



STAFF REPORT TO COMMITTEE

DATE OF REPORT November 27, 2023
MEETING TYPE & DATE Committee of the Whole of December 13, 2023
FROM: Emergency Management Cowichan
Strategic Services
SUBJECT: The Emergency and Disaster Management Act
FILE: Emergency Program Regional Services\7175-20 Emergency
Program Service

PURPOSE/INTRODUCTION

The purpose of this report is to inform the Board about the changes and expected challenges of the *Emergency and Disaster Management Act* and its implications for the whole of the region.

RECOMMENDED RESOLUTION

For information.

BACKGROUND

The new [Emergency and Disaster Management Act](#) received royal assent on November 8, 2023. To support the Act and its enforcement, several regulations are under development and expected in 2024. Local authorities were not given adequate opportunity to provide input on the Act prior to its introduction in the Legislature, but the Province is currently seeking feedback on the upcoming changes to some of the proposed regulations including the new Local Authority Emergency Management Regulation.

This is the first major piece of legislation in British Columbia developed according to the tenets of the UN Declaration of Rights of Indigenous People (UNDRIP) and the province's corresponding Declaration Act. The Act affirms the right to self-determination for First Nations regarding emergency management activities in their traditional territories. As such, it sets out specific requirements for coordination and consultation between jurisdictions, especially between local authorities and First Nations.

Notwithstanding the substantial consultation requirements, there are significant concerns around the other responsibilities, requirements, and expectations that are being placed on local governments through the Act. A number of concerns have been identified as described in this report, however the full extent (and resource impact) has not yet been determined as the Regulations will further define municipal and regional district responsibilities.

ANALYSIS

The new requirements of EDMA place a new and significant workload on local authorities, including the following:

Requirement	Enhanced or New Requirement	Impact
"Emergencies" defined to now include terrorism, rioting, and security threats.	New	This new scope (generally unfamiliar to Local Government) applies to all requirements in the Act.
Local authorities must prepare and maintain risk assessments with respect to all reasonably foreseeable hazards in the area within the jurisdiction of the local authority.	Enhanced requirement	Risk assessments which examine all risks and expand the full boundaries of the region will be costly and time consuming.
All local authorities must prepare and maintain a business continuity plan as outlined in the Act.	New	Not previously done by local governments outside of COVID.
Risk assessments and emergency plans must include assessments and measures for vulnerable populations including (i) individuals who may experience intersectional disadvantage, and (ii) vulnerable individuals, animals, places or things.	New	Substantial effort will be needed to assess areas of vulnerability and identify appropriate measures to mitigate impact on these groups. Expanded requirements for evacuation support to these groups.
Consultation, collaboration and cooperation with adjacent local governments and Indigenous Governing Bodies within, adjacent to or having traditional territory within the local boundaries.	New	Significant effort will be required to engage an unknown/contested number of groups on all matters. Engagement is required prior to issuing evacuation alerts and orders. Substantial effort will be required to build agreements with these groups.

FINANCIAL CONSIDERATIONS

Resource requirements of the Act and the Regulations have not yet been determined. It is expected there will be a new and significant workload on local authorities and regional districts. Even if grant funding is made available, it requires staff to apply for and manage, and may only provide temporary relief from the financial and other resources that will be required to become compliant under this Act. It has also not been determined which requirements of this Act will fall under Emergency Management Cowichan to deliver or will rest with each local authority independently.

COMMUNICATION CONSIDERATIONS

N/A

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

The new Act, directly connects with various priorities identified in the 2023-2026 CVRD Corporate Strategic Plan, including reconciliation, healthy communities, economic prosperity, environment and infrastructure, as well key actions are listed in the Strategic Plan under DRAFT review with EMC CAO Advisory.

Referred to (upon completion):

- ☐ Community Services (*Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Facilities & Transit*)
- ☐ Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- ☐ Operations (*Utilities, Parks & Trails, Recycling & Waste Management*)
- ☐ Land Use Services (*Community Planning, Strategic Initiatives, Development Services, Building Inspection & Bylaw Enforcement*)
- ☒ Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

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Resolution:

☒ Corporate Officer

Financial Considerations:

☒ Chief Financial Officer