

**Prepared for: CRD Emergency Planning Committee, October 12, 2023**

**Re: BC Emergency Program Act Modernization \_ Engagement for Regulation Feedback**

The Ministry of Emergency Management and Climate Readiness (EMCR) is seeking input from local governments and First Nations that will directly inform the new regulatory approach for local authorities and post-emergency financial assistance. The provincial engagement aims to:

1. Understand the needs of local governments in implementing the modernized legislation,
2. Identify policy options and pathways to support the legislative foundation for strong local authority emergency management programs, and
3. Develop regulations and supporting policy and operational tools that reflects the needs of local governments.

The engagement is open until December 31,2023 and is at:

<https://engage.gov.bc.ca/govtogetherbc/engagement/emergency-management-regulations/>

### Background

Modernized regulations will have to be created in support of the 2023 *Emergency and Disaster Management Act*.

- EMCR will be co-developing the regulations with First Nations

*Key Changes to be further detailed through regulation:*

- Clear requirements for risk assessments, emergency management plans, and business continuity plans
- A framework for multijurisdictional emergency management organizations; and
- Requirements to consult and cooperate with Indigenous governing bodies.

Theme	Regulations Authorized To
Focus "A": Local Authority Planning	1. Add meaning to the term "vulnerable" by prescribing characteristics that make a person, animal, place, or thing vulnerable
	2. Add to statutory rules for how risk assessments must be prepared
	3. Add to statutory rules for what risk assessments must contain
	4. Add to statutory rules for what risk assessments must be based on
	5. Add to statutory rules for how emergency management plans must be prepared
	6. Add to statutory rules for what emergency management plans must contain
	7. Add to statutory rules for what an emergency management plan must be based on
	8. Add to statutory rules for how a local authority must consult and coordinate with other local authorities, and potentially prescribe other persons for the purpose of consultation and coordination
	9. Add to statutory rules for how a local authority must consult and cooperate with Indigenous governing bodies when preparing, reviewing, or revising a risk assessment or emergency management plan
	10. Add to statutory rules for how business continuity plans must be prepared
	11. Add to statutory rules for what business continuity plans must contain
	12. Create rules regarding the areas within the jurisdiction of a regional district where the regional district is not required to prepare a risk assessment or emergency management plan or both
	13. Create rules for reviewing and revising risk assessments, emergency management plans, and business continuity plans

Theme	Regulations Authorized To
Focus "B": Emergency Management Organizations	1. Create rules for establishing, appointing members to, and maintaining emergency management organizations (other than multijurisdictional emergency management organizations)
	2. Create rules for establishing multijurisdictional emergency management organizations, including governance and responsibilities, as well as terms and conditions of agreements to join multi-jurisdictional emergency organizations
	3. Create rules as to which records relevant to a local authority's participation in a multijurisdictional emergency management organization must be given to the provincial administrator
Miscellaneous	1. Add types of information, in addition to those that will be described in the statute, that the minister may, by order, require a municipality or regional district to provide to the government
	2. Add types of actions, in addition to those that will be described in the statute, that the minister may, by order, require a municipality or regional district to take
	3. Specify prohibitions, requirements, limits, or conditions that would apply to the exercise of response or recovery powers of a municipality or regional district
	4. Add matters, in addition to those that will be described in the statute, that municipalities and regional districts must summarize in a report following a state of local emergency, and create rules that would require the publication of these final reports

### In the CRD context, what this means:

Added responsibilities for local government Emergency Programming:

- new requirements for conducting and maintaining hazard/risk assessments, and how risk assessment findings will be addressed in plans,
  - *includes consideration of, and consultation/cooperation on, traditional territory, traditional knowledge, and culturally significant sites*
- plans for all types of hazards/risk identified (extreme weather, wildfire, environmental, landslide, flood, biological, public health, security, etc.) and *the extent of potential impacts on people & places*,
- must include plans for intersectionally disadvantaged & vulnerable populations,
- must include plans for animals,
- requirements for resources/ duties of key persons,
- cultural safety requirements,
- training plans and records,
- reporting requirements,
- procedures for engaging emergency systems (public notifications, etc.),
- planning and activities for all phases (response, recovery, mitigation, preparedness) of emergency management practice and plans.

\*Must demonstrate consultation and coordination with adjacent local authorities (regional districts, municipalities, First Nations and Indigenous Governing Bodies)

\* Governance framework

- The creation of a new Ministry and the new Act & Regulations changes the role of EMCR to a more regulatory role rather than its traditional coordination role.
  - Navigating a situation where compliance requirements must be met without immediate funding presents a significant challenge in terms of prioritization and planning.
- Several unknowns exist until the regulations are in force.
  - Adapting regional district plans and priorities to align with UBCM grant schedules and associated conditions are complex and the implication, if not successfully managed, is the risk of non-compliance.