

DESIGN PRINCIPLES FOR MODERNIZATION

Seven design principles are guiding development of BC's modernized emergency management legislation. The design principles reflect the key strategic shifts that underpin a more modern approach to emergency management in BC.



A Four-Pillar Approach

The Act will encompass all stages of emergency management: mitigation, preparedness, response, and recovery.



Shifting How We Think

The Act will reflect a shift from disaster response to managing and reducing disaster risk.



An All-of-Society Approach

Emergency management is a shared responsibility: individuals, governments, communities, private and non-profit sectors.



Putting Safety First

Protection of life, health, and safety is paramount.



Transparent Decisions

Decisions made under the Act and regulations will be transparent.



A Funding Mechanism that Works

Responsive, flexible and disciplined funding mechanisms.



Focus on Inclusion

The Act will be inclusive and will consider the needs of vulnerable citizens.





KEY DEFINITIONS

The starting point for discussion about modernizing BC's emergency management legislation is the key definitions that will underpin the new Act. The following definitions are proposed.





The definition of emergency is essential to emergency management legislation. In the current EPA, the term gives meaning to other important concepts such as emergency plans and measures, and states of emergency.

It is proposed to define "emergency" as:

A present or imminent event or circumstance that:

- (a) Is caused by accident, fire, explosion, technical failure or a force of nature; and
- (b) Requires prompt coordination of action or special regulation of persons or property to protect the health safety or well-being of a person or community or to limit the damage to property, significant Indigenous cultural sites or the environment; or
- (c) Any other situation prescribed by the Lieutenant Governor in Council.

The proposed definition adds damage to "significant Indigenous cultural sites or the environment". The former has been raised in a number of after-action reviews, while the latter has been adopted by a number of other provinces. The proposed definition also adds a new provision that would allow the provincial government to declare through an order-in-council that an event constitutes an emergency. Examples could include events with significant impacts on human health (such as foreign animal disease outbreaks or pandemics) or economic crises. This would give Cabinet the ability to direct EMBC into action if deemed necessary.





Local Authority

Local Authorities are defined in the EPA as:

- (a) For a municipality, the municipal council;
- **(b)** For an electoral area in a regional district, the board of the regional district; or
- (c) For a national park, the park superintendent.

There are additional circumstances under which it may be appropriate to designate an entity as a Local Authority:

- Under the terms of modern treaties, Treaty First Nations are considered Local Authorities under the EPA; however, there is no reference in the legislation itself to Treaty First Nations;
- The Stikine region is the only area of BC where there is no Local Authority; and.
- Many regions of the province have initiated collaborative emergency management partnerships across multiple municipalities or within an entire regional district (for example, through the Integrated Partnership for Regional Emergency Management in Metro Vancouver and the Regional Emergency Management Partnership in the Capital Regional District).

It is therefore proposed to:

Add the ability for the Minister to prescribe by regulation a new "Local Authority". This could include a Treaty First Nation whose Final Agreement defines it as a Local Authority, an appropriate body within the Stikine, or a group of willing First Nations, municipalities and/or electoral areas that wish to form a unified Local Authority for the purposes of undertaking some or all emergency management functions.





KEY DEFINITIONS: The Four Pillars of Emergency Management



1. Mitigation

In keeping with the Sendai Framework, and with a view to future risk associated with climate change, mitigation will be built into the new Act in order to:

- Enhance information about hazards, risks and vulnerabilities;
- Improve integration and hazard and risk information flow between communities, ministries, Crown corporations, and critical infrastructure operators;
- Mandate greater consideration of current and future risk when considering development in hazardous areas; and,
- Build resiliency and social cohesion of communities.

It is proposed to define "mitigation" as:

The phase of emergency management in which proactive steps are taken to prevent a hazardous event from occurring by eliminating the hazard, or to reduce the severity or potential impact of such an event before it occurs. Mitigation protects lives, property, cultural sites, and the environment, and reduces vulnerabilities to emergencies and economic and social disruption.



2. Preparedness

Building on the strong preparedness and planning requirements in the EPA, modernized emergency management legislation will:

- Establish clear and expanded emergency management responsibilities for key partners;
- Improve integration and information flow between ministries, Crown corporations, Local Authorities, First Nations, and critical infrastructure operators; and,
- Enhance emergency plan quality including more rigour on risk assessment, mitigation and recovery.

It is proposed to define "preparedness" as:

The phase of emergency management during which action is taken to ensure readiness to undertake emergency response and recovery. It includes, but it not limited to, hazard, risk, and vulnerability assessment, planning, resource planning, volunteer management, training, exercises, public/stakeholder education, and continuous improvement.



3. Response

Building on the response provisions in the EPA, modernized emergency management legislation will:

- Allow for setting standards for emergency public notifications and warnings to ensure clear responsibilities, timeliness, and accuracy;
- Enable the Province to enter into aid agreements with other jurisdictions (for example, to provide emergency management and other accredited professionals to assist during a catastrophic event); and,
- Clarify distinct powers for both the Province and Local Authorities during states of emergency, and the duration of states of emergency.

It is proposed to define "response" as:

The phase of emergency management during which actions are taken in direct response to an imminent or occurring emergency in order to prevent, limit and manage impacts. Response includes the initiation of plans and actions to support recovery and may include deployment of registered volunteer resources.





4. Recovery

The Sendai Framework includes the concept of "building back better" during recovery from events to reduce future risk and enhance resilience. A 2018 report prepared under the auspices of the World Bank expands this concept:

- Building back stronger refers to reconstructing buildings and infrastructure to ensure the built environment is better able to withstand future emergencies;
- Building back faster reduces disaster impacts by accelerating reconstruction through measures such as contingent reconstruction plans, pre-approved contracts, and financial arrangements; and,
- Building back more inclusively ensures that the most disproportionately impacted can access the support they need to rebuild. In the absence of such support, they are the most likely to experience the long-term consequences caused by health issues and disability, loss of schooling and education, or simply the inability to save or borrow to rebuild or replace lost assets.

With this in mind, modernized emergency management legislation will:

- Ensure Local Authorities, ministries, Crown corporations, First Nations, and critical infrastructure operators are prepared to recover from emergency events; and,
- Give Local Authorities and ministries the tools and powers required to build back stronger, faster, and inclusively.

It is proposed to define "recovery" as:

The phase of emergency management during which action is taken to re-establish social, cultural, physical, economic, personal and community well-being through inclusive measures that reduce vulnerability to emergencies, while enhancing sustainability and resilience. It includes taking steps to repair a community impacted by an emergency and restore conditions to a level that could withstand a potential future event or, when feasible, improve them to increase resilience in individuals, families, organizations, and communities.











Stepping Up & Sharing Responsibility

A Blueprint for 21st Century Emergency Management

While the provincial government has a leadership role in emergency management, fully committing to the Sendai Framework means that responsibility is shared with other partners including Local Authorities, First Nations, critical infrastructure operators, the private sector, industry, non-governmental organizations (NGOs), citizens and volunteers. We recognize that many of these proposals would impose additional obligations on emergency management partners, which will raise issues of capacity and resources and will require time to develop and implement new approaches. The Province is committed to work with emergency management partners to ensure the necessary supports are in place so that the proposed new framework can be delivered.

This section outlines the key proposed changes for BC's emergency management partners that would be incorporated in a modernized Act.

Minister Responsible for Emergency Management

Under the EPA, the Minister has a number of duties and powers, including preparing emergency plans, entering into agreements, conducting public information, training and exercising programs, and reviewing and recommending modifications to Local Authorities' plans. The Minister may declare a provincial state of emergency (PSOE) and must approve extensions to states of local emergency (SOLEs).



States of Emergency









The provisions in the EPA dealing with states of emergency have their roots in Canada's War Measures Act. A state of emergency is an extraordinary measure that provides powerful tools to provincial and/or local governments that curtail rights and freedoms.

SOLE Durations

Currently, SOLEs are initially established at seven days and may be extended for further seven-day periods; the Minister's approval is required for extensions. Experience has shown that SOLEs are frequently renewed, often repeatedly, to deal with high-impact events.



It is proposed that:

The duration of a SOLE be set at 14 days, with extensions of 14 days at a time approved by the Minister or designate. Extensions may include changes to the geographical scope of the SOLE.

PSOE Durations

Currently, PSOEs are initially established at 14 days and may be extended for further 14day periods, with approval of the Lieutenant Governor in Council (LGIC).



It is proposed that:

The duration of a PSOE be set at a maximum of 28 days, with extensions of 28 days at a time approved by the LGIC. Extensions may include changes to the geographical scope of the PSOE.





Powers Availible During PSOEs & SOLEs

The EPA sets out the powers available to the Minister during a provincial state of emergency (s. 10(1)) and to a Local Authority for a local state of emergency (s. 13(1)). In order to ensure an appropriate suite of powers is in place during states of emergency, the following is proposed.



It is proposed to:

- Clearly set out the powers available to the Minister and to Local Authorities, respectively, by listing these powers;
- Clarify that the Minister and Local Authorities may do all acts and implement all procedures necessary to mitigate, prepare for, respond to or recover from the effects of an emergency.

Continued use of a SOLE

Experience in 2017 and 2018 showed that continued use of a SOLE is not an appropriate tool as communities transition from response to recovery. To support Local Authorities to transition from reliance on SOLEs to their regular decision-making processes, the following is proposed.



It is proposed to:

Introduce a new provision to allow the Minister to grant a Local Authority the use of specific powers for a "transition period" between response and recovery of up to 90 days. A Local Authority would make an application to the Minister, citing what powers are required and demonstrating that they are in the public interest; necessary or desirable to ensure a timely and effective recovery; and proportionate in the circumstances. The Minister could approve multiple extensions, for up to 90 days each. Local Authorities would be required to report publicly on their use of the transition powers.

Powers During Catastrophic Events

Careful consideration was given to whether an additional suite of powers should be available to the Minister for a catastrophic event such as a subduction earthquake. The existing powers under the EPA, specifically section 10(1) and section 26, are extremely powerful. *Minor amendments are proposed to clarify how these powers apply during a catastrophic event.*



It is proposed that:

- **S. 10(1)** would clarify that for the duration of a <u>provincial</u> state of emergency, the Minister may do all acts and implement all procedures considered necessary to mitigate, prepare for, respond to or recover from the effects of an emergency; and,
- **S. 26** would clarify that unless otherwise provided for in a declaration of a state of emergency, if there is a conflict between the emergency management Act, the regulations, <u>orders</u>, <u>or authorized actions</u> made under the Act, and the regulations, <u>orders</u>, <u>or authorized actions</u> under other Acts, the emergency management Act and its regulations, <u>orders</u>, <u>or authorized actions</u> prevail.











Accessing Support

The Minister currently has the authority to "enter into agreements with the government of Canada or any other province, or with any agency of such a government, dealing with emergency plans and programs." In order to ensure that BC can quickly and effectively access support from other jurisdictions as and when needed, the following is proposed.



Partnerships with First Nations

A number of First Nations have entered into emergency management agreements with the Province and/or local governments. For example, in 2018 the Central Coast Regional Emergency Management Partnership Memorandum of Understanding was signed between the Nuxalk Nation, Central Coast Regional District, and EMBC. In April 2019, a tripartite agreement was signed by Canada, BC and the First Nations Leadership Council to establish a formal relationship to hold collaborative, constructive and regular dialogue on emergency management issues. In order to facilitate partnerships with First Nations, the following is proposed.



It is proposed to:

Clarify that the Minister can enter into agreements with international jurisdictions. Agreements could include arrangements with one or more other jurisdictions to share resources in relation to emergency management.

It is proposed to:

Provide clear authority for the Minister and for Local Authorities to enter into emergency management agreements with First Nations. Agreements could address issues such as collaborative hazard and risk assessment and/ or planning; delivery of emergency management services or programs; and/or joint recovery activities.



Enhancing Confidence in the Emergency Management System

BC is already a recognized leader in emergency management. Modernizing our legislative framework underscores our commitment to continuous improvement and will enshrine in legislation many of the best practices that are already commonplace in our province. That said, it is also important for the public to have confidence in our emergency management regime. To that end, we are proposing measures to enhance transparency and quality assurance.



Emergency Management System









Transparency

To increase transparency around risk, and coordination and consolidation of risk assessments and hazards across the province, the following is proposed.



It is proposed to:

Establish a legislative requirement for the Province to centrally house and provide transparent data on hazard, risk and vulnerability assessments, or mitigation planning documents which are conducted or prepared by other bodies (provincial ministries, Crown corporations and agencies; Local Authorities; and critical infrastructure operators).

Quality Assurance

To provide quality assurance of emergency management plans prepared by other bodies, the following is proposed.



It is proposed to:

- Require provincial ministries, Crown corporations and agencies, Local Authorities, and critical infrastructure owners/operators to register their emergency management plans with EMBC; and
- Enable EMBC to audit emergency management plans. In the spirit of continuous improvement, audit results would be shared with the planning body and made public.



MINICTOV

Ministry Hazard Responsibilities (1/3)

HAZADO

HAZARD CROUD

Provincial Ministries, Crown Corporations & Agencies

Provincial government bodies must lead by example to adopt a four-pillar approach to emergency management and increase confidence in the quality of emergency plans. This includes expanding the public sector entities required by law to do emergency planning. Under the EPA, all ministries and certain Crown corporations are required to prepare emergency plans to be followed in the event of an emergency or disaster. These plans can be divided into two categories: business continuity plans, which focus on the continuity of services, and emergency management plans. Content requirements for business continuity plans are identified in policy, not in regulation. The **Emergency Management Program Regulation** delegates responsibilities for some hazardspecific planning to some ministries but there is otherwise little direction on what content should be included in ministry emergency management plans. Currently, ministries are not obligated to include risk mitigation or recovery within their plans. The following table shows key hazards and the primary provincial ministries responsible for provincial level activities to provide expertise and direct support to Local Authorities in managing an incident.

HAZARD GROUP	HAZARD	MINISTRY
Accidents	Air crashes	Public Safety & Solicitor General
	Marine accidents	
	Motor vehicle crashes	
Atmosphere	Snowstorms	Emergency Management BC
	Blizzards	
	Ice storms	
	Fog	
	Hailstorms	
	Lightning	
	Hurricanes	
	Tornadoes	
	Heat waves	
Dam Failure	Dam failure (includes foundations and abutments)	Forests, Lands, Natural Resource Operations & Rural Development
Disease & Epidemics	Human diseases	Health
	Animal diseases	Agriculture
	Plant diseases	
	Pest infestations	

HAZARD GROUP	HAZARD	MINISTRY	
Explosions & Emissions	Gas and gas leaks (pipeline)	Environment	
	Gas and gas leaks (gas wells)	Energy, Mines & Petroleum Resources	
	Mine		
	Other explosions	Municipal Affairs & Housing	
Fire (Urban & Rural)	Fire (urban and rural — excludes interface fire)	Emergency Management BC; Forests, Lands, Natural Resources & Rural Development	
Geological	Avalanches: highways/other	Transportation & Infrastructure; Emergency Management BC	
	Debris avalanches and debris flows	Forests, Lands, Natural Resources & Rural Development	
	Submarine slides		
	Landslides: highways/other	Transportation & Infrastructure; Emergency Management BC	
	Land subsidence	Energy, Mines & Petroleum Resources	
Hazardous Materials	Hazardous spills (on site or transport routes)	Environment	
	Radiation	Health	
	Infectious materials		
Hydrologic	Drought	Forests, Lands, Natural Resources & Rural Development	
	Flooding		
	Erosion and accretion	Environment	
	Ice jams	Transportation & Infrastructure	



Ministry Hazard Responsibilities (3/3)

HAZARD GROUP	HAZARD	MINISTRY
Power Outage	Electrical power outage	Emergency Management BC
Riots	Riots & public disorder	Public Safety & Solicitor General
Seismic	Ground motion effects	Emergency Management BC
	Tsunamis	
Space Object	Space object crash	Emergency Management BC
Structural	Structural collapse	Emergency Management BC
Terrorism	Terrorism (hostile act against state)	Public Safety & Solicitor General
	Ash falls	Emergency Management BC
Walani.	Pyroclastic flows	
Volcanic	Lava flows	
	Mudflows	
Wildfire	Wildfire (includes interface fire)	Forests, Lands, Natural Resource Operations & Rural Development







Preparedness for Provincial Ministries, Crown Corporations & Agencies

Business Continuity Plans

To ensure transparency, consistency, quality, and oversight and to enhance information sharing of business continuity plans, the following is proposed.



It is proposed to:

- Require all ministries, Crown corporations, and agencies to have programs and plans to deal
 with the continuity of services. This could include school districts, universities, colleges, health
 authorities, and others;
- Enable the prescription (in regulation) of standards for plan content, process, training, exercising and review; and
- Establish a mechanism to enable EMBC to collect, review, and audit business continuity plans.

It is proposed to:

Require ministries, Crown Corporations, agencies and other public sector entities to develop emergency plans, participate in the development of integrated plans for which they are not the lead, and perform hazard, risk and vulnerability assessment, mitigation, preparedness, response, and recovery duties as assigned by the Minister. This could include school districts, universities, colleges, health authorities, and others;

- Enable the prescription (in regulation) of specific roles and responsibilities for mitigation, preparedness, response, and recovery, plan content, process, training, exercising and review; and
- Establish a provincial obligation to provide hazard data and coordinate with Local Authorities and First Nations as available and requested.

Emergency Management Plans

To ensure transparency, consistency, quality, and oversight and enhance information sharing of emergency management plans, the following is proposed.



Continuity After Catastrophe

To ensure continuity of government operations following a catastrophic event such as a damaging earthquake, the following is proposed.



It is proposed to:

Require the Province to develop continuity of government plans that ensure the continued operation of the executive, judicial, and legislative arms of government. Local Authorities 155

Under the EPA, Local Authorities include municipal councils and regional district boards. Successful emergency management must be driven by, and responsive to, local communities. Local Authorities therefore have a vital role in emergency management at the community and regional level, as they are responsible for preparing and implementing emergency plans. However, events in 2017 and 2018 highlighted the importance of strengthening both up-front risk mitigation and post-event recovery. A modernized approach to emergency management can increase community resiliency by:

- Increasing the specificity of emergency planning requirements, including obligations to identify hazards, vulnerabilities, and risk and implement risk reduction measures;
- Enhancing community consultation and coordination;
- Empowering new and existing partnerships; and
- Providing a new "transition period" to enable a more seamless transition from response to recovery by allowing specific powers to continue for a longer period of time while providing public accountability on the use of the powers.



Mitigation for Local Authorities

Building & Development

Risk reduction starts with making sound decisions about where and how to build. To facilitate risk-based decision-making about building and development in hazardous areas, the following is proposed.



It is proposed to:

- Require Local Authorities, and the Province (through the Ministry of Transportation and Infrastructure's subdivision approval authority in unincorporated areas) to give greater consideration of current and future risk for new development approvals in hazardous areas; and,
- Require sustainable long-term mitigation measures when building and development is approved in hazardous areas.



Hazard & Risk Identification

To enhance the capacity to prevent and mitigate emergencies, and close gaps that exist in hazard and risk identification, the following is proposed.



It is proposed to:

 Include legislative and regulatory requirements for Local Authorities to identify, understand and assess hazards, risks, and vulnerabilities, and establish associated mitigation plans for risks and consequences.

Collaboration & Coordination

To increase transparency around risk, and enhance coordination and consolidation of risk assessments and hazards across the province, the following is proposed.



It is proposed to:

- Enable the Minister or designate to direct Local Authorities to collaborate and coordinate at a regional scale for risk assessment, mitigation planning and mitigative works; and
- Enable the establishment of non-regulatory or regulatory incentives to enhance regional collaboration and coordination for risk assessment, mitigation planning and mitigative works.



Preparedness for Local Authorities

Standardized Programs & Plans

To increase standardization and alignment of Local Authority emergency management programs and plans, the following is proposed.



It is proposed to:

- Establish a comprehensive list of requirements including: hazard, risk, and vulnerability assessment; mitigation plans; response; recovery; business continuity plans; training; exercising; and a review cycle; and
- Through regulation, provide detailed program and plan content requirements.



Collaborative Planning & Partnerships

To increase collaboration, enable community-driven planning and partnerships, provide transparency and accountability among partners and stakeholders, and enable the Province to understand local capacities and needs, the following is proposed.



It is proposed to:

- Require Local Authorities to provide plans to neighbouring jurisdictions (Local Authorities and First Nations), to the Province, and stakeholders such as critical infrastructure operators, school districts, and health authorities and consider any feedback;
- Enable Local Authorities and First Nations to enter into agreements with one another for the purposes of integrated or multi-jurisdictional plans; and
- Introduce a requirement for Local Authorities preparing emergency management plans to consult with First Nations. Consultation standards for Local Authorities could be specified in regulation or guidelines.



Response for Local Authorities

Response Provisions

Proposed changes to response provisions for Local Authorities are outlined in the section on the Minister's powers.



See Page 19







Recovery for Local Authorities

Recovery Plan Incentives

To provide incentives to develop strong recovery plans, the following is proposed.



It is proposed to:

Enable regulations that would require post-disaster needs assessments and post-disaster recovery plans as a condition of receiving provincial recovery funds and the renewal of recovery powers.

Transitioning out of a SOLE

As described in the section on the Minister's powers, to create a mechanism for the use of emergency powers over an extended period of time and recognize the transition between response and recovery, the following is proposed.



It is proposed to:

Introduce a 90-day "transition period" where Local Authorities can request the use of specific SOLE powers for up to 90 days at a time. Powers would be selected and justified for the circumstance, based on the whether the transition powers are in the public interest, necessary and desirable, and proportionate to the circumstances.

Tools to Support Recovery

To provide Local Authorities with additional tools to support recovery, particularly during the transition from response to recovery, the following is proposed.



It is proposed to:

 Enable Local Authorities, in consultation with the Minister responsible for the Community Charter, Vancouver Charter and Local Government Act and the Minister responsible for emergency management, to make emergency amendments to an Official Community Plan, Regional Growth Strategy, zoning, or bylaws.



Advancing Reconciliation with Indigenous Peoples

First Nations representatives have demonstrated a strong interest in all aspects of BC's emergency management regime. First Nations know their communities best, including making decisions on how and when to respond to events that impact their values and people.

Modernizing the legislation provides an opportunity to advance reconciliation with Indigenous peoples and address many of the challenges that were identified in 2017 and 2018, including investing in community planning, preparedness and mitigation, and respecting Indigenous knowledge and practices. Taking steps to recognize First Nations as partners in emergency management will demonstrate progress towards implementing the recommendations in First Nations community reports, the Abbott-Chapman Report, the Tsilhqot'in National Government report The Fires Awakened Us, and the Nadleh Whut'en report Trial by Fire.

Canada is responsible for reserve lands, and this responsibility is delegated to the Minister of Indigenous Services. Under the Emergency Management Act (2007), each federal minister is required to identify risks within their areas of responsibility and maintain emergency management plans to mitigate those risks. Indigenous Services Canada supports the four pillars of emergency management (mitigation,

preparedness, response and recovery) on-reserve and has a service agreement with EMBC to ensure that First Nations have access to the provincial emergency management platform.

BC will continue to work with First Nations and Canada to provide clarity on jurisdictional roles and responsibilities for reserve lands and community members who live off-reserve.

First Nations, along with the federal, provincial and local governments, have already embarked on the path to partnerships. In addition to the tripartite agreement between Canada, BC and the First Nations Leadership Council that was mentioned earlier in this discussion paper, a number of First Nations have entered into collaborative arrangements, including:

- The Collaborative Emergency Management Agreement between the Tsilhqot'in National Government, Canada and BC;
- The Central Okanagan Regional Emergency Plan, which supports local governments, the Regional District of Central Okanagan, and the Westbank First Nation; and,
- The Tofino-Ahousaht Protocol Agreement on areas of mutual interest, including infrastructure, health and emergency planning.

Under the Final Agreements of modern treaties, Treaty First Nations have the same powers, duties and responsibilities under the EPA as Local Authorities. Westbank First Nation and shishalh Nation are self-governing, with the power to regulate public order, safety and emergency preparedness. Shishalh Nation is a member of the Sunshine Coast Regional District Emergency Program and Westbank First Nation is a member of the Regional District of Central Okanagan Emergency Program.

The First Nations Health Authority (FNHA) coordinates activities in response to emergencies that may impact the health of BC First Nations community members. Since 2017, FNHA has strengthened its capacity to support First Nations communities to prepare for, respond to and recover from emergencies by establishing emergency management policies and procedures, developing an Emergency Operations Centre response mechanism, and creating additional staff positions focused on leading and supporting emergency management within its organization.

The First Nations Emergency Services Society (FNESS) works closely with First Nations communities, EMBC, Indigenous Services Canada (ISC) and other partners to support emergency management for First Nations communities in BC.







First Nations as Partners









It is recognized that First Nations will have interests in all the legislative changes under consideration. In order to further strengthen First Nations as partners in the governance and operations of emergency management and improve communications before, during and after an emergency, the following changes are proposed.

It is proposed to:

- Expand the definition of "emergency" to include actions to protect community wellbeing, significant Indigenous cultural sites and the environment;
- Provide clear authority for the Minister responsible for emergency management and for Local Authorities to enter into emergency management agreements with First Nations or First Nations groups, including Treaty First Nations. Agreements could address issues such as collaborative házard and risk assessment and/or planning; delivery of emergency management services or programs; mutual aid; and/or joint recovery activities;
- Introduce a requirement for Local Authorities preparing emergency management plans to consult with First Nations:

- Introduce a requirement for critical infrastructure owners/operators to provide non-sensitive information to First Nations upon request. (Note: information would also be provided to Local Authorities and/or the public upon request.);
- Require consideration of Indigenous and traditional knowledge in the development of hazard risk and vulnerability assessments by provincial entities and Local Authorities. The entity conducting the assessments could be encouraged to communicate the results to affected First Nations; and,
- Establish that provincial entities and Local Authorities must consider cultural safety and inclusiveness when developing and implementing emergency management plans. Specific requirements could be established in regulation and supported by policies and guidance material.



Critical Infrastructure Operators

Federal, provincial and territorial governments in Canada define critical infrastructure as the processes, systems, facilities, technologies, networks, assets and services essential to the health, safety, security or economic well-being of people and the effective functioning of government. There are ten recognized critical infrastructure sectors:

Critical Infrastructure Sectors

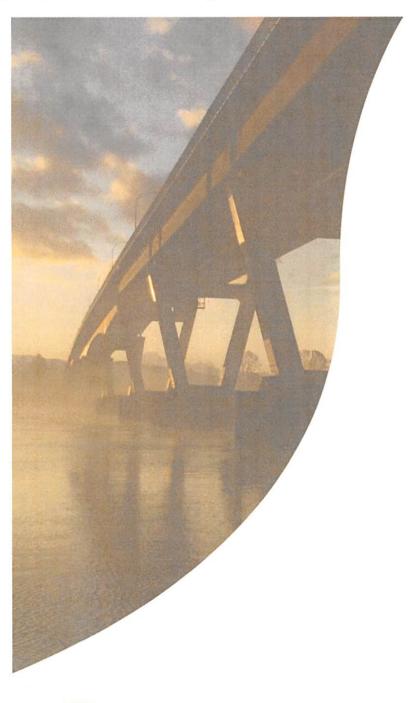
SECTOR	SUB-SECTOR	
Energy & Utilities	Electricity; Petroleum and Crude Oil; Natural Gas; Other	
Communications	Telecommunications; Radio; Broadcasting; Satellite	
Transportation	Rail; Road; Marine; Air	
Water	Potable Water; Wastewater; Dams	
Health	Critical Care; Extended Care; Blood/Organ Facilities; Pharmaceutical Facilities	
Safety	Police/Law Enforcement; Fire; Ambulance; Emergency Management	
Government	Federal; Provincial; First Nations; Local Authority	
Food	Farming/Production; Processing/Packaging; Storage/Distribution	
Finance	Banking/Financial Institutions; Securities/Investments; Point of Sale/ATM Machines	
Manufacturing	Defense Industrial Base Manufacturing*; Critical Manufacturing**	

The EPA does not reference critical infrastructure; it is regulated at both the provincial and federal levels within legislation that is typically specific to a single sector or sub-sector. This means that the requirements for emergency management activities are not consistent across sectors and may not be integrated with provincial or Local Authorities' emergency management plans.



^{*} Defense industrial base manufacturing consists of businesses and government organizations involved in research, development, production and service of military equipment and facilities.

^{**} Critical manufacturing varies across five key areas: primary metals, machinery, electrical equipment, transportation and heavy equipment, and chemical manufacturing.



In BC, many critical infrastructure operators already demonstrate exceptional emergency management practices, often going beyond existing regulatory requirements, as observed during the 2017 and 2018 flood and wildfire events as well as in many other instances. The proposals outlined below would serve to strengthen certain practices and close any gaps. It is recognized that the Province must respect federal jurisdiction over certain critical infrastructure sectors.

These recommendations are centered on adopting a cross-sector approach that defines expectations with respect to the development of four-pillar emergency management planning documentation that is registered provincially, exercised, subject to audit, and integrated with government emergency plans. The intention of these activities is to enhance the resilience of critical infrastructure in British Columbia, as well as those that rely on its services. The resilience of critical infrastructure assets and systems is essential to the functionality of critical supply chains such as food, water, fuel, shelter, and medical supplies, and is also a vital component of efficient and effective response and recovery efforts. Furthermore, awareness of downstream risks (i.e., scenarios that may result in critical service losses)

and interdependencies (where one critical infrastructure asset relies on another, or there is a mutual dependency) may also help the Province, Local Authorities, First Nations, and other critical infrastructure operators develop and update their emergency management planning documentation appropriately.

In addition, consistent emergency management planning documentation can help ensure effective and efficient resource-sharing, as critical infrastructure operators are often the source of specialized resources and personnel. Understanding the needs of critical infrastructure operators in greater depth may also allow the Province to explore additional opportunities to provide support in return before, during, and after emergency events.

A modernized approach to emergency management would:

- Improve information sharing and coordination between critical infrastructure operators, the Province, Local Authorities, and First Nations; and,
- Establish minimum standards for emergency management and business continuity plans for critical infrastructure operators.





Preparedness for Critical Infrastructure

A Cross-Sector Approach

To build a foundation for a cross-sector approach that outlines expectations around emergency management planning, business continuity planning, information sharing, and exercising, the following is proposed.



It is proposed to:

- Establish a power to allow for creation of a registry that captures specific critical infrastructure assets and their respective emergency management planning documentation, which may include information on risks, contacts, operating procedures, resource requirements, and resource availability. This registry would also serve to clarify which critical infrastructure operators and respective assets are subject to the regulatory requirements, as it may include "tiers" to ensure appropriate attention is paid to the assets and systems with greater risk and/or consequence; and
- Establish cross-sector regulation for critical infrastructure emergency management activities to ensure consistency. This would include activities required for critical infrastructure sectors as defined by EMBC and include supplementary aspects to existing statutes and regulations with respect to their requirements related to emergency management activities. Attention will be paid to ensuring that existing requirements and efforts are not duplicated.

Risk and Resource Needs

To increase understanding of risk and resource needs of critical infrastructure operators, and increase coordination with other emergency partners, the following is proposed.



It is proposed to:

Require critical infrastructure operators to develop specific emergency management planning documentation, which would be inclusive of planning for hazards created by the critical infrastructure, business continuity planning for service disruptions, and considerations for downstream impacts of service disruptions.



Information Sharing and Security

To improve coordination and information sharing while respecting critical infrastructure operators' proprietary information and minimize information security issues, the following is proposed.



It is proposed to:

Require that emergency management planning documentation be developed into two parts:

- Information such as risks to critical infrastructure, risks caused by the critical infrastructure, general operating procedures, consequence of loss, estimated restoration timelines, anticipated resource requirements, and primary contact information; and,
- 2. Sensitive information that exposes vulnerabilities and any additional details within the plan such as additional staff contact information, internal procedures, etc.

Require that Part 1 be provided to the Province, and/or made available upon request to Local Authorities, First Nations, and/or the public.

Quality Assurance

To increase quality assurance of emergency management planning documentation, the following is proposed.



It is proposed to:

- Require certain critical infrastructure operators to provide a "Statement of Assurance" that would advise of measures they have taken to ensure that their emergency management documentation is of adequate quality. The Province would have authority to engage an accredited subject matter expert to validate the "Statement of Assurance"; and,
- Conduct prioritized audits of emergency management planning documentation. These
 audits would be done by either EMBC alone, or with the assistance of ministries with
 leadership/ regulatory roles for a particular sector.



Testing and Integration of Plans

To ensure that critical infrastructure emergency management and business continuity plans are tested consistently and to provide opportunities to integrate plans with other emergency plans, the following is proposed.



Improving Information Sharing

To increase information sharing both during and outside of emergency events, and to enhance planning related to catastrophic events, the following is proposed.



It is proposed to:

- Require critical infrastructure operators to conduct mandatory exercises for specific assets as designated by the Province through regulation or policy at a defined frequency and level (tabletop, full-scale, etc.); and,
- Require critical infrastructure operators to invite provincial regulators and emergency management authorities, as well as local participants such as Local Authorities, First Nations, and local organizations, to the mandatory exercises.

It is proposed to:

Require critical infrastructure operators to provide emergency management information beyond that identified in Part 1 (see above) as requested by EMBC (or another provincial agency at the request of EMBC) including sensitive event-specific information, additional contact information, or internal procedures.





Supporting Volunteers & Non-Governmental Organizations

People who offer their services without expectation of compensation are a critical component of the emergency management process and contribute to an all-of-society approach, along with the many non-profit organizations involved in all four pillars of emergency management.

Currently, Public Safety Lifeline Volunteers provide services in five distinct functions:

- Search and Rescue services to locate and retrieve injured, lost, or missing individuals;
- Road Rescue services to extricate motorists trapped by an accident;
- Emergency Support Services to meet the temporary accommodation, meals and incidental needs of individuals and families evacuated during an emergency;
- Provincial Emergency Radio
 Communications services to provide additional or alternate radio connections in support of managing an emergency; and,
- Provincial Emergency Program Air to enable searches from the air, conduct reconnaissance (i.e., damage assessment), communications relay or transport personnel and supplies.

The Province also provides a means for a Local Authority or First Nation to organize convergent volunteers for general service tasks such as filling sandbags.

The skills and experiences of volunteers often go beyond their core functions, such as ensuring that in an emergency, residents are notified and advised of actions to take, or as a member of an Emergency Operations Centre. The Province supports these volunteers by providing training, reimbursing operational costs and providing WorkSafe and liability coverage.

Beyond formal provincially organized lines, volunteers make invaluable contributions to emergency management through non-government organizations (NGOs), community service organizations and other mechanisms.







Strengthening Supports for Volunteers & NGOs









Helping Volunteers Help BC

To strengthen support for the thousands of volunteers essential to emergency management, the following is proposed.



It is proposed to:

- Increase support and formal oversight of volunteers;
- Increase access to broader resources, including volunteers affiliated with third parties such as NGOs, and continue the ability of NGOs, philanthropic organizations, societies, and other organizations to enter into agreements with BC;
- Create more equitable treatment between a person ordered to provide support in an emergency and one who willingly provides support; and,
- Recognize that service provider organizations can be impacted by emergencies and may need support during response and recovery.





Preparedness for Volunteers & NGOs

New Definitions

To ensure consistent interpretation of new and existing laws and regulations related to volunteers and enable the Province to enter into agreements with third-party service providers, the following is proposed.



It is proposed to:

Have new definitions that would clearly distinguish the difference between a registered volunteer, convergent volunteer, and service provider:

Registered volunteers would be specialized disciplines prescribed by regulation and:

- Receive no remuneration for their service;
- Be provided with civil liability protection under the Act, workers' compensation and liability insurance;
- Obtain and retain registered status with the Province or other entities according to the regulation;
- Operate under Local Authority or direction of the requesting agency;
- May provide direction to convergent volunteers;
- Operate in all phases of emergency management; and,
- May receive time limited employment protection according to the Act.

Convergent volunteers would not be registered and would:

- Receive no remuneration for their service;
- Arrive on scene offering support and assistance;
- Be supervised by the Local Authority, the Province, or a registered volunteer to be able to receive workers' compensation and other benefits; and,
- Receive civil liability protection under the Act.

Service Providers may be a registered charity, philanthropic organization, society or other organization. The new legislation will include an explicit authority for the Minister (or designate) and Local Authorities to enter into agreements with Service Providers. Such agreements could:

Authorize the Service Provider to deliver emergency response or recovery services or arrange for the deployment of staff or affiliated volunteer personnel. For clarity, personnel deployed on behalf of a Service Provider will be protected under workers' compensation and insurance policies secured by the Service Provider.



Legal Certainty

To provide greater legal certainty around the process to access workers compensation for injured volunteers and clarify provincial support and governance related to volunteers, the following is proposed.



Job-Protected Leaves

To provide job-protected leaves for persons ordered to provide assistance and for those registered volunteers specifically requested to provide support, the following is proposed.



It is proposed to:

Ensure that the new legislation contains an authority to prescribe classes of registered volunteers, rules around supports for volunteers, and develop and implement a supporting regulation. Having the ability to prescribe classes of registered volunteers in a regulation allows for flexibility over time to accommodate new areas of specialized volunteer disciplines. Policy instruments would continue to be used for discipline-specific program rules and guidelines such as reimbursement rates and safety conditions.

It is proposed to:

Carry forward the existing section 25 of the EPA that provides that persons ordered to assist during a declared Provincial State of Emergency or a State of Local Emergency cannot have their employment terminated for complying with that order.

Establish job-protected leave without pay for "registered volunteers." This provision would be restricted to those registered volunteers specifically requested by a Local Authority or a BC agency to support emergency response. Job-protected leaves would not be conditional on a State of Local Emergency or Provincial State of Emergency being declared.



Ensuring Fairness to Employers

To ensure fairness to affected employers, the following is proposed.



It is proposed to:

- Require Local Authorities or a BC agency requesting the registered volunteer to:
 - Document their initial request for the volunteer;
 - Confirm the duration of the deployment;
 - Confirm that the volunteer was in fact present for the emergency response; and,
 - Make this documentation available on request of the employer.
- Provide a process by which an employer could dispute the ongoing deployment of the employee in a volunteer capacity with the responsible Local Authority or BC agency because the employee is critical to business continuity or other hardship.

It is proposed to:

- Include a civil liability protection provision for registered and convergent volunteers, boards of search and rescue societies, authorized persons offering support from another jurisdiction, persons authorized or ordered to provide assistance under a State of Local Emergency or Provincial State of Emergency, provincial government employees and officials, Local Authority employees and officials, the Minister and the Provincial government as a whole, similar to what is set out in the Wildfire Act;
- A new civil liability clause will clarify that no legal proceedings can be commenced or maintained against a protected person or entity because of anything done or omitted in the course of undertaking a power, duty or obligation resulting from the legislation or associated regulations. Including the BC government and Local Authorities as protected entities is intended to acknowledge that unavoidable property damage or losses can result from governments' response to a given hazard, and that climate change is increasing the overall frequency of events; and,
- Bad faith or grossly negligent actions or omissions will be exempt from civil liability protection, as is the case under the current EPA.

Protection from Civil Liability

To protect volunteers and others from civil liability, the following is proposed.





Supporting & Empowering Citizens, Visitors & Businesses

Citizens can be encouraged to participate in an all-of-society approach to emergency management through information, education, building codes, access to information about hazards, risk, preparedness and response (e.g., evacuation routes), purchasing adequate personal insurance, and taking active roles during recovery. It's also important to provide citizens and visitors with accurate and timely information before, during and after emergencies, and to ensure that public notifications and warnings are widespread and well-understood.

The Province is not contemplating legislative changes that would specifically address the role of citizens and businesses in emergency management. We will build on existing programs and actions by enhancing the promotion of citizen and business involvement across all four emergency management pillars — mitigation, preparedness, response and recovery. This would build on current education and promotional initiatives at the provincial and local levels, such as:

 Strengthening provincial education and preparedness and mitigation initiatives such as Partners in Preparedness, Master of Disaster, High Ground Hikes, and FireSmart;

- Making materials available in additional languages;
- Developing initiatives to better reach vulnerable people;
- Strengthening and expanding the role of business partnerships (e.g., with the real estate community and tourism sector);
- Expanding social media such as Twitter,
 Facebook and webpages;
- Encouraging local governments to undertake more education and promotion and to encourage citizen participation in emergency management planning; and,
- Increasing citizens' awareness and participation in emergency planning, at an individual and community level, through transparent access to hazard information.

Citizen Preparedness

There are no identified jurisdictions that legislate citizens to be prepared or to undertake mitigation measures. Even Japan — often characterized as the "most prepared country in the world" for disasters — does not appear to mandate citizen preparedness, favouring instead robust public awareness programs, including regular drills (some of which involve hundreds of thousands of citizens), guides and brochures, and access to hazard and response planning information.





Financial Considerations

The Province recognizes that not all of the financial elements required to support the modernization of the emergency management system will be enabled through changes to legislation.

Signalling a commitment to a modernized emergency management system will require new investment with the objective of ensuring all four pillars are supported by stable, responsive and transparent funding mechanisms while meeting the Province's fiscal mandate and maintaining the flexibility to invest year-end funds when available.

The resourcing implications for provincial government bodies, local governments, First Nations, other emergency management partners and stakeholders required to deliver on any new emergency management obligations will be considered as legislation is developed, recognizing the importance of supporting their capacity to deliver. The capacity of partners to deliver will also inform the phasing-in of any new obligations.

The Province will continue to work to maximize opportunities to partner with the federal

government to fund or co-fund emergency management activities as their support is essential in modernizing the emergency management system. The Province will also continue to advocate at the federal level for increased funding supports to meet the needs of British Columbians.

The Province continues work to improve its policies, procedures and administrative processes to ensure Local Authorities, First Nations, and service providers are transparently and efficiently reimbursed for response and recovery costs.

The Province recognizes that investments in mitigation and preparedness can reduce risk and reduce or avoid expenditures associated with emergency events.

In addition to traditional financial approaches currently being utilized, the Province will be guided in this consultation process with input on any new or emerging funding approaches, such as incentives to shift behaviour, as well as public and private partnerships that encourage disaster mitigation efforts.



Compliance & Enforcement

Many of the proposed changes to BC's emergency management legislation involve obligations for emergency management partners to reduce risk and enhance resilience. The Province will work with partners on voluntary measures to enhance compliance with these requirements (e.g. training, guidance documents, phased implementation, planning assistance, etc.). Voluntary compliance is the preferred mechanism for reducing risk and improving resilience. At the same time, mechanisms are required to ensure that obligations under the Act are met where voluntary compliance is not achieved.

The current EPA does not have an extensive compliance and enforcement regime. It includes a provision that creates an offence for any contravention of the Act or its regulations or for interference with the exercise of powers or performance of duties under the Act. The penalty for committing an offence is imprisonment for not more than one year or a fine of not more than \$10,000, or both. As part of modernizing the Act, consideration will be given to what additional compliance and enforcement provisions (e.g., fines or other penalties) may be appropriate.

Tell us more:

- What tools should be available (in legislation or otherwise) to ensure compliance with the new Act?
- What incentives may be useful or appropriate?
- What penalties or enforcement mechanisms may be appropriate for non-compliance with the new Act?





Next Steps & How to Participate

Comments on the proposals outlined in this discussion paper can be submitted online at engage.gov.bc.ca/govtogetherbc/consultation/emergency-program-act-modernization, or by email at EmergencyProgramAct@gov.bc.ca, until January 31, 2020.

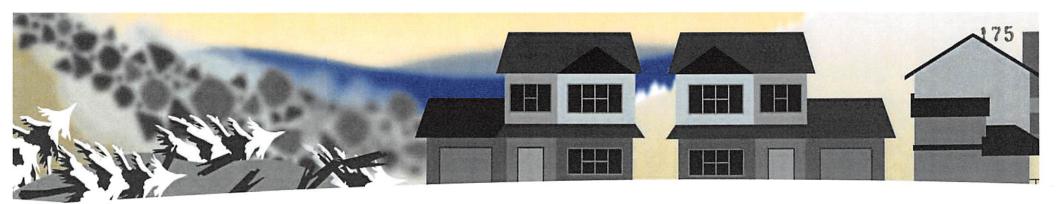
Questions to consider include:

- Will the proposed legislative changes promote a shift to a focus on disaster risk reduction?
- Will the proposals encourage an all-of-society approach to emergency management?
- Are there other measures that could be considered to improve our approach to emergency response?
- Are the proposed new recovery tools useful and appropriate?

- Are there other ways to advance reconciliation and recognize First Nations as emergency management partners?
- What issues are important to consider with regard to critical infrastructure?
- What support would be needed to implement these proposals? Examples include training on the new requirements, templates for emergency management plans, and additional expertise and capacity.

Feedback will inform next steps regarding the proposed changes to ensure they successfully deliver a modernized emergency management framework. In the spring of 2020, we will release a What We Heard report that summarizes the feedback received. The feedback will be used to inform and shape the final legislative changes, culminating in a new emergency management Act planned to be introduced in the Legislative Assembly in the fall of 2020.





What Will Change with Emergency Management Modernization? A Hypothetical Scenario

Scenario:

In December, a massive landslide occurs in BC's interior. Road access is cut off to a small municipality and a First Nations reserve. Several homes in a new subdivision within the municipality suffer major damage. A natural gas pipeline is damaged. Supply is interrupted, and service may need to be shut off to communities in the Lower Mainland. With a forecasted long-term cold spell, there are significant concerns about homes, businesses and critical infrastructure, such as schools and health care facilities, having heat during the winter.

The reason for the landslide is still being investigated, but slope instability due to a wildfire five years ago and associated deforestation are main contributors.



See the next page for an illustration of how this event could unfold under the current EPA, compared to under a modernized emergency management act.



How this hypothetical event could unfold under the current Emergency Program Act (EPA):

- As is the case with many emergencies, the landslide catches the impacted municipality and First Nation by surprise.
 - The risk of such a landslide was not assessed by the municipality, in part because its plan was not updated for post-wildfire risks.
 - Provincially-held post-wildfire risk data for previous years was not readily available to the municipality through a central location.
 - As a result, planning for alternate supply and egress routes for the municipality and the First Nation did not occur, resulting in significant challenges (e.g. transport of acute care patients to hospital, and delivery of food and fuel to the community).
- Landslide risk was not accounted for when the new subdivision was approved. Without a full risk assessment or mitigation strategies, some houses were constructed in a landslide hazard area.
- The municipality's emergency plan was not exercised, leading to confusion and delays in the early stages of response for both the municipality and the neighbouring First Nation.
- Response efforts by the Province are hampered by a lack of information regarding the gas line operator's emergency plan. While the gas line owner has plans in place, these plans have not been shared with EMBC, the municipality, or the First Nation.
- The Lower Mainland municipalities that may have their gas supply cut off are unaware that a shutoff strategy is included in the gas line operator's plan regarding pipeline breaches and are unaware that service may take up to three months to restore if it is shut off.
- The municipality's emergency plan does not address the recovery phase, hampering community recovery efforts in the coming weeks and months.

How this hypothetical event could unfold under a modernized emergency management act:

- The event creates challenges, but the impacted partners are not caught by surprise and are able to mount a quick and cohesive response effort.
- The risk of a landslide is identified in the municipality's mandated emergency plan. Risk identification and assessment are aided by simplified access to provincially-held risk data.
- The placement of several lots in the new subdivision was altered to account for the landslide risk, and no homes are significantly damaged in the landslide.
- Based on the identified landslide risk, the community has established access to an adjacent Forest Service Road to act as an alternate supply and egress route.
- The municipality and the First Nation recently held a small joint exercise of their mutually-shared emergency plans, which greatly improves response operations following the landslide.
- The Province, impacted municipality and First Nation, and Lower Mainland municipalities have access to key information about the gas line operator's emergency plan, allowing them to plan for gas line risks and interruptions. Lower Mainland municipalities work with the gas line operator to suggest customer prioritization (e.g. critical facilities and vulnerable populations) and shutdown procedures that will safeguard public safety. Emergency Management BC and the Ministry of Energy, Mines and Petroleum Resources have already worked with the gas line operator to complete provincial energy disruption planning.
- The municipality has a basic plan in place for the recovery phase, which speeds recovery in the weeks and months ahead.
- Overall, the partners can respond to and recover from this event, having previously identified the risks, engaged in mitigation where practical and cost effective, and shared and exercised plans together.



Modernizing BC's Emergency Management Legislation: Key Policy Shifts at a Glance

All four emergency management pillars (mitigation, preparedness, response, recovery) are recognized in legislation:

- Require provincial ministries, Crown corporations and agencies to:
 - Have programs and plans to deal with continuity of services;
 - Develop emergency management plans;
 - Exercise and review their plans; and
 - Carry out duties related to mitigation, preparedness, response and recovery as assigned by the Minister responsible for emergency management.
- Require Local Authorities to:
 - Meet clear requirements for the content and exercising of plans, and their review cycle;
 - Identify, understand and assess hazards, risks and vulnerabilities, and establish associated mitigation plans for high-risk hazards; and,
 - Develop post-disaster needs assessments and post-disaster recovery plans.
- Require Local Authorities and provincial subdivision approving officers to give greater consideration to current and future risk for development and building approvals, and require mitigation measures when development and building are approved in hazardous areas.

First Nations are recognized as emergency management partners:

- Expand the definition of "emergency" to include actions to protect community well-being, significant Indigenous cultural sites, and the environment:
- Provide clear authority for the Minister and Local Authorities to enter agreements with individual First Nations or First Nations groups;
- Require Local Authorities preparing emergency management plans to consult with First Nations:
- Require critical infrastructure operators to provide emergency management information to First Nations upon request;
- Require consideration of Indigenous and traditional knowledge in the development of hazard risk and vulnerability assessments by provincial entities and Local Authorities; and,
- Establish that provincial entities and Local Authorities must consider cultural safety and inclusiveness when developing and implementing emergency management plans.



Greater recognition of critical infrastructure as an integral part of emergency management:

- Enable creation of a registry of critical infrastructure to better understand both risk and the assets available during response and recovery and inform development of supply chain management strategies;
- Require critical infrastructure emergency plans to address all four pillars; and,
- Require specific emergency management planning documentation, which could include a "statement of assurance" for certain operators, to ensure information is readily available before, during and after events.

Better tools for response and recovery:

- Set the initial duration and renewal period for a provincial state of emergency at a maximum of 28 days (currently 14) and for a local state of emergency at 14 days (currently 7);
- Create a new provision to allow the Minister to grant a Local Authority the use of specific powers for a "transition period" between response and the end of the recovery phase of up to 90 days;
- Enable Local Authorities to make emergency amendments to Official Community Plans, Regional Growth Strategies, zoning, or bylaws;
- Enable, by regulation, standards for emergency public notifications and warnings; and,
- Clarify how existing provincial powers would apply during a catastrophic event.

Greater recognition and protection for volunteers:

- Define service providers and provide clear authority for the Minister to enter into agreements with them;
- Clearly define different types of volunteers;
- Modernize civil liability protection to better deter nuisance lawsuits; and,
- Establish job-protected leaves for volunteers with specialized skill sets.

Stronger coordination, collaboration and provision of information between emergency management partners:

- Require ministries, Crown corporations, agencies and other public sector entities (such as school districts, universities, colleges, and health authorities) to participate in the development of integrated plans for which they are not the lead;
- Enable Local Authorities and First Nations to enter into agreements to do integrated or joint planning and to voluntarily form unified Local Authorities to do some or all emergency management functions;
- Enable the Minister to direct Local Authorities to collaborate and coordinate at a regional scale for risk assessment, mitigation planning and mitigative works, and enable establishment of regulatory or non-regulatory incentives for collaboration and coordination;
- Require Local Authorities to provide plans to neighbouring jurisdictions (including First Nations), to the Province, and stakeholders such as critical infrastructure operators and consider any feedback; and,
- Require Local Authorities preparing emergency plans to consult with First Nations.

Greater confidence in the emergency management system:

- Establish a requirement for the Province to centrally house and provide transparent data on hazard, risk and vulnerability assessments or mitigation planning documents conducted or prepared by provincial ministries, Crown corporations and agencies, Local Authorities, and critical infrastructure operators;
- Require provincial ministries, Crown corporations and agencies and Local Authorities to register their emergency management plans with EMBC; and,
- Enable EMBC to audit emergency management plans and make the results public.





P.O. Box 186, Bella Coola, B.C., V0T 1C0

REQUEST FOR DECISION

Telephone 250-799-5291 Fax 250-799-5750

To: Board of Directors, CCRD

From: Courtney Kirk, CAO

Meeting Date: December 12, 2019

Subject: UBCM Community to Community Funding Proposal

Recommendation:

THAT the Board of Directors of the Central Coast Regional District retroactively approves of the Administration's application for \$5,000 to the UBCM's Community-to-Community program, to offset costs associated with respectful dialogue related to our recent UBCM CRI (CWPP) funding application.

Issue/Background/Summary:

The CCRD recently submitted a funding application to the UBCM CRI program to update Community Wildfire Protection Plans (CWPPs) on the outer coast. This project set out to update CWPPs in Ocean Falls and Denny Island, as well as to collaboratively develop CWPPs with Heiltsuk and Wuikinuxv Nations for Bella Bella and Rivers Inlet, respectively, with full respect for First Nations' land management rights.

In our original application, we included funds to support respectful and productive conversations related to this wildfire management collaboration, broken down as follows:

\$45/hr wage x 130 hrs x 2 representatives	\$11,700
Travel for representatives / CCRD meeting	\$8,000
TOTAL	\$19,700

However, the UBCM has responded that the CRI program does not cover funding for relationship-building or supplemental meetings related to this grant. As a result, on Dec 6 the CCRD put in a request for additional funding from the UBCM's Community-to-Community program, to offset any collaboration-related costs that may be incurred.

In our revised application, the projected cost of relationship-building and collaboration conversations was broken down as follows:

Board Meeting

Community-to-community grant CRI contribution (tentatively approved)

\$ 5,000

\$ 5,000

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CCRD Contribution

costs*

* This cost could be substantially less, and can include in-kind matched funds for C2C grant.

Financial/Budgetary Implications:

CCRD will need to cover any expenses related to collaborative CWPP development conversations, over and above the \$10,000 covered by C2C and CRI funding, and supplemented by CCRD in-kind contributions (which should include CCRD administrators' and participants' time, meeting venue rental, travel, etc.)

Time Requirements - Staff and Elected Officials:

Administrative staff time to:

Administer and report on use of funding.

Elected Official time to:

Track and approve related funding.

Options to Consider:

- 1. Adopt the resolution as presented.
- 2. Amend the resolution...
- 3. Do not adopt the resolution; request that the funding application be withdrawn.

Respectfully Submitted by: Courtney Kirk, CAO



P.O. Box 186, Bella Coola, B.C., V0T 1C0

REQUEST FOR DECISION

Telephone 250-799-5291 Fax 250-799-5750

To:

Board of Directors, CCRD

From:

Courtney Kirk, CAO

Meeting Date:

December 12, 2019

Subject:

UBCM CEPF Cultural Safety and Humility Training Funding

Recommendation:

THAT the Board of Directors of the Central Coast Regional District approves in principle the CCRD's application to the UBCM CEPF's Cultural Safety and Humility Training program.

Background:

The First Nations Health Authority Policy Statement on Cultural Safety and Humility advises that:

"Cultural humility is a process of self-reflection to understand personal and systemic conditioned biases, and to develop and maintain respectful processes and relationships based on mutual trust. Cultural humility involves humbly acknowledging oneself as a life-long learner when it comes to understanding another's experience. Cultural humility enables cultural safety."

And that

"Cultural safety includes and goes beyond cultural awareness, which refers to awareness of differences between cultures. It also goes beyond cultural sensitivity, which is about realizing the legitimacy of difference and the power one's own life experience can have on others."

Addressing the New Normal: 21st Century Disaster Management in British Columbia (2018) identified in both the summary of consultations and in numerous recommendations the need for cultural awareness and sensitivity training for volunteers, responders and government representatives. This need is also identified in the Truth and Reconciliation Commission Call to Action #57.

As a result, UBCM CEPF's **Cultural Safety and Humility Training program** aims to support eligible applicants to provide emergency management personnel with cultural safety and rd Meeting humility training in order to more effectively partner with and provide assistance to

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Indigenous communities during times of emergency. This includes increasing opportunities to educate emergency management personnel, those training to become emergency management professionals, and others working in the emergency management system on the history of Indigenous Peoples, as well as the concepts of cultural safety, cultural humility and the relevance to Indigenous Peoples.

Intended learning outcomes of this funding in the context of emergency management include:

- Recognition of Indigenous Peoples' unique connection to the land and the concept of Indigenous worldviews and knowledge
- Identifying key historical events marking the history of Crown-Indigenous relations in Canada.
- Recognizing the concept of inter-generational trauma and resiliency and how it affects contemporary Indigenous Peoples
- Improved individual and collective abilities to work effectively with Indigenous Peoples
- Identifying, discussing and addressing individual and structural barriers to reconciliation

We are well aware that understanding and relationships are required for respectful collaboration and joint decision-making. However, because over 65% of the CCRD's constituents are First Nations, our community composition is different than many served by the UBCM. Our Region's Indigenous constituents have a history of disaster resilience that dates back to first ancestors, and their own place-based expertise, priorities, and protocols when it comes to emergency preparedness. In this context, a cookie-cutter approach to cultural humility training is inappropriate and unlikely to be effective or impactful. Beyond recognition of historic harms, a common understanding of current Indigenous laws and protocol (and their application) is required to support joint decision-making and action in emergency management.

As such, CCRD would like to co-create a cultural competency training program that highlights the voices, experiences and priorities of First Nations in our region. In order to do so, we will begin by asking a much-respected facilitator (Ron Hamilton) to convene a table of cultural experts to advise on the desired form and content of this training. We then propose to draw on the rich experiences and learnings of other communities who have walked this path* by inviting them to come and share their process and experiential training product with this table of cultural experts (and a small group of emergency management staff, as deemed appropriate). This should serve to inspire and support the creation of a locally-relevant cultural humility and safety training program applicable to a diversity of CCRD residents. Beyond engaging and educating about regional histories and experiences, we aim to produce a practical training guide that details cultural protocol, and how it relates to (and is supported by) Canadian law: "this is how to approach regional engagement with First Nations, and this is why it matters".

We intend to frame this funding request as the first in a multi-phase project. This intake will be focused on two activities eligible for funding under this program: "relationship building between local governments and Indigenous Peoples in advance of training, such as meetings and dialogue required to identify training needs" and "development of training materials required to support local cultural safety and humility training". Future funding intakes will then see this training implemented throughout the region, as appropriate, and/or shared in an accessible way (e.g. video), moving our residents to greater understanding and ultimately toward reconciliation.

* In particular, the Cowichan Valley has been running a program called "Understanding the Village" that has reached upwards of 10,000 regional residents with significant personal and systemic impacts (https://villageworkshopseries.com/ - used by UBCM in training). One of the collaborators on this program (Sandra Thompson) has connections here on the central coast, and would be well positioned to coordinate a sharing experience between her team and ours. Other reconciliation-focused cultural competency training programs are also available as references (e.g. Sk'elep Reconciliation, Mother Earth Whispers).

<u>Legislative/legal considerations (statutes/regulations/bylaws/policies):</u>

The Board is encouraged to note the new *BC Declaration Act* and BC's proposed changes to the *Emergency Program Act* as reflective of the need for CCRD to begin the work of developing a credible cultural safety program to guide regional district operations generally and emergency management services specifically.

Financial/Budgetary Implications:

Staff time will be required to administer this funding and provide leadership related to project rollout. Some advance project development funds may be required to set this project up for success.

Time Requirements - Staff and Elected Officials:

Administrative staff time to:

Administer funds, report on outcomes.

Elected Official time to:

- Consider, provide input, and if desired, approve project
- Track and provide input on project as it evolves

Options to Consider:

- 1. Adopt the resolution as presented.
- 2. Amend the resolution to reflect the board's input on this important initiative.
- 3. Do not adopt the resolution the current UBCM CEPF Cultural Safety and Humility Training Program application will not be submitted; future intakes will be possible.

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Respectfully Submitted by:

Courtney Kirk, CAO



2020 ANNUAL GENERAL MEETING & FINANCIAL FORUM

MFA's 50th Annual General Meeting & Financial Forum will be held on March 25 & 26 at the Hotel Grand Pacific, 463 Belleville Street, Victoria. We invite Regional District CAOs and appointed MFA members to join us at our milestone anniversary event. We will host topical panel discussions during our Financial Forum sessions and a celebratory dinner reception the evening prior to the AGM, which will be held off-site at the Fairmont Empress.

Registration:

Please register online through Eventmobi: register.eventmobi.com/MFA2020

The event schedule and updates will be shared via the downloadable mobile app. Full event details including guest speakers will be available in January 2020.

Please note: One MFA representative, either the appointed member or alternate member, will be reimbursed for expenses related to their attendance at the Annual General Meeting. Please inquire about registration for additional guests to attend Financial Forum Sessions and/or Welcome Reception and Dinner, which will be determined by venue capacity.

Accommodations:

MFA has a block of rooms available at Hotel Grand Pacific at a group rate until February 22, 2020. Please contact the hotel at 1-800-663-7550 or email reserve@hotelgrandpacific.com and quote "Municipal Finance Authority AGM" or "MAR20MFA" to get the discounted offer. We recommend booking accommodations early as a limited number of rooms are available.

2020 SEMI-ANNUAL MEETING

MFA Semi-Annual Meeting of the Members will be held on Tuesday, September 22th, 2020 at 4:00 P.M. (location TBD), in conjunction with the Annual UBCM Conference in Vancouver. For convenient accommodations, a list of hotels is available on the UBCM website.

If you have any questions about these meetings please email: mfa@mfa.bc.ca



2020 Member Appointment Contact Information

		Regional Distr	ict Information		Control State of the Control of the
RD Name:					
RD Mailing					
Address:	Street Address				Unit Number
	City		Pro	ovince	Postal Code
		Appointed Member	Contact Information		
Full Name:					
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Address:					
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Full Name:					
	Last		First		M.I.
Email			Phone #		
	Additional	Contact You Require	Correspondence Be So	ent To	
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Email			Phone #		
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or CO	Nama		Signature		

MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA MEMBERS OF THE AUTHORITY

Regional District	Member Appointed	Alternate	March 2020 Vote Entitlement*
Alberni-Clayoquot			1
Bulkley-Nechako			1
Capital			4
Capital			4
Cariboo			2
Central Coast	4.00		1
Central Kootenay		-	2
Central Okanagan			4
Columbia Shuswap			2
Comox Valley			2
Cowichan Valley			2
East Kootenay			2
Fraser-Fort George			2
Fraser Valley			3
Fraser Valley			3
Kitimat-Stikine			1
Kootenay Boundary			1
Metro Vancouver			5
Metro Vancouver		· · · · · · · · · · · · · · · · · · ·	5
Mount Waddington			1
Nanaimo			4
North Coast			1
North Okanagan			2
Northern Rockies			1
Okanagan-Similkameen			2
Peace River			2
qathet			1
Squamish-Lillooet			1
Strathcona			1
Sunshine Coast			1
Thompson-Nicola			3

107

^{*}Based on 2016 Census Results

[°] Board of Trustees Member



Chair Samuel Schooner Central Coast Regional District PO Box 186 Bella Coola, BC V0T 1C0 RECEIVED

UEC 0 2 2019

Central Coast Regional District

Dear Chair Samuel Schooner:

RE: GAS TAX AGREEMENT COMMUNITY WORKS FUND PAYMENT

I am pleased to advise that UBCM is in the process of distributing the second Community Works Fund (CWF) payment for fiscal 2019/2020. An electronic transfer of \$97,415.93 is expected to occur within the next 30 days. These payments are made in accordance with the payment schedule set out in your CWF Agreement with UBCM (see section 4 of your Agreement).

CWF is made available to eligible local governments by the Government of Canada pursuant to the Administrative Agreement on the Federal Gas Tax Fund in British Columbia. Funding under the program may be directed to local priorities that fall within one of the eligible project categories.

Further details regarding use of CWF and project eligibility are outlined in your CWF Agreement and details on the Gas Tax Agreement can be found on our website at www.ubcm.ca.

For further information, please contact Gas Tax Program Services by e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Yours truly,

Maja Tait
UBCM President

PC: Courtney Kirk, Chief Administrative Officer

Board Meeting

DEC 1 2 2019

CCRD ITEM ______S)