



REPORT

To: Chair and Directors

Report Number: CS-BRD-248

From: Sean Cairns, Protective Services Manager

Date: October 5, 2023

Subject: Update on the Proposed Emergency and Disaster Management Act

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board members provide comments related to the proposed *Emergency and Disaster Management Act* to staff by October 31, 2023 for collation into a draft collective response to the Province on behalf of the Peace River Regional District for consideration at the November 16, 2023 Board Meeting to allow submission prior to the December 31, 2023 submission deadline.

BACKGROUND/RATIONALE:

The Provincial Legislature is expected to table the new *Emergency and Disaster Management Act* on October 3rd, 2023. This legislation, which will replace the current *Emergency Program Act*, is intended to modernize BC's emergency management legislation, and adopt the Sendai Framework for Disaster Risk Reduction. Some key changes that are expected to be included in the legislation are:

- Adoption of a four-phase approach to emergency management (mitigation, preparation, response, and recovery).
- Require local governments to consult and cooperate with Indigenous governing bodies throughout the four emergency management phases.
- Require local governments to consult with neighbouring local governments when developing or revising emergency plans and risk assessments.
- Expand the maximum duration of a state of local emergency from 7 days to 14 days before an extension is required and create a new 90-day renewable recovery period following a state of local emergency.
- Provide new tools for the establishment of multi-jurisdictional emergency management organizations.
- Impose new requirements on local governments and critical infrastructure owners to conduct risk assessments, create emergency management and business continuity plans, and provide emergency management information to the Province.

Several regulations are expected to be enacted to complement the new Act. The Province is currently soliciting feedback on two proposed Regulations which are outlined below and described further in the attached technical papers prepared by the Ministry of Emergency Management and Climate Readiness.

Regulations for Local Authorities

This Regulation will allow the Province to create rules respecting:

- The preparation, contents, and review cycle for emergency management plans, risk assessments, and business continuity plans.

- The requirements for a local authority to consult and coordinate with other local authorities and other prescribed bodies.
- The requirements for a local authority to consult and cooperate with indigenous governing bodies.
- Defining areas within a regional district that are not required to have a risk assessment or emergency management plan.
- The establishment and operation of single and multi-jurisdictional emergency management organizations.
- Define types of actions that the Minister may be permitted to order a local authority to take.
- Specify prohibitions, requirements, limits and conditions that would apply to local governments that wish to exercise response or recovery powers.
- Specify the requirements of the public reporting that must be made by local governments following the cancellation of a state of local emergency.
- Define the term “vulnerable” with respect to persons, animals, places or things.

Regulation Respecting Financial Assistance After Emergencies

This Regulation will replace the existing Regulations relating to disaster financial assistance. Disaster financial assistance is a provincial program intended to restore certain uninsurable losses that are essential to homes, livelihoods, or communities. The technical paper highlights the following policy areas that are being considered for reformation:

- clarifying event eligibility
- considering the availability of insurance
- modernizing program coverage
- meeting the needs of Indigenous applicants
- building forward for resilience, and
- maximizing alignment and flexibility.

The deadline to provide feedback on both regulations is December 31, 2023.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Emergency Management
- Engage in *Emergency Program Act* and *Fire Services Act* amendment processes

FINANCIAL CONSIDERATION(S):

While there are no known financial impacts at this time, the requirements of the proposed legislation and regulations are expected to require a significant amount of staff resources on a continuous basis once enacted.

COMMUNICATIONS CONSIDERATION(S):

All comments are to be forwarded to the Protective Services Manager.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Regulations for Local Authorities Technical Paper
2. Re-Imagining Financial Assistance After Emergencies Technical Paper