



## 5.09 GUIDELINE FOR THE DECLARATION OF DISASTER FINANCIAL ASSISTANCE

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### 5.09.1 GENERAL

- 5.09.1.1 BC's Disaster Financial Assistance (DFA) program provides financial assistance to local government bodies and private persons that suffer uninsurable losses from disasters.
- 5.09.1.2 The DFA program is also administered to First Nations bands through an agreement with Indigenous Services Canada.
- 5.09.1.3 The DFA's intent is to provide assistance in the aftermath of large-scale, unforeseen disasters that affect multitudes of individuals, businesses, farms, and non-profits and/or which impose a significant financial burden on local government bodies or First Nations bands.
- 5.09.1.4 The *Emergency Program Act* (EPA) and Compensation and Disaster Financial Assistance Regulation (CDFAR) establish the legal authority to issue DFA.
- 5.09.1.5 Per section 20(2) of the EPA and section 8(2) of the CDFAR, Lieutenant Governor in Council (LGiC) and the Minister responsible for the EPA each have the authority to determine if DFA may be provided.
- 5.09.1.6 The Director of the Provincial Emergency Program (Director) has the delegated authority to determine whether a disaster is DFA eligible.

**Related Policies & Guidelines:**

N/A

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### 5.09.2 DEFINITIONS

Per section 1 of the EPA, "disaster" means a calamity that:

- a) is caused by accident, fire, explosion, or technical failure or by the forces of nature, and
- b) has resulted in serious harm to the health, safety, or welfare of people, or in widespread damage to property".

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### 5.09.3 POLICY STATEMENT

- 5.09.3.1 The purpose of this document will guide the Director's assessment of whether a disaster has a sufficient magnitude to be eligible for DFA under Parts 2 and 3 and the CDFAR.



### 5.09.3.2 Circumstances appropriate in the determination of a DFA eligible event. 5.09.3.2.1

Prior to applying the criteria below, in sections 5.09.3.2.2 and 5.09.3.2.3, the event must first meet the definition of “disaster”, as defined in the EPA.

5.09.3.2.2 In determining a DFA-eligible event for **private sector** applicants, the Director should be satisfied that the disaster meets the following criteria:

- 5.09.3.2.2.1 Has resulted in extensive or widespread damage to property or infrastructure belonging to private persons, local government bodies, or First Nation bands,
- 5.09.3.2.2.2 Has a defined start and end date,
- 5.09.3.2.2.3 Occurred suddenly and was unexpected and unforeseen, and
- 5.09.3.2.2.4 Is one for which insurance was not reasonably and readily available.

5.09.3.2.3 In determining a DFA eligible event for a **local government body or First Nation band** applicant, the Director should also be satisfied that:

- 5.09.3.2.3.1 Has resulted in extensive or widespread damage to property or infrastructure belonging to local government bodies or First Nation bands,
- 5.09.3.2.3.2 Has a defined start and end date,
- 5.09.3.2.3.3 Occurred suddenly and was unexpected and unforeseen,
- 5.09.3.2.3.4 Is one for which insurance was not reasonably and readily available,
- 5.09.3.2.3.5 the costs of recovering from a disaster would place an undue financial burden on the local government bodies or First Nation bands, and
- 5.09.3.2.3.6 there would be a heightened risk to public health, safety, or security if damaged infrastructure were not repaired in a timely manner.

### 5.09.3.3 Indicators

5.09.3.3.1 A given disaster may involve unique circumstances and contextual factors; the Director needs considerable discretion in determining a DFA eligible event.

5.09.3.3.2 In considering whether the extent of damage from a disaster satisfies sections 5.09.3.2.2.1 and 5.09.3.2.3.1, the presence of three or more of the following indicators suggests that DFA authorization should be considered:

- 5.09.3.3.2.1 Initial estimated recovery costs for damage to community infrastructure and private property equals or exceeds \$1,000,000,



- 5.09.3.3.2.2 Overall per capita recovery costs for damage to community infrastructure and private property equals or exceeds \$25,
  - 5.09.3.3.2.3 A Band Council Resolution was passed, or a state of local emergency or state of provincial emergency was declared,
  - 5.09.3.3.2.4 Evacuees were given support through response operations (i.e., expense authority form or Emergency Support Services),
  - 5.09.3.3.2.5 One or more human fatalities occurred,
  - 5.09.3.3.2.6 Separate damage occurred in 3 or more municipalities, regional districts, or First Nation reserves,
  - 5.09.3.3.2.7 10 or more eligible structures were damaged,
  - 5.09.3.3.2.8 Damage to public infrastructure results in adverse impacts to any of the following:
    - a) the supply of potable drinking water, food, or medicine,
    - b) local fire suppression capabilities,
    - c) sanitation, hygiene, or disease prevention,
    - d) access to health services,
    - e) law enforcement agencies' ability to maintain public order and safety.<sup>1</sup>
- 5.09.3.3.3 DFA authorization for events that do not have three or more of the indicators should be supported by a rationale of any unique or extenuating circumstances that justify the determination of a DFA eligible event.

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### 5.09.4 CONDITIONS/RESPONSIBILITIES

- 5.09.4.1 The EMCR Senior Regional Manager will submit the completed DFA Recommendation and Determination Form on behalf of local government bodies and First Nation bands to the Manager, Recovery Funding for review and subsequent submission to the Director for decision.
- 5.09.4.2 A decision letter will be distributed to the Senior Regional Manager within two weeks of receiving the completed form and all required supporting information.

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<sup>1</sup> For an abundance of clarity, adverse impacts to multiple of the listed items counts as 1, for the purposes of counting indicators.



- 5.09.4.3** For ineligible events, no further communication is prepared for distribution. The ineligible event will be documented for future assessment of the guideline. The Senior Regional Manager will retain the ineligible event information.
- 5.09.4.4** For DFA eligible events, within two days of an event being declared eligible.
- 5.09.4.4.1 a notification email is prepared and sent to the Senior Regional Managers for distribution to impacted communities containing event-specific information.
  - 5.09.4.4.2 Public-facing websites are updated with event information.
  - 5.09.4.4.3 Public communications are prepared for new releases on government sites.

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## 5.09.5 AUTHORITIES

*Emergency Program Act*  
Compensation and Disaster Financial Assistance Regulation

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### ORIGINAL SIGNED BY

Jennifer McGuire  
Assistant Deputy Minister  
Ministry of Emergency Management and Climate Readiness  
Date Signed *July 27, 2023*

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## 5.09.6 RELATED DOCUMENTS

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