



BOARD REPORT

TO: Chair and Directors

File No: 7130 00

SUBJECT: Modernizing BC Emergency Management Framework Feedback

DESCRIPTION: Report from Derek Sutherland, Team Leader, Protective Services, dated December 23, 2019. Emergency Management Legislation feedback to the Province.

RECOMMENDATION: THAT: the Board authorize the Chair to sign a written response to this report, to the Minister of Public Safety and Solicitor General, regarding the Province's intended changes to the Emergency Program Act as identified in the discussion paper, Modernizing BC's Emergency Management Legislation;

AND THAT: the written response be forwarded to the Union of BC Municipalities, Greg Kylo, MLA Shuswap, Doug Clovechok, MLA Columbia River-Revelstoke and Todd Stone, MLA Kamloops-South Thompson.

SHORT SUMMARY:

Emergency Management British Columbia (EMBC) is developing new legislation to replace the Emergency Program Act which was developed in 1993. The theories and ideas being incorporated into the new legislation have been captured in a discussion paper entitled 'Modernizing BC's Emergency Management Legislation'. The Province is seeking feedback from stakeholders including the CSRD on the proposed changes discussed in the paper.

VOTING:	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	-------------------------------------	-----------------------------	--------------------------	-----------------------	--------------------------	---------------------------	--------------------------

BACKGROUND:

Staff have reviewed the discussion paper drafted by EMBC on the proposed changes to emergency management legislation. The proposed changes incorporate:

- New emergency management requirements for provincial ministries, crown corporations and agencies.
- New emergency management requirements for local authorities including regional districts.
- Requirements for local authorities and subdivision approving officers to consider current and future risk when issuing building and development approvals.
- Expanded inclusions for first nations and requirements for local authorities to consult first nations in emergency planning.
- Greater recognition of critical infrastructure as part of Emergency Management.
- Enhanced responsibilities and tools for response and recovery.
- Recognition and protection for some volunteer groups.
- Requirements for coordination and collaboration between emergency management partners.
- New submission and auditing requirements for emergency plans.

As part of the proposed changes, the Province has adopted the United Nations Office for Disaster Risk Reduction's (UNDRR) Sendai framework for disaster risk reduction, which sets out targets and priorities to limit harm resulting from disasters. The framework recognizes that the State has the primary responsibility for reducing disaster risk but the responsibility should be shared with local governments and private sector stakeholders. The Sendai Framework is an internationally recognized standard for building disaster resilience, but there will be responsibilities conveyed to local governments if the Province wants to achieve this standard. The discussion paper does not go into detail about what the specifics of those new local government responsibilities would be or does it provide any specifics about a planned funding model to achieve the goals.

The CSRD recognizes that the current legislation is outdated and is in need of reform, however there are concerns regarding the lack of information and particulars provided in the discussion paper. The paper is written at a highly conceptual level and does very little to define the impact on stakeholders, including local authorities.

In 2016, the proposed changes to the legislation were circulated to local authorities for comment and consideration. This process provided specific changes to the legislation allowing the CSRD to evaluate the impact of the changes and provide relevant and meaningful feedback. The Board provided CSRD comments to the Province related to concerns with the proposed changes and forwarded the response to all Regional Districts in the Province as well. Although the suggested changes in 2016 contained a number of needed housekeeping items, it was clear that the province was intent on re-defining the role of local authority to clearly indicate that the local authority would have the responsibility of emergency assessment and response. The Province did not act upon its proposed changes from 2016.

The current 2019 discussion paper does not provide the specifics necessary for staff to accurately evaluate the impact of the new legislation on local authorities.

The province has identified a feedback period (ends January 31, 2020) based on the information provided in the discussion paper after which they will prepare and implement the legislation. There will be no further consultation period once the legislation has been drafted.

The CSRD will prepare a letter from the Board Chair outlining a response to the discussion paper and re-iterating the concerns expressed by the Board in 2016. The draft letter will be included in the Late Agenda for the January Board meeting, for the Board's review.

POLICY:

CSRD Policy No. W-5 – Flooding will be referred to in the response letter.

KEY ISSUES/CONCEPTS:

The EMBC Discussion Paper can be found at this link.

https://engage.gov.bc.ca/app/uploads/sites/121/2019/10/modernizing_bcs_emergencymanagement_legislation.pdf

The CSRD should ensure that the concerns raised by the Board in 2016 are expressed along with comments on the new discussion paper and that a submission occurs by the deadline of January 31, 2020.

IMPLEMENTATION:

A letter will be drafted for review and execution by the Board Chair, then submitted before the Province's deadline of January 31, 2020.

COMMUNICATIONS:

CSRD staff will submit the response letter to the Minister on behalf of the CSRD Board outlining the concerns identified in the proposed changes.

DESIRED OUTCOMES:

The Board support the recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

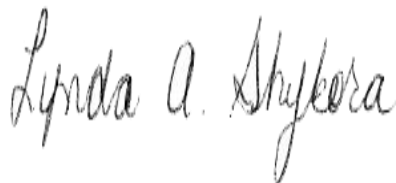
Report Approval Details

Document Title:	2020-01-20_Board_OM_Emergency_Management_Legislative_Changes.docx
Attachments:	
Final Approval Date:	Jan 6, 2020

This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney



Lynda Shykora



Charles Hamilton