



September 24, 2020

Chair's Message

COVID-19 Response and Local Government Powers

Thank you to our incredible communities for your ongoing resilience during these challenging times.

We have received some requests for further clarity on what CCRD can do during a pandemic. We understand the confusion! Usually in an emergency, like a wildfire, local governments are called upon to lead in response. This is not the case for health emergencies, like pandemics.

Pandemic response is led by health authorities.

In the case of COVID-19, the situation is so serious that BC's disaster response division (Emergency Management BC or EMBC) is also taking a leadership role to support the provincial health authority in all they are doing to manage the pandemic.

The Minister of Public Safety who oversees EMBC made a decision early in the pandemic that local governments would not be allowed to use their usual *Emergency Program Act* powers to respond to the pandemic, instead favouring a whole-of-province approach where provincial orders would dictate any special measures needed in response to COVID-19.

First Nations have their own respective health authorities and First Nation communities have emergency response powers through their traditional laws and customs and through the federal legal framework that is part of First Nation on-reserve service delivery.

That means in each of our communities the First Nations Health Authority, the Provincial Health Authority, EMBC and First Nations have concurrent (at the same time) emergency response powers.

We acknowledge all the hard work and dedication from these agencies and governments to serve our communities through the COVID-19 pandemic and

for working so hard 'to build the plane while they fly it'. It is not easy to sort out roles and responsibilities when there are so many authorities working at the same time and there is so much at stake making emotions run high.

We feel we must clarify, due in large part to privacy legislation in Canada, local governments are not entitled to information from health authorities regarding individuals who test positive for COVID-19 or any other disease. We hope our constituents understand, we cannot share information we are not ourselves entitled to.

So, what can CCRD do? Well, what we have been doing...

Local governments may serve by:

- sharing information that is provided to them by lead agencies
- ensuring local government services, like landfill and airport, continue to operate through the pandemic
- help to source needed resources identified by response leads, such as PPE
- monitor the situation in case special measures are needed that could be granted by the Minister

Sometimes, in special cases like when the community level transmission reached high levels in Alert Bay, the provincial government may reinstate a local government's *Emergency Program Act* response powers. The process is not automatic and has not been done very often in BC through the pandemic.

CCRD remains ready and willing to help serve as needed and requested by our dedicated response leads.

Sincerely,



Samuel Schooner, Chair