



BIENNIAL PERFORMANCE REPORT

Fiscal Years 2020 - 2021



Governor's Office for Regulatory Innovation and Assistance

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Executive Summary

The year 2020 was anything but ordinary. The Governor's Office for Regulatory Innovation and Assistance (ORIA) helped ease the struggles for small businesses and Washingtonians during the pandemic by combining resources to get people the information they needed. Nearly every customer request for assistance from March through June 2020 was COVID-19 related. There was another spike in COVID-19 associated requests in the late fall and winter of 2020.

To meet increased customer service demand, ORIA temporarily re-tasked staff. The customer support specialists in the Information Center answered common questions quickly, while ORIA's regulatory consultants assisted with more complex COVID-19 related questions.

During this time, ORIA joined the State's Emergency Operations Center's Joint Information Center to stay current on rapidly changing regulatory requirements. By joining the JIC, ORIA staff were equipped with the latest information to relay to Washingtonians. It also provided the opportunity for ORIA to contribute to the JIC. ORIA aided with contact information for local jurisdictions and non-profit organizations so the JIC could immediately start communicating with business communities.

In addition to helping people get the information they needed during the pandemic, ORIA helped customers and improved systems in the following ways.

Assisting Customers

ORIA's Information Center responded to 16,800 inquiries about environmental, regulatory, and business licensing or requirements. This volume increased by 119% from the previous performance period. Live Chat was predominately the most popular method for assistance.

ORIA's Regulatory Innovation Center helped various people and companies navigate Washington's environmental and business regulatory systems. In all, ORIA regulatory consultants assisted 27 requests, all requiring varying complex research, analysis, and engagement levels to help customers.

ORIA implemented several new features on the business.wa.gov website to help small businesses. One unique feature was a "Cities Filter" where visitors could select any number of Washington state cities and the site content would adjust accordingly to focus on the visitor's geography of interest.

Additionally, in-person small business workshop events were suspended when the pandemic hit. However, the content was created for an online seminar focused on COVID-19 requirements and resources. Over 1,800 people attended workshops from May 2020 through June 2021.

Improving Systems

ORIA regulatory consultants continued to support agency implementation of the Regulatory Fairness Act, which requires agencies to consider mitigating impacts to small businesses during the rulemaking process. ORIA's efforts have led to significant improvement in agency compliance with the Act's requirements. In addition, ORIA regulatory consultants continued to help make permit performance data readily accessible, helping to make government accountable for excellent customer service and timeliness as directed by the legislation on permit timeliness.

ORIA continued to use technology to enhance services, including increasing the use of open-source tools, when possible, to reduce expenses and allow other organizations to adopt the technology freely.

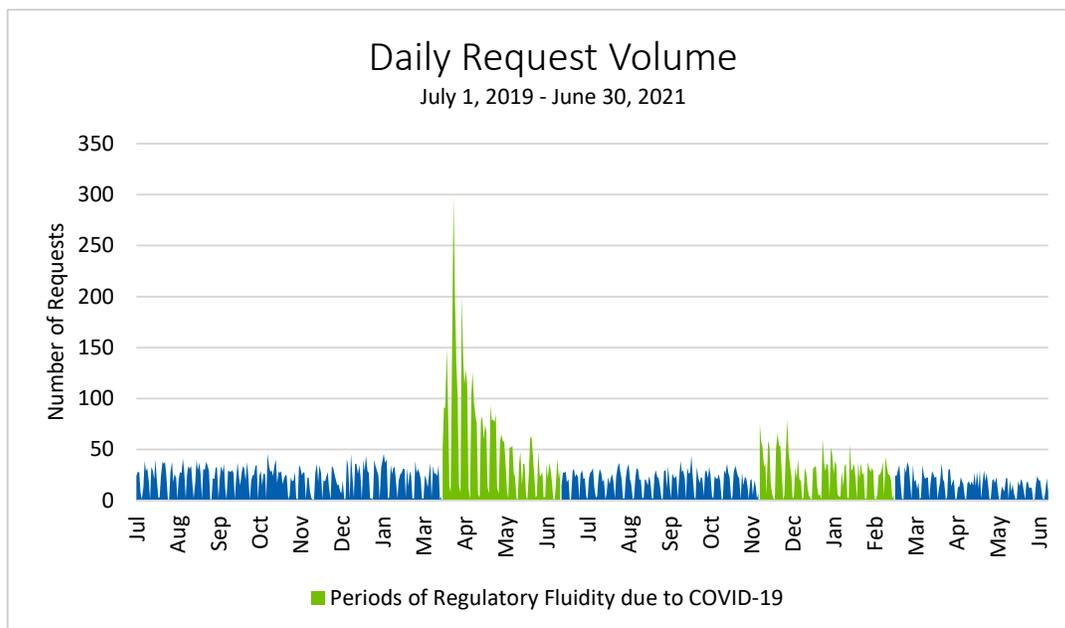
Assisting Customers

Information Center

The ORIA Information Center provides free help for citizens and businesses to better understand and navigate Washington’s regulatory processes. The Information Center answers questions about local, state, and federal permits, regulatory requirements and investigates project-specific issues. We also connect customers to experts at regulatory agencies and refer more complex requests to our Regulatory Innovation Center.

ORIA responded to 16,800 inquiries about environmental, regulatory, and business licensing or requirements during the performance period. This volume increased by 119% from the previous biennium. As with assistance centers at other Washington state agencies, ORIA was very busy during the COVID-19 crisis. ORIA temporarily re-tasked regulatory consultants to meet the increased customer service demand. Customer support specialists in the Information Center answered common questions quickly, while regulatory consultants in the Regulatory Innovation Center assisted with more complex COVID-19 related questions.

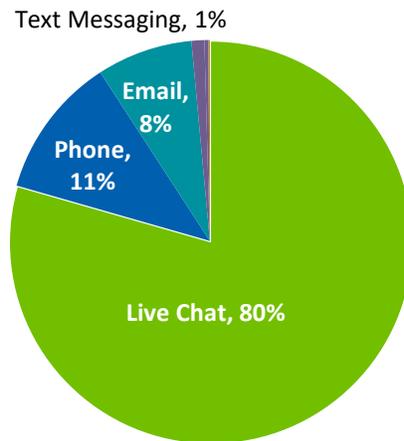
Nearly all the requests received from March through June 2020 were COVID-19 related. There was another spike in COVID-19 associated requests in the late fall and winter of 2020. During these peak times, the regulations changed rapidly. ORIA joined the State’s Emergency Operations Center’s Joint Information Center to stay updated on the fast-changing regulatory requirements. Not only did this provide access to information, but ORIA was also able to contribute to the JIC by providing contact information for local jurisdictions and non-profit organizations. This support helped the state government communicate with the business community. ORIA also coordinated with the newly formed JIC Response Center and the Governor’s Office call center to ensure consistent and accurate services.



How do people contact ORIA?

The chart below shows the main ways people contact ORIA for help.

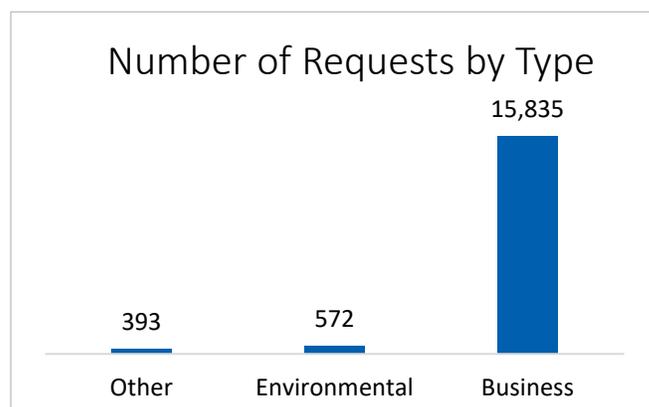
Customer Requests by Method



Live Chat continues to be the most popular method to support customer requests, with 13,332 sessions occurring during the performance period. This popular method of service excelled during the early days of the pandemic. Phone service was suspended for several weeks at the onset of the pandemic because the call volume was too high for staff to keep up. Live Chat enabled ORIA to continue providing real-time support for Washingtonians during that time.

Types of Inquiries Received

During the performance period, ORIA responded to 15,835 (or 94.2%) inquiries about business-related topics, 572 (or 3.4%) inquiries related to environmental regulations, and 393 (or 2.3%) other regulatory questions. Typically, the Information Center answered most questions directly, with the rest requiring more research. The goal was to quickly connect the customer with the right subject matter expert and follow up later to ensure the customer was satisfied with the assistance received for questions that could not be answered directly.



Here are a couple of the typical business questions the Information Center received:

- As an employer, how do I open employee accounts for workers' compensation and unemployment insurance to make the required contributions?
- I am an out-of-state business, and I want to do business in Washington. What are the registration requirements?

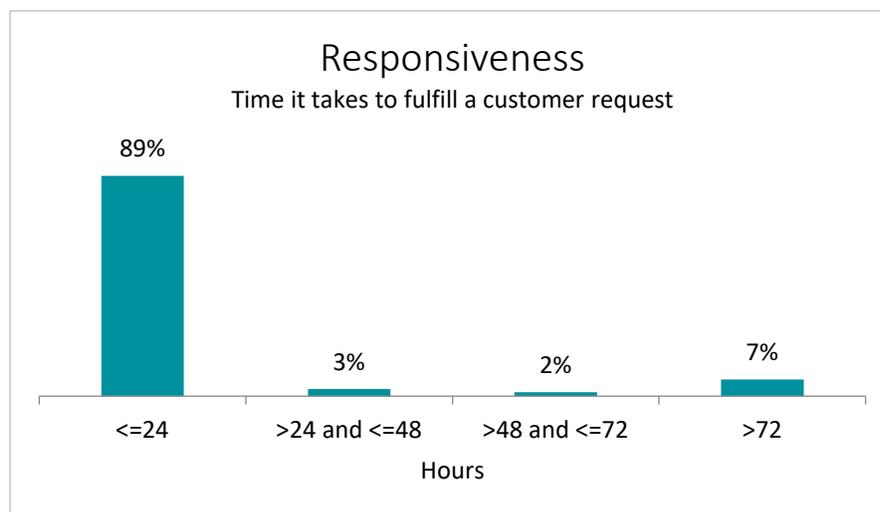
Other typical business-related questions received included:

- How to choose a business structure.
- How to register and license a business.
- Where to apply for a business license.
- Where to register a corporate entity.
- How to renew a business license.

ORIA tracks the trending questions and supports a "Frequently Asked Questions" section on the oria.wa.gov and the business.wa.gov websites to help online customers quickly find answers for usual questions. In addition, the Information Center created information checklists on trending topics that allow staff to provide accurate and detailed responses quickly.

Responsiveness

The Information Center's goal is to give prompt and accurate information and answer most customer questions within 24 hours. Other agencies may be incorporated into the response process for more complex questions, resulting in extended time frames.



Note: May not add up to 100% because of rounding.

What Customers are Saying

Here is what some of the over 16,800 customers served had to say:

You were most helpful. We were able to setup our business, we have our ID, and are operating. Life is good, the trees are growing (FYI we have a tree farm). Again, thank you for help.

You are a hero and I thank you for everything you found. They do look like the people we need to contact. I appreciate your help!

Thank you for this wonderfully clear and informative email and for directing me to the Small Business Guide. I really appreciate your time and expertise.

I was able to submit a JARPA and your guidance helped out a lot. The app itself had a lot of help itself as well and I was able to complete it with no problem. I really appreciate your help through the submittal process!

I can't tell you how comforting it was to talk with you, since I was almost in tears over the situation. Thank you for your clear and concise answers and help. It was a pleasure talking with you and you made my day.

I just wanted to say THANK YOU so much for your amazing website, if you only knew how much this helped me, I wish every state did this. 5 plus stars!!!

Thank you so much for your answer!! All information is very helpful, and it is exactly what we need to start!

I have to say that your response to my questions was the most timely and thorough response I have ever had from a government agency. You answered my questions with answers that were complete and understandable. Thank you so much for the work you do and the conscientious pride you take in your work.

Greetings! I am a City of Olympia employee working from home and I am impressed with the resources and support you have made available. Thank you!

Regulatory Innovation Center

ORIA's Regulatory Innovation Center helped various people and companies navigate Washington's environmental and business regulatory systems. Though the pandemic affected operations in many ways, regulatory assistance continued. Requests for assistance can come from various sources, including citizens, businesses, industries, local government, state and federal agencies, legislators, or the Governor's Office. ORIA handled 27 complex requests during the performance period.

Of these 27 requests, one was to help a local public works department set up an open line of communication with a federal agency to discuss a road construction permit. Another request involved supplying policy and technical assistance for a project proponent looking to redevelop two brownfield sites. Similarly, other requests involved projects already under environmental review, where project proponents sought regulatory support from ORIA.

A handful of requests were from prospective business developers evaluating many states, including Washington. ORIA regulatory consultants provided general permitting guidance for the developers, which helped them navigate the conceptual stage of selecting a site. Another request came from a fellow state agency that wanted help understanding the effects of newly enacted legislation. The legislation banned Atlantic salmon net pens, and the agency had just received a project proposal from Chile for commercial aquaculture in state waters. ORIA regulatory consultants provided the state agency technical guidance on the effects of the newly enacted legislation.

These examples show the wide range of service ORIA regulatory consultants provided and the varying complex research, analysis, and engagement levels to help customers.

In addition to helping customers, ORIA regulatory consultants coordinated across state agencies to help the government work better for Washingtonians. Regulatory consultants continued working with agencies during the biennium to support the Joint Aquatic Resources Permit Application form, collaborate on Permit Timeliness implementation, report on the effects of Significant Legislative Rules legislation, and help agencies implement the requirements of the Regulatory Fairness Act.

Please see the Improving Systems section of this report to read more about ORIA's efforts during the performance period with [Permit Timeliness](#) and the [Regulatory Fairness Act](#).

Small Business Liaison Team

Representatives from more than two dozen state and federal agencies serve on the Small Business Liaison Team, led by ORIA under Executive Order [12-01](#). Working together, member agencies aim to make it easier to do business in Washington State. The agencies take part in outreach to small businesses and collaborate to develop tools that help companies understand regulatory requirements. The Liaison Team also works closely with non-profit organizations that support businesses to make business owners and managers aware of available free (or low-cost) tools and resources.

Resources the Liaison Team has developed include the following:

- [Business.wa.gov](#) website
- Directory/Contact Sheet
- Washington State Small Business Guide
- Webinars
- Pre-recorded videos
- Road Map for Starting a Business

Most state agencies have some form of customer support through in-person help desks, call centers, or email, but on occasion, customers need additional assistance. To ensure businesses can get help with more complex requests, a directory of Liaison Team members is available on [business.wa.gov](#).

Small Business Guide



The Washington State Small Business [Guide](#) is a work product of the Liaison Team and is maintained by ORIA. The Guide supplies helpful information, links to valuable resources, and outlines the steps for starting and operating a business. It includes sections to help inform how to plan, run, grow, or close a business.

Subject matter experts from the Liaison Team improve the Guide's English version through quarterly reviews and updates. ORIA coordinates the revision process, integrates the changes, and publishes the Guide in [HTML](#) and a downloadable PDF (for offline viewing or printing) in [English](#), [Spanish](#), [Russian](#), [Korean](#), [Vietnamese](#), and [Chinese](#). The non-English translations of the Guide were all updated in June 2021 for consistency with the latest English version. Downloads of the Guide in PDF format occurred 27,114 times during the performance period.

ORIA publishes the HTML version using Application Programming Interface (API) technology. This approach makes the Guide available to multiple websites using a sole source kept by ORIA. The Guide is currently available in HTML on these sites: [business.wa.gov](#), [oria.wa.gov](#), and [omwbe.wa.gov](#).

First written in 2012 and currently available in six different languages, the Guide has become a mainstay of knowledge and information for Washington State businesses. Each agency on the Liaison Team has links to the Guide from their websites.

Small Business Requirements and Resources Workshops

Small Business Requirements and Resources Workshops were initially offered in 2019 through a joint agency venue. The workshops were live, “in-person” events sharing important regulatory information for small businesses. Among the topics were how to get regulatory help, workplace safety, unemployment benefits, paid family and medical leave, and tax-related information.

The SBLT suspended in-person events and expanded webinars when the pandemic hit. The content was created for an online seminar on COVID-19 requirements and resources. Other online workshops included the following topics:

- COVID-19 workplace safety and mandatory requirements for employers
- Unemployment benefits for workers displaced by COVID-19
- Tax deferrals offered due to COVID-19
- COVID-19 requirements for customers
- Employer assistance program from LNI
- Worker’s compensation claims
- Operating during the “Phased Opening Approach”

Over 1,800 people have attended workshops from May 2020 through June 2021. From May to July 2020, webinars were held at least weekly, with 718 businesses taking part in the webinars. Two webinars were offered in Spanish. In 2021, the webinars were expanded to include additional topics on starting and growing a business.” The “Start a Business” online seminar was viewed 612 times in the first two months. In the first month, the “Grow Your Business” online seminar was viewed 220 times. These webinars were also available as recorded videos to be viewed at any time.

Voluntary Cost Reimbursement Services

ORIA has statutory authority to enter into voluntary cost-reimbursement agreements with applicants to recover its costs. These expenditures may be related to permit coordination or processing, environmental review, technical studies, or other reasonable and necessary direct and indirect costs that arise from agency coordination and processing of permits. During the performance period, ORIA had no voluntary cost reimbursement projects.

Improving Systems

Permit Timeliness

Businesses of all sizes in Washington benefit from timely review and approval when applying for a business permit. Providing the public with better information about permit decisions can help planning and decision-making. Making permit performance data readily accessible also allows the government to be accountable for excellent customer service and timeliness.

In collaboration with 14 state agencies, ORIA's Regulatory Innovation Center has completed its sixth annual tracking of permits for timeliness of issuance on March 1, 2021. State agencies reported performance data for more than 1 million permit applications each biennium since the state legislature enacted the [legislation](#) in 2014. That breaks out to more than 500,000 permit applications agencies track every year for over 150 permit types. To prepare the most recent comprehensive progress report, published in September 2020, we compared annual results tracked by agencies from the previous two years against baseline data from 2017. In addition, ORIA and agencies identified 14 permit types as most needing improvement. The publishing of the most recent comprehensive progress report marked the final year that state law required ORIA to do so. ORIA will continue to compile and post raw performance data annually from agencies to the central repository hosted on data.wa.gov.

Here is what our agency partners had to say:



The Department of Labor and Industries appreciates opportunities to improve the permitting processes so that we can best support our customers. It's our partnership with ORIA that has allowed us to understand areas, through the use of data, to identify important process improvements.



Mario Cruz

ORIA has been an excellent partner to DFW as we strive to improve our processes. When it comes to Permit Timeliness, ORIA has gone the extra mile to ensure that our processes improve every year. The ORIA staff has guided us in the right direction in regards to how we can better our permit timeliness. Based on the collaborative relationship with ORIA, DFW is currently streamlining our processes by automating our reporting system. This will save our staff many hours and simultaneously improve the time it takes for reporting.

For the most recent comprehensive progress report and other information, visit: [Permit Timeliness](#)

Regulatory Fairness Act

The state's Regulatory Fairness Act (RCW 19.85) requires state agencies to consider the economic effects of proposed regulations. Agencies must calculate the costs to businesses and mitigate disproportionate costs for small businesses where possible. In 2016 the State Auditor's Office published a [performance audit](#) that determined many agencies struggled to follow the Act. The SAO recommended that the legislature appoint a central entity to help agencies improve the implementation of the Act's requirements. In 2017, the legislature [assigned](#) ORIA that responsibility.

In 2020, the SAO conducted another [performance audit](#) to gauge whether agencies had improved compliance since 2016. Agencies showed significant improvement from the results of the 2016 audit. For example, agencies were more consistent in completing the Small Business Economic Impact Statement when required. Also, nearly 90 percent of the less-than-minor cost claims were fully supported compared to the last audit, when only half were fully supported. Overall, agencies were affirmative about the level of support ORIA gave them to navigate the Act's requirements.

Here is what our agency partners had to say:



Bryon Welch

The Office of the Insurance Commissioner staff have really benefited from the ORIA staff and their outreach, training, and published resources. We now have a much greater understanding of the Regulatory Fairness Act, and it has improved our internal rulemaking processes. ORIA is a vital resource for state agencies, and we are fortunate to have them serving the state agencies and citizens of Washington!



Ellis Starrett

At the Department of Licensing, we have been working to better communicate requirements in the APA and RFA with our respective program areas who conduct rulemaking. ORIA has saved us time and resources and helped bring DOL into better compliance with the RFA. With such limited capacity on my own team, it feels so valuable to share this office with our partners in other agencies. We don't always need help, but when we do, we use the tools and materials on ORIA's website and have contacted the office to consult with their staff. I feel more confident knowing I am doing the right thing for our customers with ORIA as a sounding board and a third party to help provide us with perspective.

ORIA's Regulatory Innovation Center supports agencies in many ways. We support guidance documents, checklists, FAQs, templates, and other tools available on our website for agencies to use. We continue to improve and add new tools. For example, we have kept a copy of the SAO's minor-cost threshold calculator and have since launched an improved calculator accompanied by a custom video tutorial. The Center facilitates regular quarterly meetings with agency subject matter experts to share best practices. We also supply a tailor-made overview of the Act and SBEIS requirements for individual agencies at their request.

Finally, ORIA offers agencies the opportunity to enter convenience contracts for economist support for minor cost calculations and SBEIS preparation. We renewed our roster of qualified economic analysis firms during the biennium, conducted a second competitive bid process, and retained the successful firms.

ORIA will continue to meet with agencies to understand better the successes and unique challenges each may face implementing the Act and facilitate sharing best practices between agencies. We will also continuously improve existing tools and guidance and assess if more are needed. We will continue to address the recommendations made by the SAO in 2020 to provide agencies more training on the application of exemptions and help agencies access reliable, consistent data about the businesses they regulate.

To view the tools and guidance documents to support better implementation of the Act, visit: [Regulatory Fairness Act Support](#).

Technology Services

ORIA continuously uses technology to enhance services for citizens and businesses. We maximize the use of open-source tools to reduce overall expenses and enable other organizations to adopt the technology freely. In some cases, the technology itself is innovative, while ORIA creatively deploys standard technology in other cases.

ORIA's web servers are all hosted on cloud-based services through Amazon Web Services. This service is inexpensive and reliable. ORIA's websites have never experienced a service interruption because of Amazon Web Services.

ORIA Website

There were 191,236 page views of the ORIA website during the performance period. Of this traffic, one-third of page views (or 63,163) were of the Small Business Guide (HTML version), and 14 percent (or 27,114) were downloads of the Small Business Guide (for all languages combined). The analytics of live traffic reports for oria.wa.gov are available at [ORIA Website Traffic and Statistics](#).

Business.wa.gov

During the performance period, ORIA implemented several new features on business.wa.gov to help small businesses. One unique feature was a "Cities Filter" where visitors can select any number of Washington state cities, and the site content will adjust accordingly. This feature allows the website to pare down the information, focusing on the visitor's geography of interest. ORIA also added frequently asked questions, links to non-profit organizations that support businesses, and a direct link to the [Regulatory Handbook](#). These enhancements have made the site popular in the small business community.

Website traffic to business.wa.gov has continued to grow since ORIA re-released the site in 2018. Total page views grew to 776,219 during the performance period. To view website analytics, visit: business.wa.gov/analytics

EZview

EZview is a cloud-based software system that ORIA developed in 2013 with support from the Association of Washington Cities and the Washington State Association of Counties. ORIA maintains EZview, which provides local governments and state agencies with easy-to-manage websites dedicated to specific projects. These dedicated websites, or "portals," provide stakeholder communities with current, accurate, and up-to-date project information and transparency.

Interest and use of ORIA's EZview continued throughout the performance period, with the site now hosting dozens of projects. Projects ranged from the Washington State Department of Commerce's Housing Affordability Response Team to many flood hazard mitigation projects in the Chehalis Basin, shoreline master program updates, transportation and infrastructure projects, and watershed strategies.