



Bowinn Ma, MLA  
Minister of Emergency Management and Climate Readiness  
Province of British Columbia  
PO Box 9010 Stn Prov Govt  
Victoria, BC  
V8W 9E2

Via email (EMCR.Minister@gov.bc.ca)

January 31, 2024

**RE: South Okanagan-Similkameen Feedback on the Regulations for BC's Modernized Emergency Management Statute**

Dear Minister Ma,

Thank you for the opportunity to provide feedback on the regulations for BC's modernized emergency management statute.

During the regular Mayor, Council & Board of Director's Meetings throughout January 2024, the Regional District of Okanagan Similkameen and member municipalities (District of Summerland, Town of Oliver Council, Town of Osoyoos, Village of Keremeos, and Town of Princeton) passed the following resolution:

THAT the [Respected Elected Official(s)] sign and support the sending of a mutually agreed upon letter to the Province of British Columbia Ministry of Emergency Management and Climate Readiness to formally share the region's feedback and suggestions on the *Emergency and Disaster Management Act* and potential new related regulations.

The South Okanagan-Similkameen region ('the Region') has included its specific feedback in Appendix A of this letter, which forms part of the region's response. In short, the region has identified many potential strengths, as well as concerns, with the new legislation and regulations. Concerns can be summarized as the following:

<b>Workload, Timelines, &amp; Capacity</b>	To meet the requirements outlined in the new legislation, the Province must recognize the need to allow for realistic and adequate timelines, along with sustainable, long-term funding to support staffing capacity.
<b>Vulnerable Populations</b>	<p>To align with your Ministry's mandate letter for coordinated government response, and to meet anticipated new Provincial regulations around support for vulnerable individuals during emergencies, there is currently a lack of regulatory and financial support for local authorities to ensure there is meaningful and authentic cooperation from Provincial bodies, such as BC Housing and Interior Health, during emergencies to ensure that vulnerable individuals are treated with dignity, respect, and using trauma-informed practices.</p> <p>In addition, it needs to be recognized that Regional Districts and many municipalities in that they do not have a social services sector with the capacity to take on legislative requirements.</p>



### Disaster Financial Aid

The Disaster Financial Assistance (DFA) regulation needs to be completely revamped to align with your Ministry's mandate letter to "build back better" versus the current approach of *building-back-to-the-same-risk-level*. Current DFA does not incentivize local authorities or the public to mitigate vulnerability, nor does it address inequities amongst vulnerable populations.

### Mitigation

There must be a substantial amount of resources and funding to support local authorities in aligning risk reduction and mitigation efforts with the Sendai Framework for Disaster Risk Reduction. As well, regulations need to reflect the reality that Regional Districts do not have the capacity, tax base, or services (unless voted upon) to undertake mitigation initiatives that address the risk levels.

### Indigenous Consultation

The Province should develop regulations for Indigenous consultation that ensures meaningful engagement, but also addresses emergency response timeliness and capacity for all organizations involved. The Region is also looking for guidance on how conflict between differing parties, whether it be between Indigenous and non-Indigenous authorities, or between Indigenous communities with overlapping traditional territory can be addressed. Regulations should also provide a clear understanding of the requirement for consultation.

We have provided additional details about our concerns in **Appendix A**.

We understand that many local authorities across British Columbia have also shared concerns with the Province about the new legislation and its regulations. The Region implores your Ministry and all of Cabinet to work with all local authorities in a meaningful way to implement robust, transformative, and impactful regulations that will decrease risk and make communities more prepared for disasters.

If you have any questions, please do not hesitate to contact the any one of the signatories directly.

Thank you,

DocuSigned by:

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Mark Pendergraft  
Chair,  
Regional District  
Of Okanagan  
Similkameen

Doug Holmes  
Mayor,  
District of  
Summerland

Martin Johansen  
Mayor,  
Town of Oliver

Sue McKortoff  
Mayor,  
Town of  
Osoyoos

Spencer Coyne  
Mayor,  
Town of Princeton

Jason Weibe  
Mayor,  
Village of  
Keremeos





cc: Minister Pam Alexis, Ministry of Agriculture and Food ([AF.Minister@gov.bc.ca](mailto:AF.Minister@gov.bc.ca))  
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Councilor Aimee Grice, South Interior Local Government Association ([agrice@oliver.ca](mailto:agrice@oliver.ca))



## Attachment A Feedback from the South Okanagan-Similkameen Region

### Positives/Strengths

The Region has identified several areas of positives/strengths with the proposed new legislation and regulations. In general some of the areas of strength the Region has identified includes (in no particular order):

- The recognition of Indigenous Peoples as Rightsholders and emergency management partners, and general better legislation alignment with the UN Declaration of Indigenous Rights.
- The additions to the proposed legislation to ensure that local governments have risk assessments, emergency management plans, and business continuity plans.
- The option to create multijurisdictional emergency management organization provisions.
- The requirement for consultation, coordination and cooperation during the preparation of and revision of emergency management plans and risk assessments.
- The Province is moving towards alignment with the Sendai Framework for Disaster Risk Reduction.

### Recommendations and Suggestions

The Region has several suggestions for the Province based on the information provided in the [BC's Modernized Emergency Management Legislation: Regulations for Local Government](#) document, the sessions during the 2023 UBCM Convention, and information shared with municipal staff during the November workshop. Table 1 outlines the Region's concerns for the Province to address prior to the implementation of the new regulations.

**Table 1 South Okanagan-Similkameen Regional Concerns**

Concern/Issue	Suggestions
<b>Lack of funding to support the development of risk assessments, emergency response plans, and business continuity plans as regulated by the Act.</b>	<p>With new regulations in other areas (e.g., accessibility, housing), the Province is providing municipalities with funding to support the transition (e.g., funding through SPARC BC for accessibility plan; funding to update OCPs to align with new provincial regulations). The Province should allocate annual funding for the duration of regulated timelines to allow local authorities to meet the new regulations.</p> <p>The Province should also consider using the same funding process as NextGen 911, versus grant application, in which local governments were provided a minimum level of funding to help transition to the new technology. The Region is recommending that local authorities be provided funding for a minimum of three years to transition to the new legislation and regulations.</p>
<b>The Disaster Financial Assistance regulation will see</b>	That the Disaster Financial Assistance regulation be completely revamped to align with your Ministry's mandate letter to "build back





very little meaningful updates, changes, and transformation.

The Region has seen no commitment for ongoing consultation with local governments once the new regulations come into force.

A potential lack of cooperation from Provincial Agencies and Ministries when the local government exercising powers on Crown lands within its jurisdiction; AND

Responsibilities will be downloaded to local governments for Agency/Ministry clients. For example, the Province/Crown owns land for affordable housing in Oliver. Currently, BC Housing is responsible for emergency plans for its residents. The Region is concerned it will have responsibility downloaded onto it to provide emergency supports to residents of these buildings given the new language.

better" versus the current approach of *building-back-to-the-same-risk-level*.

There be an annual consultation with municipalities every year for the first three years after the new regulations come into effect to ensure that lessons learned are incorporated quickly into updated regulations.

Language be added that Provincial Agencies and Ministries must fully cooperate with local governments and may not interfere with local governments exercising their emergency planning or response powers on Crown lands; AND

Language be added that Provincial Agencies and Ministries continue to be responsible for providing emergency services to their clients given the complex needs and high level of specialized care these individuals require (e.g., Interior Health Authority, Ministry of Social Development and Poverty Reduction)

Table 2 below outlines the Region's responses to the [\*BC's Modernized Emergency Management Legislation: Regulations for Local Government\*](#) questions posed to local governments.

Table 2 Responses to Questions in the Province's Draft Document

Ref.	Question	Answer
A1	How much time does your local authority need to prepare these materials?	The Region feels that there would be a minimum requirement of three years to address the initial development of the three documents: risk assessment, emergency management plans, and business continuity plans. The documents will need to be developed in sequence, not concurrently, as they provide the foundational information. For example, effective emergency management plans require the completion of a risk assessment to understand the roadmap needed for the community.
A2	Should there be rules in the regulations for how	The regulations should provide guidance for risk assessment development to assist both local governments, and emergency and risk



	<p>risk assessments are prepared? If yes, what do you suggest?</p>	<p>management consultants. This may include methodology, definitions, and deliverables to be covered within the assessment. To align with the Sendai Framework, risk assessments should ensure they assess vulnerability, and review and provide recommendations for resiliency alongside the assessment of hazard(s). The regulation should provide guidance on climate change percentiles to ensure Provincial standardization between assessments.</p>
A3	<p>Should there be additional matters assessed in relation to hazards?</p>	<p>As noted, vulnerability and resiliency should be addressed in risk assessments. Clear definition of both terms will help with risk assessment methodology</p>
A4	<p>Should there be rules in the regulations for how emergency management plans are prepared? If yes, what do you suggest?</p>	<p>The regulations should address the content that should be included within emergency management plans, but not create limitations of methodology for document development. Regulations should provide clear definition for incorporation of Indigenous Traditional Knowledge</p>
A5	<p>Should there be any additional matters described for the purpose of emergency management plans?</p>	<p>Centralization of service delivery in such areas as health and social services, and establishment of funding sources to address gaps in local needs.</p>
A6	<p>Should the regulations establish a minimum required scope for regional district plans?</p>	<p>Yes – Regional Districts operate differently from municipalities as a result of smaller tax base(s), reduced service levels, and omission of enforceable bylaws and regulations. As such, Regional Districts are unable to mitigate, respond, and recover in the same capacity as municipalities.</p>
A7 & A8	<p>Should there be regulations on how to consultant in all aspects of emergency management?</p>	<p>The regulations should outline that local governments must consult and coordinate. The Region recommends that there be a requirement in the regulation that this happen at least once on an annual basis, however the specificity of <i>how</i> should be provided through guidelines. Many regions throughout BC work differently and these relationships can be supported throughout guidelines.</p>
A9	<p>Should there be rules in the regulations for how business continuity plans are prepared?</p>	<p>The regulations should outline that local governments should have business continuity plans and needs to be prepared in consultation with regional local authorities. The specificity of detail for business continuity plans should be provided in guideline documents, not legislation/regulations. Each organization will have different needs and capacities regarding business continuity planning.</p>
A10	<p>Should there be rules in the regulations to establish a cycle for review and revision of RA/EM/BC plans?</p>	<p>Yes – however the Province should provide adequate time for local authorities to first develop the required documents under the new legislations before establishing a review cycle. Recommendation is for 5 year cycles.</p>





**B1, Regulations re:  
B2, Emergency Mngt.  
B3, Organizations and  
& multijurisdictional EM  
B4 organizations.**

The regulations should outline that a local authority must have a public bylaw/document establishing either its own emergency management organization or participating in a multijurisdictional emergency management organization.

In the case of an emergency management organization, it should outline: geographical scope of the organization, membership (e.g., Council and staff), decision making authority, and appointing an emergency program coordinator/manager.

In the case of a multijurisdictional emergency management organization: geographical scope of the organization, members of the organizations, membership of a steering committee, decision making authority, and appointing an emergency program coordinator(s).

As previously noted, regulations should not define how relationships are developed; many regions throughout BC work differently and these relationships would be better supported throughout guidelines. Guidelines on considerations for development of agreements would help multi-jurisdictional emergency organizations to develop meaningful agreements with considerations of important aspects.