January 28, 2020

EPA Modernization
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Re: Feedback on the Modernizing the Emergency Management Legislation Proposals

Attention: Citizen Engagement

Thank you for the opportunity to review and provide feedback on the Modernizing BC’s Emergency Management Legislation Discussion Paper and proposals. The RDN Board has the following comments to provide for your consideration.

Discussion Paper Summary, Recommendations and Additional Comments

Discussion 1 – Key Definitions (Emergency, Local Authority, Mitigation, Preparedness, Response, Recovery)

Proposals 1-6 are supported with the following additional comment. “The Compensation and Disaster Financial Assistance Regulation does not provide for “building back better” and does not support the interim disaster recovery framework for the recovery of people and communities (physical, mental and social wellbeing). Regulation will need to align with the proposed recovery definition”.

Discussion 2 - Minister Responsible for Emergency Management (SOLE, PSOE, Powers available during PSOE and SOLES, Continued Use of a SOLE, Powers during catastrophic events)

Proposals 1-3 and proposal 5 are supported.

Proposal 4 for the continued use of a SOLE is not supported with the following additional comment. “Currently Local Authorities must submit a simple SOLE renewal to continue to have access to special powers for response or recovery efforts. This proposal to require local authorities to apply to the Ministry to continue to use emergency powers appears to be a paperwork exercise rather than supporting local authorities to transition from reliance on SOLEs. Local Authorities are already pressed for resources and the requirement to duplicate processes already undertaken during the response phase to transition from response to recovery is counterproductive. Should this proposal be introduced into legislation, applications and public interest requirements need to be simple and standardized to reduce the administrative burden”. 
Discussion 3 – Entering into Agreements (Accessing Support, Partnerships with First Nations)

Proposals 1-2 are supported.

Discussion 4 – Emergency Management System (Transparency, Quality Assurance)

Proposals 1-2 are supported.


Proposals 1-3 are supported with the following additional comment. “There needs to be a mechanism for sharing and integrating plans and risk assessments. Standardized Templates should be provided to ensure consistent and unified planning. There needs to be a requirement for provincial agencies to undertake hazard mitigation on crown land rather than download this responsibility to local authorities. Ministries should be required to include risk mitigation and recovery in their plans.”

Discussion 6 – Mitigation for Local Authorities (Building & Development, Hazard & risk Identification, Collaboration & Coordination)

Proposals 1-3 are supported with the following additional comments.

Proposal 1 “needs to be well defined, the term “greater consideration” is broad and open to interpretation. There needs to be common standards and collaboration between governments. Long-term mitigation measures should be defined and incorporated in regulations.”

Proposal 2 “Mitigation plans come with an increased cost to local government. In order to respond to this requirement, this amendment should coincide with provincial funding and capacity support to develop mitigation plans and to implement recommendations identified in such plans. Funding should be flexible to accommodate high-risk hazards and specific challenges identified by communities. Local Governments don’t have the capacity to take on additional responsibilities even with corresponding funding, capacity support needs to be considered.”

Discussion 7 – Preparedness for Local Authorities (Standardized Programs & Plans, Collaborative Planning and Partnerships)

Proposals 1-2 are supported with the following additional comment. “Standardized templates and supporting documents should be included”.

Discussion 8 – Recovery for Local Authorities (Recovery Plan Incentives, transitioning out of a SOLE, Tools to Support Recovery)

Proposal 1 is not supported with the following comment. “Provincial ministries need to be part of recovery; this proposal does not support an all-of-society approach but rather downloads
responsibility to the local authority. Collaboration and partnership strengthen effective recovery. Funding and provincial ministry support must be available to conduct needs assessments, this should not be a requirement of the local authority in isolation. Clarity on roles and responsibilities during recovery needs to be addressed (who leads, who supports – housing, health, etc). The local authority roles and responsibilities versus those of provincial ministries needs to be well defined. There needs to be a requirement for ministries to include risk mitigation and recovery in their plans”.

Proposal 2 is not supported. (See Discussion 2 Proposal 4).

Proposal 3 is supported.

Discussion 9 – First Nations as Partners

Proposals 1-6 are supported.


Proposal 1 is supported with the following comment. “Clarity on what critical infrastructure assets will be included. Will critical service providers such as large commercial accommodations, grocery stores, gas stations, pharmacies all of which are critical to the supply chain of essential services, be included”.

Proposal 2-4 are supported with the following comment. “There are costs and resource implications to updating or creating critical infrastructure and business continuity plans. In order to respond to this requirement, provincial funding and capacity support must be available. Standardized templates and planning guides should be developed by the province to establish minimum standards for quality of plans and to reduce the financial burden on smaller critical infrastructure operators”.

Proposal 5 is supported with the following comment. “Implementation should be phased to provide sufficient time for the development and integration of plans and the subsequent exercises. Funding should coincide with a phased approach”.

Proposal 6 is supported with the following comment. “There needs to be clear guidance for the distribution and protection of sensitive information”.

Discussion 11 – Strengthening Supports for Volunteers & NGOs

Proposal 1 is supported.
Discussion 12 – Preparedness for Volunteers & NGOs (New definitions, Legal Certainty, Job-protected leaves, ensuring fairness to employers, protection from civil liability)

Proposal 1 is supported with the following comments. “Clarification on the process for obtaining registered status is needed. E.g. Road Rescue Services is considered one of the five PSLV functions however, volunteers are provided a task number and registered on the task report during the incident, there is no pre-registration. Volunteers are required to maintain a certain level of training to provide road rescue services to which there is no funding mechanism.”

“Neighbourhood Emergency Preparedness (NEPP) volunteers and volunteer firefighters contribute to an all-of-society approach and should be included as registered volunteers. The intention of NEPP is to empower neighbourhoods to be self-sufficient. Current legislation states that they must be acting under the authority and direction of the local government which contradicts the purpose of NEPP and empowering citizens. The inclusion of NEPP volunteers who are registered, act in good faith and within their training should be considered”.

Proposals 2-4 are supported with the following comments. “Define which volunteers with specialized skill sets qualify for job protected leave, will this include volunteer firefighters. Consideration should be given to compensation for those impacted businesses that lose access to employees, this could be addressed in Disaster Financial Assistance or other provincial funding. The terms in which an employer can refuse job-protected leave should be defined”.

That you for the opportunity to provide input into the valuable endeavor.

Sincerely,

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