



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Archaeology and Historic Preservation

Preproposal Statement of Inquiry was filed as WSR 16-04-032; 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).

Original Notice  
 Supplemental Notice to WSR \_\_\_\_\_  
 Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) Washington main street program (WSMSP) Washington Administrative Code Rules. The proposed rules will guide the state historic preservation officer (SHPO) and director of the department of archaeology and historic preservation (DAHP) in administering the WSMSP. The WSMSP was created by the legislature pursuant to chapter 43.360 RCW to assist local jurisdictions implement economic and physical revitalization through the activities of designated and qualified 501(c)(3) or 501(c)(6) organizations.

**Hearing location(s):** See attachment for hearing locations, date, and time.

**Submit written comments to:**

Name: Breanne Durham  
Address: Washington State Main Street Program  
1204 Minor Avenue  
Seattle WA 98101  
e-mail bdurham@preservewa.org  
fax (206) 624-2410 by (date) August 2, 2016

**Assistance for persons with disabilities:** Contact

Beverly Ubias by 5:00 pm, August 2, 2016

TTY ( ) \_\_\_\_\_ or (360) 586-3077

**Date of intended adoption:** September 1, 2016  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Adoption of these rules implements the Washington main street program established under RCW 43.360 and implements the business and occupation tax credit program under RCW 82.73 (see below). The rules establish criteria for maintaining WSMSP status and criteria for losing participation in the program.

The anticipated effects of the rules adoption will be to provide the SHPO with enforceable guidelines, criteria, and procedures for efficient and effective administration of the WSMSP in the state. For local jurisdictions desiring to pursue participation in the program, the rules are to specify:

- Criteria for eligibility to participate in the program.
- Procedures for applying to the program as a designated WSMSP community.
- Minimum requirements to maintain designated WSMSP status.
- Administrative and adjudicative procedures to appeal enforcement actions.

This proposal does not include any changes in existing rules.

**Reasons supporting proposal:** As increased interest in the WSMSP expands the number of participating communities, the complexity of administering the program has increased commensurately. The SHPO is also responsible for implementing RCW 82.73. Together, these reasons bring about the need for rules to qualify and administer programs that are fair and reasonable.

**Statutory authority for adoption:** RCW 43.360.030

**Statute being implemented:** RCW 43.360

**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**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON

JUN 2016

TIME 3:43 AM/PM  PM

WSR 16-13-132

**DATE**  
June 21, 2016

**NAME (type or print)**  
Gregory Griffith

**SIGNATURE**

**TITLE**  
Deputy State Historic Preservation Officer

(COMPLETE REVERSE SIDE)

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

Pursuant to RCW 82.73, the Washington main street tax credit incentive program, provides that designated WSMSP communities organized under internal revenue code sections 501(c) (3) or 501(c) (6), with the sole mission of revitalizing a downtown or neighborhood commercial district area, that is designated by the DAHP as described in RCW 43.360.010 through 43.360.050, can be the beneficiary of donated tax credits as authorized by this statute. Adoption of these proposed rules will be important for the SHPO and affected parties to sustain qualified and viable WSMSP communities that qualify for main street tax credit incentive program contributions.

**Name of proponent:** (person or organization) Dr. Allyson Brooks,  
State Historic Preservation Officer/Director  
Department of Archaeology and Historic Preservation

Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Greg Griffith	DAHP	(360) 586-3073
Implementation.... Breanne Durham	WTHP/DAHP	(206) 316-7052
Enforcement..... Allyson Brooks	DAHP	(360) 586-3066

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal 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.

Adoption of the proposed rules does not impact small business or school districts.

**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: Adoption of proposed rules is cost/benefit neutral.

## Attachment

### Public Hearing dates, times, locations

- (1) Wednesday, August 3, 2016, at 10:00 a.m., General Administration Auditorium, 210 11<sup>th</sup> Avenue, SW, Olympia WA 98501
- (2) Thursday, August 4, 2016 at 1:00 p.m., Ellensburg City Hall, Council Chambers, 501 North Anderson Street, Ellensburg WA 98926