



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: May 07, 2024

TIME: 12:54 PM

WSR 24-11-027

Agency: Washington Military Department Emergency Management Division

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

- Preproposal Statement of Inquiry was filed as WSR 23-16-053 ; or**
- Expedited Rule Making--Proposed notice was filed as WSR** _____; **or**
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**
- Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) State Disaster Individual Assistance

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
07/01/2024	3:30 PM	Columbia Room, Washington State Capitol, 416 Snider Ave SE, Olympia, WA 98504; <u>Join the meeting now</u> Meeting ID: 233 713 549 701 Passcode: FJmzsa Dial-in by phone +1 253-372-2181,,875986840# United States, Tacoma Find a local number Phone conference ID: 875 986 840#	Hybrid meeting

Date of intended adoption: 7/15/2024 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Taylor Dietz
Address: 20 Aviation Drive
Email: taylor.dietz@mil.wa.gov
Fax:
Other:
By (date) _____

Assistance for persons with disabilities:

Contact Taylor Dietz
Phone: (253) 302-1338
Fax:
TTY:
Email: taylor.dietz@mil.wa.gov
Other:
By (date) _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose is to establish eligibility, activation, funding, and programmatic criteria for a Washington State Disaster Individual Assistance Program (WAIA). The WAIA program is designed to provide supplemental state assistance for disaster survivors. Funding is issued through reimbursements to eligible county and/or tribal governments for all non-special programs. Special programs are issued in the form of grants to eligible county and/or tribal governments.

Reasons supporting proposal: The purpose of this chapter is to establish eligibility, activation, funding, and programmatic criteria for a Washington State Disaster Individual Assistance Program (WAIA) to provide general guidelines for the state and local jurisdiction in administering the program. The proposed WAIA Program will address the increasing disasters affecting

the Pacific Northwest, with their impacts becoming more severe. These impacts leave significant damages to survivors and their properties with limited support or aid, and often with insufficient or no insurance to cover the extensive recovery process and costs. Federal assistance, when approved, is often limited to Federal Emergency Management Agency (FEMA) Public Assistance (PA) for rebuilding public facilities and infrastructure. Historically, FEMA Individual Assistance (IA) approval is rare for the State of Washington, leaving a gap for individual and household recovery. At the state level, disaster assistance programs are available; however, these programs are restricted to a select few eligible applicants, and the services are limited in scope. To fill this gap, Washington State has authorized state individual disaster assistance through Revised Code of Washington (RCW) 38.52.030(9), but has not, to date, permanently funded such a program

Statutory authority for adoption: RCW 38.52.030(9) and RCW 38.52.050

Statute being implemented: RCW 38.52.030(9)

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: NONE

Type of proponent: Private Public Governmental

Name of proponent: (person or organization) Washington State Military Department

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Washington Military Department Emergency Management Division	Camp Murray, WA	800-562-6108
Implementation:	Washington Military Department Emergency Management Division	Camp Murray, WA	800-562-6108
Enforcement:	Washington Military Department Emergency Management Division	Camp Murray, WA	800-562-6108

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

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:

TTY:

Email:

Other:

No: Please explain: The Washington State Military Department is not subject to RCW 34.05.328.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Date: 4/15/2024

Name: Taylor Dietz

Title: Human Services Program Supervisor

Signature:

