

Emergency Management Regulation Modernization Workshop

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Agenda

- Status update
- Phased approach
- Regulations related to local authorities
- Regulations related to post-emergency financial assistance
- Regulatory plan and upcoming engagements
- World Café



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Workshop goal and format

- Gather insights, ideas, suggestions on key policy areas
- Input will directly inform development of the new regulatory approach for local authorities and post-emergency financial assistance
- World Café style format to encourage feedback, input and engagement



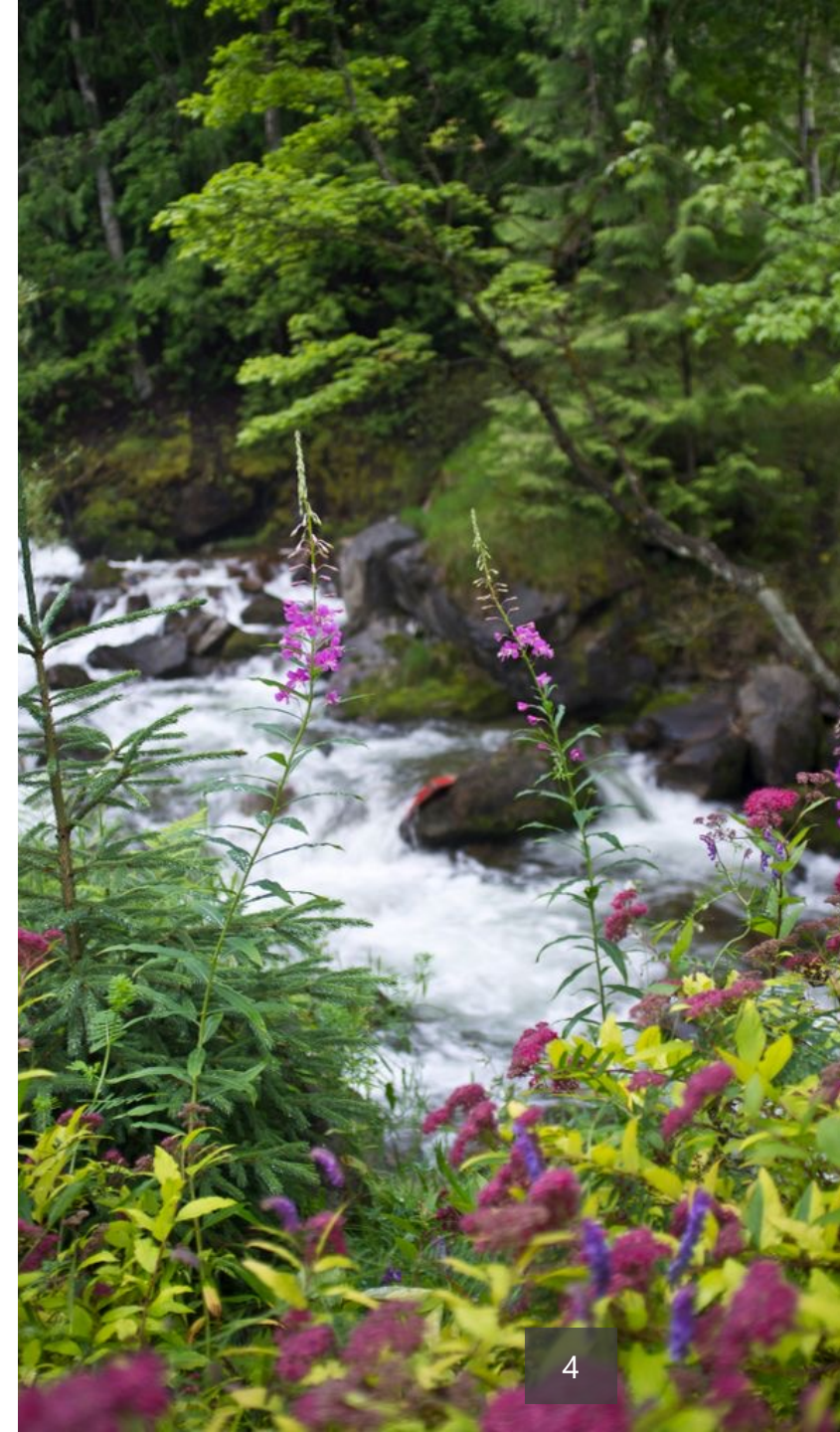
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Status Update

- Proposed statute will be tabled during the fall 2023 session of the Legislative Assembly
- Tools and resources to assist local governments with implementation are being developed
- Development of key regulations including regulations for local authorities
- Engagement opportunities are planned for the remainder of 2023



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Phased Approach

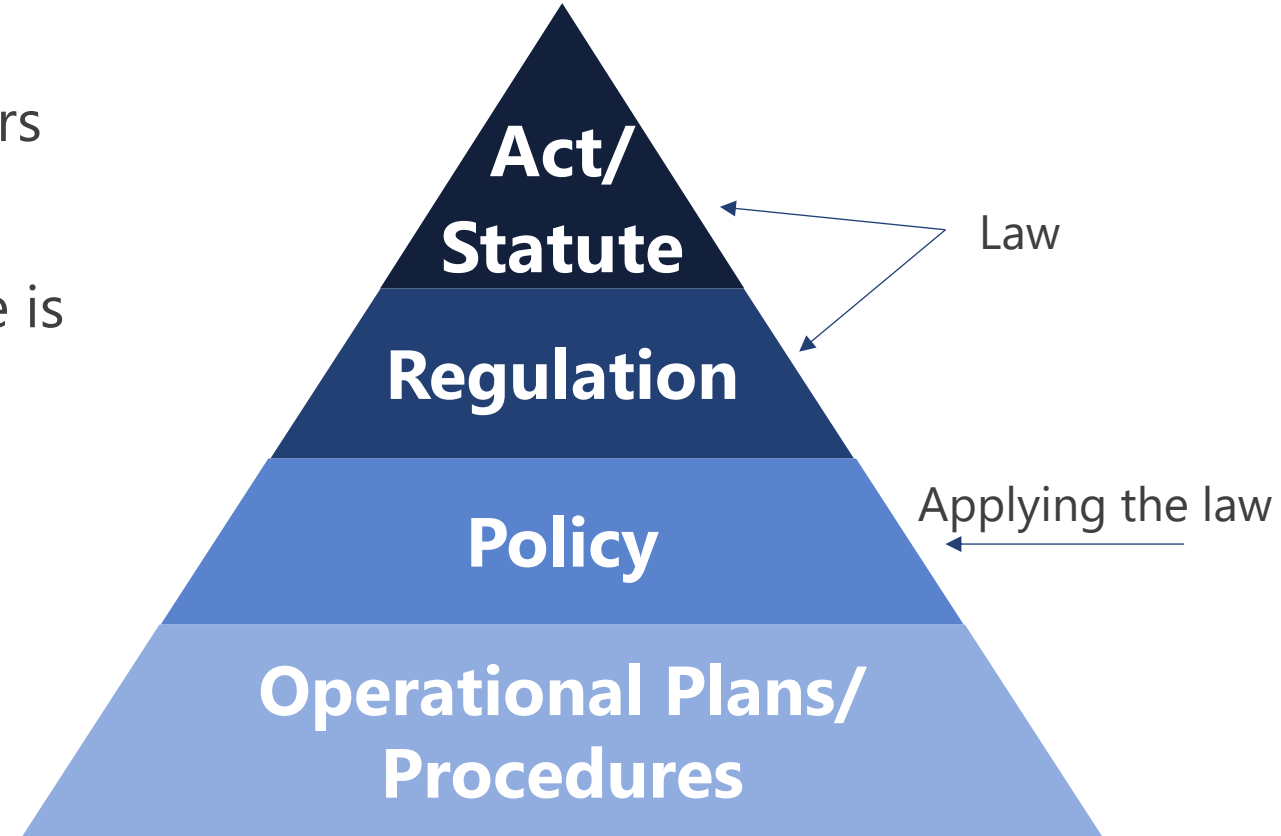
- Upon Royal Assent
 - New powers available (e.g., longer states of emergency, recovery periods)
 - Local authorities must begin working with neighboring First Nations to identify how and where consultation and cooperation will occur in response and recovery phases
- Upon deposit of the local authority regulations (est. mid-2024)
 - Risk assessment and planning requirements come into force
 - Additional time to prepare risk assessments and plans will be provided
- Upon deposit of the financial assistance regulations (est. mid-2024)
 - Post-emergency financial assistance is administered in line with the new regulation



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Regulations in context

- Certain aspects of the Act will be implemented upon royal assent, others will be brought in through regulation
- The local authority regulatory scheme is targeted to come into force Spring/Summer 2024; some requirements will be phased in
- Policies, tools and guidance will be developed to support the implementation of the legislation





Mitigation



Preparedness



Response



Recovery

Local authority regulations

Current regulation vs. what could be in new regulation

- Under the existing regulations, local authorities must:
 - prepare local emergency plans that reflect potential emergencies and disasters that may affect their jurisdiction;
 - include assessment of the relative risk of occurrence and impact on people and property; and
 - establish priorities for restoring essential services provided by the local authority.
- Some key changes for local authorities in the proposed legislation that could be detailed in regulations include:
 - timeline for requirements to be met;
 - details on risk assessment and emergency planning requirements;
 - details on requirements to consult and cooperate with Indigenous governing bodies; and
 - framework for multijurisdictional emergency management organizations.



Risk Assessments

- **Risk assessments must assess:**

- likelihood of a hazard leading to an emergency
- potential scope and scale of an emergency
- impacts on people, animals and places that may be disproportionately impacted

- **Risk assessments must be based on:**

- studies and surveys
- available Indigenous and local knowledge
- potential impacts from expected climate change or extreme weather events

- **What regulations could cover:**

- clarification of the scope of risk assessment for Regional Districts
- rules on how risk assessments must be prepared and what they must contain
- review and revision cycles



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Emergency planning requirements

- **Emergency management plans must include:**

- all four phases of emergency management
- the roles, powers, and duties of key persons
- requirements for emergency resources
- procedures for engaging emergency systems
- plans for training and exercise programs
- how cultural safety will be promoted
- how to mitigate effects on disproportionately impacted populations

- **Plans must be based on:**

- all available risk assessments
- results of consultation and cooperation with Indigenous governing bodies
- results of consultation with neighbouring local authorities

- **What regulations could cover:**

- Rules related to how emergency management plans/business continuity plans must be prepared and what they must contain
- Rules related to how a local authority must consult and cooperate with Indigenous governing bodies
- Review and revision cycles



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Local Authority Consult and Cooperate Requirements

What actions trigger consult and cooperate?	With which Indigenous government bodies?
When preparing, reviewing or revising a risk assessment or emergency management plan	IGBs with traditional territory within the jurisdiction of the local authority and Nisga'a lands or treaty settlement lands adjacent to local authority jurisdiction
<p>In advance of making an order, regulation or emergency instrument related to response and recovery related to the following powers:</p> <ul style="list-style-type: none">• Land and other property• Evacuations and removals• Travel restrictions• In advance of issuing an evacuation warning or permitting people to return	Lands described in an emergency management plan, a coordination agreement, or any other agreement made under the Act with an Indigenous governing body



Multijurisdictional Emergency Management Organizations (MJEMOs)

- Framework for formalizing collaborative partnerships between local authorities
- May include 2 or more local authorities, Indigenous governing bodies, and/or the Province
- Allows for legislative and operational requirements to be met in collaboration

What regulations could cover

- Rules for the establishment, governance and responsibilities of MJEMOs
- Rules related to records that must be provided to the provincial administrator



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Mitigation



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Financial assistance regulations

Overview: Compensation and Disaster Financial Assistance Regulation (CDFAR)

- CDFAR sets out the legal authority and core parameters of the Disaster Financial Assistance (DFA) program
- DFA is intended to compensate private and public sector applicants for sudden, unexpected, and uninsurable losses caused by an emergency event
- Increasing intensity and frequency of climate-related events have increased the number of DFA applications and demonstrated limitations of the current regulation



How Disaster Financial Assistance (DFA) Works

- **DFA eligibility:** an event must meet a threshold based on criteria such as the severity of the event and extent of the damage
- **Applicant eligibility:** individuals, local governments, Indigenous governing bodies, First Nations, small businesses, farm operations, and charitable organizations
- **Financial assistance:**
 - To support community recovery, the Province uses a per capita cost-share calculator to determine the percentage it will contribute to recovery projects
 - The Province contributes 90% to 95% of the total project cost depending on the size of the population, and local authorities contribute between 5% and 10%



Post-emergency Financial Assistance in the Modernized Legislation

- Current CDFAR elements will be incorporated in the new statute including processes for:
 - making a request
 - determinations and notification of amounts
 - appeals process and recovering amounts



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Potential areas for regulation

- Regulations can establish:
 - criteria and conditions for events to be eligible for financial assistance
 - application deadlines
 - core rules for determining whether a person is eligible for financial assistance, and if so the amount available
 - conditions for receiving financial assistance
 - exclusions from financial assistance or circumstances in which assistance may be refused or reduced
 - rules concerning valuations and assessments
 - procedures for reconsidering determinations and grounds for appeals



Identified Policy Areas

- Clarifying event eligibility
- Considering the role of insurance
- Modernizing program coverage
- Meeting the needs of Indigenous applicants
- Building forward for resilience
- Maximizing alignment and flexibility



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Regulatory Plan & Upcoming Engagement

- Discussion papers on new local authority and disaster financial assistance regulations available now
- Formal feedback period on papers from September 19 through December 31
- Feedback will directly inform development of regulations
- Coming in November! Workshops on regulations – subscribe to our webpage to be notified



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World Café = 7 Stations

Local authorities:

1. Risks assessments
2. Emergency management planning
3. Multijurisdictional emergency management organizations

Post-emergency financial assistance:

4. Eligibility/insurance
5. Coverage
6. Building resilience

7. Collaboration and consultation



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