

COURT FILE NUMBER	2001-14300
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
APPLICANTS	REBECCA MARIE INGRAM, HEIGHTS BAPTIST CHURCH, NORTHSIDE BAPTIST CHURCH, ERIN BLACKLAWS and TORRY TANNER
RESPONDENTS	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ALBERTA and THE CHIEF MEDICAL OFFICER OF HEALTH
DOCUMENT	AFFIDAVIT OF SCOTT LONG
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Alberta Justice, Constitutional and Aboriginal Law 10 th Floor, 102A Tower 10025 -102A Avenue Edmonton, Alberta T5J 2Z2

Clerk's Stamp

**AFFIDAVIT OF SCOTT LONG
SWORN ON JULY 16, 2021**

I, Scott Long, of the City of Edmonton, in the Province of Alberta, SWEAR AND SAY THAT:

Introduction

1. I was the Acting Managing Director of the Alberta Emergency Management Agency (AEMA or the Agency) from October 2020 until May 2021. AEMA is the lead agency for emergency management within the Government of Alberta. AEMA reviews and provides commentary on emergency management and business continuity planning for all Government of Alberta ministries.

2. I was responsible for all facets of AEMA's activities, including the Agency's supporting role in the provincial response to the COVID-19 pandemic. As such, I have personal knowledge of the facts and matters deposed to herein.

History of the AEMA

3. The AEMA was created as a result of the third party report on the challenges of the response to the Wabamun train derailment which occurred in August 2005. The response to this event was noted to be deficient in many areas.

4. For example, the report issued in the aftermath of the Wabamun disaster highlighted areas for improvement including the Government's role in disaster response coordination. The report identified incident "triggers" and mechanisms to support enhanced government and industry response arrangements. It highlighted the critical importance of interagency, intergovernmental and public communications, as well as training, exercising, and testing. It recommended developing a centre of excellence for response, building and equipping a sustainable response system, along with adopting an "all hazards" approach to emergency management.

5. Over the past 15 years, several of the most costly and complex emergencies and disasters in Canada have occurred in Alberta; these, however, have also served to strengthen the public safety system. AEMA has grown and matured dramatically as a result of lessons learned from the 2005 Wabamun derailment. Further lessons were learned through the 2011 Slave Lake wildfires, 2013 southern Alberta floods, 2016 Regional Municipality of Wood Buffalo (RMWB) wildfires, 2017 Kenow (Waterton) wildfires, 2019 Chuckegg wildfires, and 2020 northern Alberta floods. Lessons are also being learned through the ongoing COVID-19 pandemic response.

6. The current Alberta public safety system does not resemble the system as it existed in 2005. It has adapted to the increased complexity and size and frequency of the events we see today. These events require a "whole of society" approach to emergency management, where all stakeholders have clear roles, responsibilities, and authorities and where collaboration and cooperation are underpinned by well-established networks built on trust, unity of effort, and unity of messaging.

7. The whole of society approach requires a much more holistic approach to emergency management versus the previous narrow focus on managing only the direct impacts of an event. For example, in the 2016 RMWB wildfires, there was a societal expectation of government support for a pet care plan. Over 1,100 animals of all types were either cared for in place within RMWB or were evacuated, cared for, and ultimately re-united with their owners. This required considerable organizational commitment, specialized knowledge, and additional resources to undertake successfully. Some pets were left in place with ongoing feeding and care required, some pets were evacuated and reunited with their owners in other parts of the province and some were evacuated and cared for by community groups as the owners were not in a position to care for them. It should be noted that animals present unique care considerations as not all animals can be housed together (for example, pythons and hamsters should be kept apart). At the time of the 2005 Wabamun disaster, a pet care plan was not a consideration for emergency management.

8. The RMWB wildfires also required a re-think of the supports to communities as a whole. For the majority of disasters, the focus is on assisting the community with maintaining its operations. For example:

- a. Almost all community functions ceased and had to be re-started before re-entry could occur. This included re-establishing local governance as RMWB Council had evacuated with the community and needed to be able to get back to their legislated role.
- b. Emergency services (fire, police, ambulance, the 911 system, and the emergency room at the hospital) had to be re-started. Police and fire required additional temporary staff/support as they had been working non-stop during the fires. Cleaning, and where required, sterilizing the hospital took over a month to accomplish.
- c. The entire drinking water system had to be cleaned to ensure safe drinking water was available.
- d. Due to RMWB's relatively isolated location and the support it provides to many neighboring communities and First Nations, re-stocking grocery stores and ensuring pharmacies in RMWB had sufficient supplies for the first few weeks were significant factors that had to be considered.

- e. A deliberate re-entry plan to manage traffic flow on Highway 63 was established. This was necessary to ensure that local resources were not overwhelmed and it allowed for the community to return over a period of days, rather than in one congested rush.
- f. The insurance industry made arrangements to have onsite claims adjustors, as well as plans to deal with “white goods” (fridges and freezers left without power for 30 days in intense heat). These white goods could not be cleaned and had to be replaced. This required a safe disposal of the damaged white goods, which necessitated the removal of all environmentally hazardous coolant.
- g. Team Rubicon, a volunteer team, conducted basement searches on behalf of homeowners looking for any valuables that may have survived the fires, rather than simply bulldozing the basements in. This provided homeowners with a sense of closure and helped with the recovery from the event.
- h. Non-governmental organizations and spontaneous volunteers proved to be essential in effectively responding to a disaster event, as well as helping to create the conditions to allow for an effective recovery to occur. Management and safe deployment of these groups required additional effort to ensure they were able to operate safely within the community.

The Field of Emergency Management

- 9. Since 2010, the emergency management field has become increasingly professionalized. For example, Royal Roads University offers a Master’s Degree in Emergency Management, and the Northern Alberta Institute of Technology offers a two year diploma in Disaster and Emergency Management. The NAIT program routinely has a waiting list and produces many talented individuals emerging to join the emergency management field.
- 10. The majority of staff at AEMA no longer come from military or first responder backgrounds. Rather, they bring formal emergency management education and experience to the organization.
- 11. The Incident Command System (ICS) is recognized, taught, and used province-wide as the command system to ensure unity of effort, clarity of communication and effective use of resources. With respect to the ICS:

- a. AEMA is responsible for the certification of and governance over instructors, education content and upgrades to course materials for ICS courses taught within Alberta.
 - b. AEMA has also introduced various online courses for the ICS.
12. AEMA has also created online courses in Basic Emergency Management, a course for municipal elected officials, and a Director of Emergency Management course.

Governance of Emergency Management

13. Governance of emergency management has matured significantly since 2005, using the Emergency Management Committee of Cabinet, Deputy Minister Public Safety Committee, and Assistant Deputy Minister Public Safety Committee. Each of these committees meets as needed during the course of an emergency to ensure cross-government coordination and unity of effort.
14. Most notably, the review following the 2011 Slave Lake wildfire and the resulting Public Safety Governance Report (PSGR) of 2012 laid out the structures that frame the public safety system. It includes the roles, responsibilities, and authorities of the stakeholders, and the processes and procedures that would underpin their collaborative efforts to mitigate against, prepare for, response to, and recover from emergencies and/or disasters. Under the 2012 PSGR:
- a. The role of AEMA as the coordinating agency for the Government of Alberta was affirmed.
 - b. The facility for conducting cross-government coordination was identified as the Provincial Operations Centre, which is maintained and operated by AEMA on behalf of the Government of Alberta.
 - c. At the Assistant Deputy Minister and Deputy Minister levels, public safety committees were established.
 - d. The option to stand-up a Cabinet committee was identified. These Cabinet Committees have variously included the Emergency Management Cabinet Committee, Priorities Implementation Cabinet Committee, and event-specific Ministerial Task Forces. While the specific name may vary, the intent of an over-arching cross government committee is met, ensuring a cohesive and unified approach to managing the response and recovery.

Lead and Supporting Agencies

15. During a disaster, AEMA supports the lead ministry, which is determined based on legislative responsibility. For example, in a wildfire event, AEMA supports the Ministry of Agriculture and Forestry. When floods occur, AEMA supports the Ministry of Environment and Parks. During a pandemic, AEMA provides support to Alberta Health. As the lead ministry, Alberta Health has led the COVID-19 pandemic response across the province.
16. In the 2012 PGSR, Alberta Health was identified as the lead ministry that would be supported by AEMA in the case of a public health hazard. Alberta Health is responsible for the Alberta Pandemic Influenza Plan (APIP). Following a Health Quality Council of Alberta report in December 2010, issued after the 2009 H1N1 influenza pandemic, Alberta Health initiated a comprehensive review of the APIP.
17. The current version of APIP, released in 2014, affirmed Alberta Health's role as the lead ministry and identified AEMA as a supporting agency.
18. The APIP is structured to deal with both localized outbreaks and widespread, province-wide impacts. Responsibilities of the Chief Medical Officer of Health and Zone Medical Officers of Health are well-described to enable targeted and province-wide actions.
19. In 2019, the APIP was exercised as part of the annual emergency management exercise. The exercise tested response protocols, monitoring and reporting procedures, as well as both internal (within government) and public communications processes. Further improvements to the plan were developed by Alberta Health.
20. Any emergency response or disaster plan serves as a starting point for understanding response activities, roles, responsibilities, and authorities. The development of the plan is critical in that it brings together all of the elements/individuals that will be involved in the response. This allows for relationship building and improved understanding of respective roles, responsibilities, and authorities so that when the incident occurs, emergency managers are working with trusted colleagues and can work at the "speed of trust".
21. For example, the RMWB had an evacuation plan for a wildfire incident. That evacuation plan was only internal to the community where those evacuated would only displace within Fort McMurray itself. The entire community (approximately 90,000 people) being evacuated was not

part of their original plan and required a rapid re-think when the incident unfolded. In addition, the Athabasca River was viewed as a substantial firebreak because in places it is over one kilometre wide. When the fire jumped the river, it forced a rapid re-evaluation of the threat from the fire to those areas north of the river. When the fire cut Highway 63 – the primary north/south corridor, it forced about 20% of the evacuees to head north into the oil sands camps. Fortunately, they had capacity to house the evacuees and suitable airfields for evacuations.

22. The housing of these 90,000 people across the Province required collaboration and innovation and support from numerous communities and post-secondary education facilities and Provincial parks across the Province. There was no pre-existing plan that would have accounted for 5,000 people from RMWB being housed in University of Calgary dormitories.

23. Alberta Health and AEMA have consulted widely with other Canadian provinces and internationally in reviewing and identifying the best response options in the face of the COVID-19 pandemic.

24. Other provincial emergency management organizations have similar strategic mandates compared to AEMA however, due to the internal government organization and assigned parent ministries there are interprovincial differences on an operational level. This is also influenced by their emergency management experience gained through disaster events and the level of resources available to each organization. Alberta has experienced some of the most substantial emergency management incidents in North America over the last decade - the 2013 southern Alberta floods, the 2016 RMWB wildfires, the 2019 northern Alberta wildfires, and the concurrent 2020 events – the COVID-19 pandemic, the northern Alberta floods and the Calgary region hail storm. All of these incidents have informed our learning, organizational structure and Alberta is recognized as having one of the best emergency management programs in Canada.

Provincial Response to COVID-19

25. The Government of Alberta declared a province-wide state of public health emergency under the *Public Health Act* on March 17, 2020 and again on November 24, 2020.

26. The *Emergency Management Act* has been revised twice during the COVID-19 pandemic to ensure it meets the needs of the Government of Alberta to manage the secondary impacts of the pandemic. These secondary impacts include:

- a. Enabling concurrent provincial and local states of emergency;
- b. Further clarifications and improvements in coordination between local and provincial pandemic responses; and
- c. Allowances for longer periods of local states of emergency during a pandemic.

27. The Alberta Health Emergency Operations Centre (AHEOC) was activated to lead the COVID-19 response. The Provincial Operations Centre, under AEMA, was activated to provide support to Alberta Health and to perform cross-government coordination where necessary and as appropriate.

28. Recognizing that the COVID-19 response was going to overlap with the annual hazard season (March through October, annually), a deliberate decision was made to enhance the AHEOC and to ensure the Provincial Operations Centre was able to respond to any concurrent emergency or disaster impacting the province. This enhancement was achieved by loaning specific AEMA and other Ministry of Municipal Affairs staff to AHEOC to ensure that the AHEOC had capacity and were well-versed in emergency management roles and responsibilities. This decision enabled a highly effective and efficient Provincial Operations Centre-led response to severe flooding in northern Alberta in May 2020.

Other COVID-19 Response Measures

29. As part of the measures to mitigate some effects of the COVID-19 pandemic, the Government of Alberta established the Pandemic Response Planning Team (PRPT). This cross-government team of subject matter experts has been tasked with performing problem identification analysis, medium and long-term advanced planning, and coordinating a whole of society approach to mitigate the impacts of COVID-19 on Albertans. This team included subject matter experts loaned from AEMA.

30. A COVID-19 Vaccine Task Force, chaired by the Deputy Minister of Municipal Affairs, Lt. Gen (Retired) Paul Wynnyk, was also created to offer further oversight of the Alberta Health and Alberta Health Services vaccine immunization and distribution plans.

- a. The Task Force's role is to build on and complement the work done by Alberta Health and Alberta Health Services, offering further oversight and support in areas such as planning, logistics, supply chain management, and security.

b. The objective of the Task Force is to provide assurance to Albertans that the Government of Alberta can deliver the most robust vaccination plan in the province's history.

31. The Emergency Management Cabinet Committee, superseded by the Priorities Implementation Cabinet Committee, was established to provide leadership and direction to the whole of government response. The ministries that have a significant role in the COVID-19 response are represented on this committee and meet regularly to review the ongoing and developing situation, coordinate activities, and provide advice to Cabinet and the Premier.

32. In support of Alberta Health, the Ministry of Municipal Affairs and AEMA have:

a. Created the Pandemic Response Planning Team, which looked at whole-of-society issues, such as business and economic impacts.

b. Created the PPE Task Force to supply non-health care sectors with equipment, such as mask, gloves, hand sanitizer, and face shields. The PPE task force has, as of July 6, 2021 supplied more than 68.3 million pieces of PPE fulfilling 21,167 unique requests to 8,797 organizations across the province.

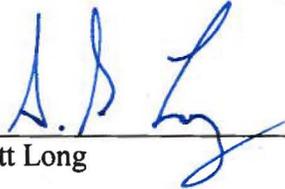
33. The response by Alberta and by other provincial governments has not been perfect. However, the standard for emergency management is not perfection but rather that the response as a whole meets society's goals of the preservation of life, property, the economy, and the environment within the overall framework of the available time and resources.

34. I make this affidavit in support of Alberta's response to the Originating Application filed December 7, 2020.

SWORN BEFORE ME in the City of)
Edmonton, Province of Alberta, this)
16th day of July, 2021.)


_____)
Commissioner for Oaths in and for the)
Province of Alberta)

Brooklyn LeClair)
Barrister & Solicitor)


_____)
Scott Long)