



January 26th, 2024

Reference: 640489

Margo Wagner
Chair
Cariboo Regional District
Email: via cmcmullen@cariboord.ca

Dear Chair Margo Wagner:

Thank you for your correspondence received on December 14th, 2023, addressed to the Honourable George Heyman, acting Minister of Emergency Management and Climate Readiness, regarding your regional district's views on regulations to support the *Emergency and Disaster Management Act* (EDMA). I am responding on behalf of Minister Heyman.

Regional districts are valuable partners in emergency management, and we recognize that regional districts are different from municipalities. Their comparatively large jurisdictional boundaries and differences in population densities and distribution, coupled with differences between the *Local Government Act* and the *Community Charter*, mean that the approach to emergency management in regional districts may need to take a different form from the approach taken in municipalities.

The provincial government has signalled that it intends to make regulations that will limit the minimum required scope of regional district risk assessments and emergency management plans to geographic areas for which the making of plans is most critical. This commitment was made in a technical paper (https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/legislation/tp_bc_modernized_em_legislation.pdf) issued by the Ministry of Emergency Management and Climate Readiness (EMCR) in July 2023, and was made in response to regional district feedback received during the development of the legislation. Your participation and the participation of other representatives of regional districts on the UBCM Flood and Wildfire Advisory Committee helped to shape this policy.

This commitment is echoed by the local authority engagement paper (<https://engage.gov.bc.ca/app/uploads/sites/863/2023/09/B.C.s-Modernized-Emergency-Management-Legislation-Regulations-for-Local-Authorities.pdf>) issued by the ministry in October 2023, and feedback on how regulations should accomplish this, from a technical standpoint, is being accepted until January 31st, 2024. Your comments in relation to Crown lands are relevant in this context.

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Risk assessment and planning requirements under the EDMA will be phased in with the making of regulations for local authorities. Until risk assessments and emergency management plans are prepared for the purposes of the new legislation, your existing plans prepared according to the requirements of the *Local Authority Emergency Management Regulation (LAEMR)* made under the former *Emergency Program Act* will continue to serve as the plans of the regional district.

When the requirements of the LAEMR are compared to those in the EDMA, you can find parallels. We trust that with a solid foundation built through your LAEMR-based plans, work to prepare risk assessments and emergency management plans under the EDMA should cover familiar territory. For example, section 2(1) of the LAEMR required local emergency plans to reflect “the local authority’s assessment of the relative risk of occurrence and the potential impact on people and property” associated with “the potential emergencies and disasters that could affect all or any part of the jurisdictional area for which the local authority has responsibility.” This parallels the EDMA’s concept of a risk assessment. Similarly, many of the other elements of section 2 of the LAEMR can be found in the EDMA provisions that outline requirements for emergency management plans.

We understand that regional districts are also concerned about their roles in the response and recovery phases of emergency management. To further address your comments in relation to Crown lands, it may be helpful to clarify that the EDMA provides regional districts with a permissive authority to exercise powers in relation to Crown lands. It does not compel regional districts to do so. While the legislation provides that a regional district “may exercise powers and must perform duties” in relation to Crown lands within the jurisdictional boundaries of the regional district, many duties do not arise unless and until powers are exercised following a discretionary decision of a regional district. The EDMA recognizes the importance of partnerships, communication, and co-management, and it acknowledges that there are multiple decision-makers within this framework. The Province is not stepping away from its role in managing emergencies on Crown lands.

With respect to concerns about local authority capacity, I am pleased to advise that the Province recently committed \$18 million for communities to support consultation and cooperation in advance of emergency events. The funding is intended to:

- support relationship-building across jurisdictions through consultation and cooperation with Indigenous governing bodies;
- ensure the incorporation of Indigenous knowledge and cultural safety across emergency management practices;
- support policy improvements that reflect the lived experience of Indigenous Peoples; and,
- address the disproportionate impacts on Indigenous Peoples during emergency events.

Eligible local authorities and First Nations are being contacted by Ministry staff. For full program information, please visit:

<https://www2.gov.bc.ca/gov/content/safety/emergency-management/local-emergency-programs/financial/ierfp>.

I encourage the Cariboo Regional District to continue to participate in the engagement process for local authority regulations, which runs to January 31st, 2024. While the government is not currently planning a further extension to this engagement period, the ministry will do its utmost to consider submissions received after January 31st, 2024, up to the point at which regulations proceed to Cabinet for consideration. The timing for this work depends on many factors and has not yet been finalized. More information on the engagement is available at:

<https://engage.gov.bc.ca/emergencymanagementregulations>.

Thank you again for taking the time to share Cariboo Regional District's perspectives.

Sincerely,



Tara Richards
Deputy Minister
Ministry of Emergency Management
and Climate Readiness

CC: The Honourable David Eby, Premier
The Honourable George Heyman, Minister of Environment and Climate Change Strategy
The Honourable Bowinn Ma, Minister of Emergency Management and Climate Readiness
Lorne Doerkson, MLA, Cariboo-Chilcotin
Coralee Oakes, MLA, Cariboo North
Todd Doherty, MP, Cariboo-Prince George
Surinderpal Rathor, Mayor, City of Williams Lake
Ron Paull, Mayor, City of Quesnel
Maureen Pinkney, Mayor, District of 100 Mile House
Ed Coleman, Mayor, District of Wells
Union of B.C. Municipalities
North Central Local Government Association
Albernie Clayoquot Regional District
Bulkley Nechako Regional District
Central Kootenay Regional District
Central Okanagan Regional District
Columbia Shuswap Regional District
Comox Valley Regional District
Cowichan Valley Regional District
East Kootenay Regional District
Fraser Valley Regional District
Fraser-Fort George Regional District
Islands Trust
Kitimat-Stikine Regional District
Kootenay Boundary Regional District
Metro Vancouver Regional District
Mount Waddington Regional District
Nanaimo Regional District

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North Coast Regional District
North Okanagan Regional District
Okanagan-Similkameen Regional District
Peace River Regional District
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Thompson-Nicola Regional District
Capital Regional District
Central Coast Regional District

File:

0400-20/2023/EMCR

The Honourable George Heyman
Ministry of Emergency Management and Climate Readiness
PO Box 9010 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Heyman:

Re: Emergency and Disaster Management Act

I write to you on behalf of the Cariboo Regional District Board of Directors to express our concerns, feedback, and hopes for the regulatory framework of the *Emergency and Disaster Management Act*. As you know, the Cariboo-Chilcotin region has faced at least one major emergency event in each of the last five years, with the sole exception of 2022, to respond to wildfires, floods, landslides, and the COVID-19 pandemic. Each of these disasters has disrupted regular business across our region, impacting 63,000 citizens living throughout 80,000 square kilometres of the Dakelh, Secwépemc, and T̓silhqot'in's unceded traditional territories.

We do not object to our public safety responsibilities under the new Act. Our emergency program already practices many of the principles enshrined under the new Act because of our geographic and cultural context. However, we are concerned by the pace of change, the increased expectations on rural regions and small communities, the capacity other agencies to work with us, and the availability of resources to meet our new responsibilities under the new Act.

The new *Emergency and Disaster Management Act* reflects very little of local governments' feedback. Much of the new Act does not reflect the realities of emergency preparedness, mitigation, response, or recovery needs for rural and remote communities. Various requirements, including those related to hazard identification and risk mitigation, are framed within the context of defined and contained urban centres, as opposed to disparate communities across rural areas. For example, the Act prescribes responsibility for Crown lands to local governments, without a funding or management mechanism in support of this responsibility. Areas for which we have no legal or regulatory authority over, and for which no funding or management model exists, will now become our responsibility when disaster strikes, despite a clear lack of authority or capacity to do so.

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We also question our response partners the level of readiness, including Provincial ministries, agencies, and corporations. The Act prescribes new responsibilities onto local governments for lands and programs that are within the jurisdiction and authority of other public sector bodies, including the Ministry of Social Development and Poverty Reduction, the Ministry of Transportation and Infrastructure, BC Parks, the various health authorities, and various others. We have observed that they are often lacking in their level of preparedness, willingness to participate in a unified command structure, and ability to engage in a high level of interoperability. This often begins with a breakdown in early communications as many of these organizations do not designate a duty-officer or provide information about how to contact them outside of regular operating hours. A high level of coordination, cooperation, and interoperability will be required to manage our new responsibilities, and it will begin with a strong foundation based in effective communications and preparedness.

We are also concerned about the capacity and readiness of all local parties to reciprocally engage with emergency planning. The Act requires local authorities to make a “reasonable effort” to reach agreements with each Indigenous Governing Body on how we cooperatively manage emergencies in our region. However, each local government and First Nation have small numbers of staff and have several other pressing and challenging issues to divide their attention towards. There are also several overlapping claims between each First Nation, which we will require clarity and direction for from the Province, as representatives of the Crown. Overall, we're concerned that the Act and future regulations won't fully consider the time needed to strengthen and grow our regional partnerships. This is essential for working together to create improved emergency management plans that address the needs and interests of each affected local government and First Nation.

We ourselves lack the resources to support our transition under the new Act. Our Emergency Program Services have five full-time staff who are fully engaged in meeting our current obligations, and do not have capacity for increased workload. We need time to forward ideas for a policy framework and staffing to engage with fifteen First Nations councils and three national governing bodies. To be effective in meeting the new Act's requirements, we need ongoing, sustainable funding from the Province to increase staffing resources, fund further training activities, and effectively co-develop emergency plans informed by effective hazard identification and assessment. Without this funding, we fear our ability to meet the requirements of the Act, and the provisions for enforcement and financial penalties for local authorities which fail to meet requirements under the Act. This only serves to diminish the work we have already been doing to foster collaborative relationships.

Our current level of staffing cannot keep pace with these changes. We expect we will need to at least double the number of staff dedicated to emergency management to meet the requirements of the new act. Without new, ongoing, and sustainable funding, increased costs to hire and house new staff to meet our new obligations will represent a substantial increase in taxation for residents. Already, we struggle to meet increasing demands on our citizens to fund provincial critical infrastructure rehabilitations, new services for growing populations, meet inflationary costs to maintain our services, and respond to climate change impacts.

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This will only add to a myriad of financial pressures on our residents during a time of significant economic adversity. Our forestry industry, the prime economic driver in our region, is facing continued challenges with access to fibre and sustainable supply; high interest rates increasing debt servicing costs for our residents; and unsustainable levels of inflation making every day living more costly. Our region also experiences secondary economic impacts in the wake of ongoing disasters in the form of lost fibre supply, devastation of natural landscapes that would draw tourists, and a loss of tourism activity because of wildfire activity.

We trust that these concerns, and the concerns of other regional districts, make clear that the Act's ambitions do not reflect governance or emergency management in an appropriate context for us. Our emergencies encompass large areas, impact multiple communities, involve multiple external parties and competing interests, and already spread our resources and staff thin. The absence of any process to consider the unique needs and concerns of regional district impairs the Act's ability to successfully modernize emergency operations at the local level. A regional district working group would provide a better platform to bring attention to these needs and inform improvements to the existing legislation.

The pace of change reflected under this Act and the subsequent regulations will impair local governments' abilities to be flexible and responsive on numerous fronts. Significant resources must be reallocated to address emerging priorities created by this and other legislation. We ask that the Province reconsider its present approach and implementation timeline to allow for engagement with a working group consisting of Regional Districts and establish a framework for consistent and ongoing funding for local governments. Doing otherwise erodes the ability of all parties to meet obligations and commitments under the new Act.

Respectfully,



Margo Wagner
Chair of the Board of Directors

- cc. Honourable David Eby, Premier
Lorne Doerksen, Member of the Legislative Assembly of B.C. (Cariboo-Chilcotin)
Coralee Oakes, Member of the Legislative Assembly of B.C. (Cariboo North)
Todd Doherty, Member of Parliament (Cariboo-Prince George)
Mayor Surinderpal Rathor, City of Williams Lake
Mayor Ron Paull, City of Quesnel
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