office is not staffed for a prolonged emergency impacting the state’s energy sector partners or to develop and provide the necessary training or facilitate exercises to develop the Commerce energy division staff who have ESF 12 listed in their job descriptions.</p>
	<p>Statewide COVID-19 recovery structures seem disjointed and are not clear. Many programs are unaware of any guidance for the state’s recovery efforts in response to COVID-19.</p>
	<p>OFM ended COVID-19 emergency before significant disease transmission abated. This created a danger of workforce issues as employees burned up leave dealing with COVID-19 sickness at home.</p>
Situational Assessment	<p>The Washington Energy Infrastructure Assessment Tool (WEIAT) – and GIS data sharing on critical facilities that are dependent upon energy for response (e.g. testing sites, vaccine distro locations, etc.). We had challenges getting access from DOH on these locations and sharing with the utility provider so they could add them to their priority restoration list for power outages. The state did have a storm system that come through during the early part of 2021 and it impacted a few vaccine storage sites as their emergency power did not work. Utilities were</p>

	<p>frustrated in not getting enough noticed for the locations so they could ensure that preplanned maintenance would not impacted testing or vaccine locations in their service territory.</p>
	<p>Commerce had not yet fully migrated over to use Teams yet and this has becoming challenging in developing a coordination tool just for ESF 12. We do not have access to any of the internal apps for Teams or the ability to set up a channel for response coordination.</p>
	<p>When distributing COVID-19 relief grants to businesses and non-profits, the state did not have sufficient data characterizing historically marginalized communities. The urgency for distributing these funds did not allow for sufficient outreach to these communities to better understand where the funding would have the most equitable outcome. There wasn't adequate business and non-profit damage assessments to indicate which sectors were hurting the most.</p>
	<p>Greater public health forecasting capability would have been helpful. DOH avoided speculation, but during a crisis, decisions must be made. That means that speculation has to happen in order to move forward. We were unable to get modeling numbers in time to inform how many isolation/quarantine beds would be needed. This forced the state to guess and adjust later.</p>
	<p>Tribal governments are pursuing data sovereignty. Generally, health data is collected from tribes at the federal level. In rural areas where tribes have a large footprint, there was huge delays in public health data provided by federal and state health organizations.</p>
	<p>Coronavirus Relief Funds were rapidly deployed to meet the monumental need. This rapid deployment meant that agency staff time was heavily focused on getting money distributed and left no capacity for tracking, monitoring or evaluating the funds once they were delivered to local governments. This left a large gap in the state's ability to measure the scale of impact, and the effectiveness of relief funds, across the various regions of the state.</p>
<p>Operational Communication</p>	<p>The state relied heavily on agency websites to communicate critical information to local governments and businesses. These website were inadequately structured and staffed to meet the information needs of communities throughout the state. Commerce had to respond to ongoing (and desperate) direct requests for assistance from individuals, businesses, and nonprofits. Traditionally, Commerce does not provide grants directly to individuals or businesses and the agency was not staffed adequately to respond to all requests for information.</p>
	<p>The state did not have enough communication professionals to manage both agency websites and the websites supporting the Joint Information Center and Business Response Center. This left agencies scrambling to staff both with limited employee resources.</p>
	<p>During the early months of the pandemic, information was being leaked from the Joint Information Center (JIC) which led to information becoming tighter and tighter which in turn negatively impacted information sharing across the response structure.</p>
	<p>When proclamations were released, there was not adequate legal support to business response center to interpret the document and answer questions from the business community and general public.</p>

Mass Care	It was impossible to plan for this massive increase in rent assistance. The entire system, from the state to the local authorities, lacked capacity to handle this systematically. Grantees, who do case management and process the payments, are not paid high enough to ask them to work as hard as they did. Previous administration systems could not support this surge. IT systems at some counties were overwhelmed. The state has it easier than the locals – pushing more money generally means bigger contracts. Locals need to piece this out and manage cases – this is much harder. Rent assistance was rolled out in a decentralized way. A centralized system for rent assistance would be ideal – allows for pushing to scale.
Logistics & Supply Chain Management	The process for prioritizing PPE manufacturing between state agencies could have been better coordinated. Encouraging and supporting industry to rapidly pivot to PPE manufacturing was a dynamic process. FDA waivers were not always immediately recognized by state authorities. State contracting was often slower than industry manufacturing timelines.
	The process for supporting emergency manufacturing of PPE and test kits was not linked to the process for state acquisition of these goods. This created much frustration with manufacturing partners within the state.
	Once the state was successful in stockpiling PPE, the process for distribution was not always clear to all responding agencies. In some cases, there was confusion in messaging around PPE distribution between state agencies, local governments, and business & non-profits.
Infrastructure Systems	The energy emergency management office is not staffed for a prolonged emergency impacting the state’s energy sector partners. For the first year of the COVID-19 response, ESF 12 had only one full time employee dedicated to this role 100% of the time. The pool of employees who are available to supplement this office is not adequate to meet the demand requested of ESF 12 for this response/recovery.

Follow up Actions

Core Capability	Follow up Action
Planning	Update agency Emergency Operations Plan, COOP annex to reflect new procedures for time and accounting for staff activated under the state response.
	Evaluate the relevance of Incident Command Structures (ICS) in the agency’s COOP plan and seek to simplify the COOP for normal (non-ICS) agency lines of authority.
	Explore an agency funding mechanism to rapidly address increased operational needs (i.e. IT resources, contracted services, etc.) to quickly address issues that emerge due to a disaster.
	Continue to pursue 100% paperless operations across all agency programs.
	Energy Supply Alert Governor Authorities – review and consider potential revisions to have an all-hazards perspective, in order to address potential actions to reduce the risk of an energy supply disruption during a pandemic or other health emergency.
Operational Coordination	Better define the roles and functions if we have multiple levels of policy work such as the MAC and UCG. Also review how information sharing will flow up and down into the response structure to reduce confusion for responders and the public.

	Fully migrate to O365 environment and full adopting the apps in Teams will allow us to build an internal operational coordination tool for all response coordination activities.
Situational Assessment	Continue to build and refine the Washington Energy Infrastructure Assessment Tool (WEIAT) to support ESF 12 situational awareness monitoring and sharing with stakeholders.
Infrastructure Systems	Pursue additional resources to expand the State Energy Emergency Management Office to meet the staffing and resource needs for future response and recovery missions.
Mass Care	Continue to roll out the centralized rent assistance tool to additional counties.