

**Memorandum of Understanding  
for  
Critical Plant Pest Infestation Response in Alberta**

Between:

**The Canadian Food Inspection Agency, a body corporate established pursuant to the *Canadian Food Inspection Agency Act*, with its headquarters located at 59 Camelot Drive, Ottawa, Ontario, KIA OY9, (“CFIA”)**

and

**Her Majesty the Queen in right of Canada as represented by the Minister of Natural Resources Canada, (“NRC”)**

and

**Her Majesty the Queen in right of Alberta as represented by the Minister of Agriculture and Food, (“AA&F”)**

and

**Her Majesty the Queen in right of Alberta as represented by the Minister of Sustainable Resource Development, (“ASRD”)**

and

**Her Majesty the Queen in right of Alberta as represented by the Minister of Municipal Affairs and Housing, (“AMA&H”)**

**(the “Participants or the “Parties”)**

WHEREAS the CFIA is responsible for the administration and enforcement of the Plant Protection Act (Canada), 1990, c.22 and is the lead authority for the protection of plant life and the agricultural and forestry sectors of the Canadian economy through the prevention, control and eradication of quarantine plant pests for Canada;

AND WHEREAS NRC is responsible to promote the sustainable development of Canada's forests and competitiveness of the Canadian forest sector for the well-being of present and future generations of Canadians;

WHEREAS AA&F is responsible for the administration and enforcement of the *Alberta Agricultural Pests Act* and the *Alberta Weed Control Act* and for monitoring and detection of plant pests at the farm gate level;

AND WHEREAS ASRD is responsible for ensuring Alberta's public lands, including rangelands, are healthy, productive and sustainable, and for supporting healthy ecosystems and communities in Alberta's forests and forest communities;

AND WHEREAS the AMA&H is responsible for the administration of the Alberta Disaster Services Act, being Chapter D-13 RSA 2000, and through the Alberta Emergency Management Agency (AEMA) coordinates emergency and disaster response for the Government of Alberta;

AND WHEREAS there is a necessity for federal and provincial government ministries that manage plant pest infestations and diseases to act cooperatively when such infestations and diseases occur or arise, particularly when the pest infestation is of such a magnitude or so complex that it impacts the public interest at both the provincial and federal levels of government;

AND WHEREAS the approach to this kind of critical event is unique in emergency management in that a lead agency is appointed on a case by case basis, depending on whether the infestation or disease is affecting agricultural or forestry interests, and whether the infestation or disease is threatening from inside or outside of Alberta's borders;

AND WHEREAS each Participant acknowledges the importance of cooperatively sharing information with each other for the purpose of advancing the management of plant pest infestations and disease within Alberta.

NOW THEREFORE the Parties have developed the Alberta Critical Plant Pest Infestation Response Plan (CPPIRP) to govern the Parties' response to major plant infestations and diseases in Alberta.

THE PARTIES acknowledge:

1. The CPPIRP is attached as Schedule "A" to, and forms a part of, this Memorandum of Understanding. The Parties may develop and attach appendices to the CPPIRP and develop operational amendments as they consider necessary, in order to implement the CPPIRP and carry out this Memorandum of Understanding. Such appendices or amendments shall only be effective and form a part of this MOU if consented to in writing by all of the Parties.
2. The need to share information as permitted by federal and provincial access to information, privacy legislation and resources and to advance common communication approaches. The process intended to support this collaborative informational approach is attached as Schedule "B" which forms a part of this Memorandum of Understanding.
3. Any party may terminate this Memorandum of Understanding by 30 days notice in writing to the other Parties. Termination of this Memorandum of Understanding shall be without reference to the rights and interests of any party or other person.
4. It is hereby understood by the Parties that:
  - (a) NRC, AA&F, ASRD, and AMA&H officers or employees may need to be designated as analysts, inspectors, or officers for the purposes of the Plant Protection Act, and that the CFIA will be responsible for the actions undertaken

by the NRC, AA&F, ASRD, and AMA&H employees in the course of activities conducted as CFIA designated analysts, inspectors, or officers;

- (b) NRC, AA&F, ASRD, and AMA&H will remain responsible for all actions undertaken by their respective officers or employees when those officers or employees are not performing powers, duties or functions as designated analysts, inspectors or officers under the Plant Protection Act; and
- (c) This Memorandum of Understanding is not intended to create a binding legal relationship between or among the Parties.

5. This Memorandum of Understanding will come into effect on the date of the last signature by the Parties.

IN WITNESS WHEREOF the Parties' authorized representatives have duly executed this MOU on the dates indicated.

**Signatures**

**For CFIA**

**For AA&F**

\_\_\_\_\_  
**Philip H. Amundson, Executive  
Director, Western Area**

\_\_\_\_\_  
**Rory Campbell, Deputy Minister**

Signed at \_\_\_\_\_  
On the \_\_\_\_ day of \_\_\_\_\_, 2007

Signed at \_\_\_\_\_  
On the \_\_\_\_ day of \_\_\_\_\_, 2007

**For NRC**

**For ASRD**

\_\_\_\_\_  
**Gordon Miller, Director General,  
Northern Forestry Centre**

\_\_\_\_\_  
**Brad Pickering, Deputy Minister**

Signed at \_\_\_\_\_  
On the \_\_\_\_ day of \_\_\_\_\_, 2007

Signed at \_\_\_\_\_  
On the \_\_\_\_ day of \_\_\_\_\_, 2007

**For AMA&H**

\_\_\_\_\_  
**Shelley Ewart-Johnson, Deputy Minister**

Signed at \_\_\_\_\_  
On the \_\_\_\_ day of \_\_\_\_\_, 2007

## **SCHEDULE "A"**

(Memorandum of Understanding for Critical Plant Pest Infestation Response in Alberta)

# **Alberta Critical Plant Pest Infestation Response Plan**

THE PROCEDURES DETAILED IN THIS PLAN ARE APPROVED  
FOR USE IN THE CIRCUMSTANCES SPECIFIED THEREIN.

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Deputy Minister, Alberta Agriculture & Food

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Executive Director, Western Operations,  
Canadian Food Inspection Agency

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Deputy Minister, Alberta Sustainable  
Resource Development

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Director General, Northern Forestry Centre,  
Natural Resources Canada

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Deputy Minister  
Alberta Municipal Affairs and Housing

---

Date

## ACKNOWLEDGEMENTS

The support and assistance provided by the stakeholders in the development of this document is gratefully acknowledged, particularly the members of the Critical Plant Pest Technical Committee.

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If you have suggestions about making the document more easily read or understood, please contact:



## FOREWORD

This plan deals with major infestations and diseases that affect plant life in Alberta.

There is a necessity for federal and provincial government ministries that manage plant pest infestations and diseases to act cooperatively when these occur. In particular, when the pest infestation or disease is of such a magnitude or so complex that it impacts the public interest at both the provincial and federal levels of government.

The approach to this kind of critical event is unique in emergency management in that a lead agency is appointed on a case by case basis, depending on whether the infestation or disease is affecting agricultural or forestry interests, or whether the infestation or disease is threatening from inside or outside of Alberta's borders.

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**ALBERTA**  
**CRITICAL PLANT PEST INFESTATION**  
**RESPONSE PLAN**

**1. BACKGROUND**

**1.1 GENERAL**

The agricultural and forestry resources of Alberta are major contributors to the economy of both the province and Canada. A critical plant pest outbreak in either resource area could result in unprecedented economic loss and/or damage to the food chain and/or wood fibre supply if not effectively managed.

Prime responsibility for the management of pests in Alberta rests with Alberta Agriculture & Food and Alberta Sustainable Resource Development under applicable provincial legislation. The Canadian Food Inspection Agency administers *The Plant Protection Act (Canada)* to prevent the importation, exportation and spread of pests injurious to plants and to provide for their control and eradication and for certification of plants and other things. Effective management will require the involvement of all municipal, federal and provincial agencies and private industries with a mandate to support, or which have an interest in, pest management.

This plan is intended to provide lead agencies with the support required to ensure co-ordinated, efficient and effective management of a critical plant pest infestation in Alberta on either private, provincial or federal lands.

The plan's objective is to provide a co-ordinated and co-operative approach to applying all appropriate resources to minimize the economic impact of a critical plant pest infestation; however, the plan is not intended to constrain or intrude on the jurisdictional prerogatives of any government or agency.

**1.1.1 DEFINITIONS**

- a. **A Critical Plant Pest Infestation (Infestation)** is an infestation by an insect, a disease or other pest that threatens Alberta's agricultural or forested areas and has the potential to cause exceptionally serious damage. A combination of the severity of the infestation and the time frame for preventing or limiting damage creates a critical situation.
  
- b. **The Critical Plant Pest Management Council (Management Council)** is a council of senior officials comprising Deputy Ministers, Assistant Deputy Ministers, Regional Directors or designates of the departments listed in **ANNEX 2, COMPOSITION OF CRITICAL PLANT PEST MANAGEMENT COUNCIL.**

The Management Council will be chaired by the Deputy Head of the department convening the meeting.

- c. **The Critical Plant Pest Technical Committee (Technical Committee)** as illustrated in **ANNEX 8, OPERATIONS TIME LINE INVOLVEMENT OF DEPARTMENTS AND AGENCIES**, is composed of the following persons directly responsible for plant protection in the departments listed in **ANNEX 2, COMPOSITION OF CRITICAL PLANT PEST MANAGEMENT COUNCIL**.
- i. Unit Leader, Agriculture Research Division, Alberta Agriculture & Food
  - ii. Manager, Forest Health, Alberta Sustainable Resource Development
  - iii. Senior Agriculture / Chemical Policy Advisor, Agriculture and Forestry Sector, Alberta Environment
  - iv. Plant Health Inspection Managers, Edmonton and Calgary - Western Area, Canadian Food Inspection Agency
  - v. Research Scientist or designate, Forest Biology, Natural Resources Canada - Canadian Forest Service

The Technical Committee co-ordinates ongoing multi-government action associated with detection and management of critical plant pest situations and recommends actions to be carried out by government agencies responsible for plant protection.

- d. **Industry** refers to private companies, partnerships and sole proprietors who depend upon Alberta's crops and wood fibre resources as a prime source of income. It also includes agricultural and forestry organizations formed mainly for the intent of representing private and public operators.
- e. **Crop** includes any plant resource in Alberta, such as grains, oilseeds, pulses, forages, vegetables, fruits, ornamental plant material and any other crop grown in Alberta for agricultural, aesthetic or forest purposes.
- f. **Local authority** includes municipal councils and their administration and any municipal board or services agency whose major responsibilities are in crop or wood fibre production and development. This may include regional health authorities, first nations and provincial and national parks, when appropriate.
- g. **Initiation** of this plan transpires at two levels. The first level is an increased awareness of a potential threat and intense sharing of information among departments and agencies. The second level is the convening of the Management Council by the department that first identifies and diagnoses a pest infestation as critical or by any department represented on the Management Council.

- h. **The Critical Plant Pest Operations Team (Operations Team)** as illustrated in **ANNEX 3, MANAGEMENT RESPONSIBILITIES** is a team of department and program heads and selected technicians who assemble in the Consequence Management Operations Centre for the purpose of managing an infestation response.
- i. **The Consequence Management Operations Centre (COMOC)**, is the location from which an Infestation Response is managed. It is located at the Alberta Emergency Management Agency Operations Centre (EMAOC), 14515 - 122 Avenue, Edmonton, Alberta. Its specific functions are identified in **ANNEX 4, CONSEQUENCE MANAGEMENT OPERATIONS CENTRE OPERATIONAL ROLE**.
- j. **Field Operations Centre (FOC)**, provides survey, technical and consultative resources to the various participating departments and agencies in a critical plant pest infestation response under direction of the Consequence Management Operations Centre. Its specific functions are identified in **ANNEX 5, FIELD OPERATIONS CENTRE OPERATIONAL ROLE**. Potential facilities throughout Alberta will be identified by the Operations Team and provided co-operatively by the departments involved in the response.
- k. **Site Operations Centre** implements pest mitigative measures as required at a site identified by decision of the Critical Plant Pest Management Council and under direction of the Consequence Management Operations Centre. Its specific functions are identified in **ANNEX 6, SITE OPERATIONS CENTRE OPERATIONAL ROLE**.
- l. **Lead Agency** is one of the following departments charged with management of the infestation response as selected by the Management Council on a case by case basis:
  - i. Alberta Agriculture and Food
  - ii. Alberta Sustainable Resource Development
  - iii. Canadian Food Inspection Agency
- m. **Compensation**. Decisions affecting compensation may be based on the following considerations:
  - i. specific attributable losses;
  - ii. loss of markets;
  - iii. extraordinary costs to agencies;
  - iv. process for managing compensation;
  - v. legislated authority and constraints;
  - vi. participation in funding of the program by industry or other interested parties that benefit from actions taken to control a pest or disease.

## 1.1.2 ACRONYMS

The following is a list of all acronyms and abbreviations used in this plan.

<b>AEMAOC</b>	Alberta Emergency Management Agency Operations Centre
<b>COMOC</b>	Consequence Management Operations Centre
<b>COMMS</b>	Communications
<b>CPMC</b>	Critical Pest Management Council
<b>CPOT</b>	Critical Pest Operations Team
<b>CPRM</b>	Critical Plant Pest Response Management
<b>FOC</b>	Field Operations Centre

## 1.1.3 LEGISLATION

If it becomes necessary to take action in Alberta to deal with a critical plant pest infestation, it would be done under the authority of one or a combination of the primary acts or legislation listed in **ANNEX 1, AUTHORITIES**. Other legislation that could impact on the critical plant pest infestation management process is also listed in **Annex 1, AUTHORITIES**.

## 1.2 THREATS

Situations covered by this plan encompass:

1. a critical plant pest infestation beyond the capacity of a single department at either the provincial or federal government level to respond effectively,
2. a pest of critical significance threatening to enter or being already present in the province,
3. government actions in controlling a critical plant pest impacting significantly on agricultural or forestry resources in Alberta, and
4. mitigative measures to control a critical plant pest that create major hardship for crop or forestry producers.

## 1.3 PARTNERSHIPS

It is recognized that local government bodies and many private industries may have an interest in eradicating or mitigating critical plant pest infestation threats. The Critical Pest Management Council or its subsidiary groups may consult, partner or act in concert with any group that has an economic or other interest in this plan.

## **2. OBJECTIVE**

### **2.1 RESPONSE**

The objective of this plan is to provide a mechanism for Federal, Provincial, or Local Governments to respond to critical plant pest infestations that seriously threaten to damage the agricultural or forest resources, and tourism or natural protected areas in Alberta. Identifying the economic factors and impact related to the infestation and extraordinary measures taken in response will ensure the infestation is controlled as quickly as possible.

### **2.2 SCOPE**

The plan will deal with extraordinary pest infestations that threaten plant life in the agriculture and forestry sector of Alberta's economy.

### **2.3 ASSUMPTIONS**

Situations covered by this plan encompass an infestation that either:

1. requires urgent attention;
2. is beyond the capacity of a single department at either the provincial or federal government level to respond effectively within the scope of normal operations;
3. identifies a pest of critical significance as threatening to enter or is already present in the province;
4. causes government actions to control a plant pest to impact significantly on agricultural or forestry resources in Alberta;
5. creates a major hardship for crop or forestry producers through mitigative measures to control a critical plant pest.

#### **2.3.1 ACTIVATION CRITERIA**

The Management Council will be convened if the following conditions exist in the agricultural or forestry industries in Alberta:

- a. when a critical plant pest infestation is beyond the capacity of a single department to respond effectively;
- b. when the significance of a pest is such that its presence at any level or threat of introduction is in itself a critical incident;
- c. when actions against pests found in other regions of the country impact significantly on or create an unacceptable threat to the agricultural and forest resources in Alberta;

- d. when the effect of mitigative actions to deal with an infestation requires consideration of compensation for producers and related groups.

### **3. ACTION PLAN**

#### **3.1 GENERAL PRINCIPLES**

The context in which the plan would be activated is determined by the nature of the pest infestation and is as follows:

1. The Technical Committee will meet on a regular basis, with at least an annual meeting to review available pest survey & research data. The committee will produce an annual report on the potential future risks to plant health for the CPPMC.
2. If any member department of the Technical Committee determines that a significant threat exists, it may convene the Committee.
3. If in turn the Technical Committee judges the threat to require major response of all parties (the criteria as listed in paragraph 11) it may respond at either of two levels:

*Level 1* - a threat exists but, because of the time involved or if the magnitude of the threat is questionable, departments only need to share information;

*Level 2* - a threat is of sufficient magnitude to pose a severe imminent risk.

4. The technical committee will then present its findings and recommendations, including cost estimates of the response and compensation, to the Management Council who decides whether or not to proceed with extraordinary measures.

#### **3.2 ORGANIZATIONS**

A Council is established at the Senior Management level of each department and agency (See Para 4.b) to ensure involvement of all parties participating in infestation response management

##### **3.2.1 BEFORE EVENT**

A Deputy Minister or Assistant Deputy Minister or designate of any member department may convene a meeting of the Management Council. The Management Council is responsible for:

- a. deciding whether or not to initiate extraordinary measures to deal with the infestation;
- b. recommending the extent and nature of compensation for producers and the reimbursement of departments or agencies involved in the response;

- c. recommending the implementation of a compensation program for agricultural and/or forestry producers affected by the infestation or extraordinary measures taken to deal with the infestation;
- d. selecting and/or changing the lead agency;
- e. selecting legislation under which to proceed.

Responsibility for briefing the Minister of each participating department rests with each departmental member of the Management Council.

The plan may be activated at either of two levels by:

*Level 1* - the Technical Committee or a participating department may distribute information on a pest or disease threat to the departments and agencies participating in the plan;

*Level 2* - the Technical Committee presents its research and findings to the Management Council or a participating department may make direct representation to the Council.

The Technical Committee will present the technical background, any appropriate research findings and recommendations on potential solutions at either level.

### **3.2.2 DURING EVENT**

The Management Council may implement extraordinary measures under due process of the powers vested in the departments participating in this plan. The Management Council may recommend ministerial action in the form of orders, area quarantine, or such other restrictions as are deemed necessary to control the infestation.

The Management Council may consult with any group or individual who may assist in its decision making process.

Once the plan is activated and extraordinary measures have been initiated, operational management of the response is vested in the Operations Team under the leadership of the lead department as determined by the Management Council. The Operations Team may request the assistance of whatever groups or representative of groups it deem necessary to consult with to deal with the infestation.

The Operations Team may direct that appropriate Field Operations Centres or Site Operations Centres be established in a manner best suited to deal with the infestation.

A level 2 response will be initiated through the following process:

- Step 1 A participating department or the Technical Committee identifies and diagnoses a potential infestation;
- Step 2 Alberta Emergency Management Agency or Public Safety and Emergency Preparedness Canada contacts all members of the Management Council through a phone or email fan out;
- Step 3 The department identifying the potential infestation or the Technical Committee will present its findings, pertinent information on the infestation and its recommendations to the Management Council;
- Step 4 The Management Council decides that a critical plant pest infestation should be declared, the lead department identified, and each involved agency informed in an appropriate format. The lead department will direct operations of the various participating departments through the Operations Team and initiate the appropriate news media and public inquiry activities. Each member of the Management Council should inform their respective department's Minister as required;
- Step 5 The Management Council directs that extraordinary measures are to be initiated and the Operations Team assembles in the COMOC;
- Step 6 The operations team develops a pest specific action plan within the framework of the Incident Command System (ICS) to deal with the infestation, and this may include the establishment of such field and site operations centres as may be required at locations as required by the geographic nature of the infestation, and the notification of pest specific producer groups;
- Step 7 In the event of an infestation, departmental roles and responsibilities as outlined in **ANNEX 3, MANAGEMENT RESPONSIBILITIES**, will be followed;

### **3.2.3 AFTER EVENT**

The Management Council considers the extent and nature of compensation and/or assistance to agriculture and forestry producers and the reimbursement of the costs of participating departments, and makes recommendations to the appropriate Minister as outlined in **ANNEX 3, MANAGEMENT RESPONSIBILITIES**.

## **3.3 TASKS OF AGENCIES**

The tasks of each department and agency are defined in **ANNEX 3, MANAGEMENT RESPONSIBILITIES**. It is expected that all agencies with a lead or supporting role

will have in place their own plans and procedures to carry out the tasks in this plan.

## **4. SUPPORT**

### **4.1 GENERAL**

Each department or agency participating in a critical plant pest infestation response will have the option of establishing their own situation centre to monitor the emergency and disperse resources to deal with the infestation. The critical pest operations team will conduct overall oversight of the response from the COMOC.

#### **4.1.1 PERSONNEL SUPPORT**

Each department establishing their own situation centre will be responsible for all personnel required to operate at that location. In addition, all field activities carried out by a department will utilize the staff of that particular department or other arrangements through mutual aid from other departments.

Alberta Emergency Management Agency Staff will assist the Critical Plant Pest Operations Team in the COMOC.

#### **4.1.2 TECHNOLOGY SUPPORT**

Each department establishing their own situation centre will be responsible for all technology required to operate at that location. Departments will utilize their own data sets except where infestation diagnosis or evaluation requires co-operative action.

The Critical Plant Pest Operations Team will use the technology available in the COMOC.

### **4.2 LEAD DEPARTMENT**

The lead department may utilize the resources of all other departments as outlined in **ANNEX 3, MANAGEMENT RESPONSIBILITIES**.

## **5. CONTROL, COORDINATION AND COMMUNICATIONS**

### **5.1 CONTROL**

Extraordinary measures under a level 2 response of this plan may be implemented under one or a combination of the following conditions:

1. when the time frame for eradication of a pest is of sufficiently short duration that immediate action must be taken to ensure full eradication;
2. where actions taken under federal or provincial legislation or any other factors are severe enough to threaten the livelihood of farm or forestry producers or other industry groups and a compensation program may be required;
3. when, in the opinion of the Technical Committee with concurrence of the Management Council, a response under this plan is required to deal with a critical plant pest infestation.

### **5.2 CONTACT/LOCATION INFORMATION**

Upon declaration of an infestation by the Management Council, the initiating department will notify each member of the Critical Plant Pest Operations Team and set a time and date to assemble in the COMOC. See **ANNEX 2, COMPOSITION OF CRITICAL PLANT PEST MANAGEMENT COUNCIL.**

### **5.3 PROTOCOLS**

The lead department will determine the extent of the response in accordance with the direction given by the Critical Plant Pest Management Council. Expansion of the original response to include:

1. a subsequent different pest or infestation than originally identified;
2. international relations;
3. a substantial increase in the original cost estimates; or
4. greater compensation for farmgate or other producers;

will require a re-convening of the Critical Plant Pest Management Council to determine outcomes.

### **5.4 COMMUNICATIONS**

#### **5.4.1 ALERTING PROCESS**

*Level 1*

- a. The member of the Technical Committee of a participating department first identifying a potential critical plant pest infestation will contact Alberta Emergency Management Agency and request that they convene a meeting of the Technical Committee.
- b. If the Technical Committee determines the threat is of sufficient magnitude it may respond at level 2.

#### *Level 2*

- a. Either the manager responsible for plant protection in a participating department first identifying a potential infestation or the Technical Committee acting from a level 1 threat will notify the senior official of the department upon discovery of an infestation in or threatening Alberta;
- b. Either the initiating department or the Technical Committee will activate the alerting process through Alberta Emergency Management Agency or Public Safety and Emergency Preparedness Canada as appropriate. These agencies will contact the Management Council and relevant media units and issues management units by telephone or email fan out..

### **5.4.2 OPERATIONAL COMMUNICATIONS**

Operational communications systems as required, to assist the lead agency, will be co-ordinated by Alberta Emergency Management Agency between:

- a. participating departments;
- b. Consequence Management Operations Centre;
- c. Field Operations Centre;
- d. Media Units;
- e. Management Council;
- f. other resources.

### **5.4.3 PUBLIC COMMUNICATIONS**

Public communications will be conducted in accordance with **ANNEX 7, PUBLIC COMMUNICATIONS**. Public communications content for the infestation response will be prescribed by the lead agency. Assistance to the lead agency will be provided by Alberta Public Affairs Bureau with consultation as required with Communication or Information Branches of departments involved in the response.

## ANNEX 1

### AUTHORITIES

If it becomes necessary to take action in Alberta to deal with an infestation, action would be carried out under the authority of one of, or a combination of, the following acts:

#### Primary

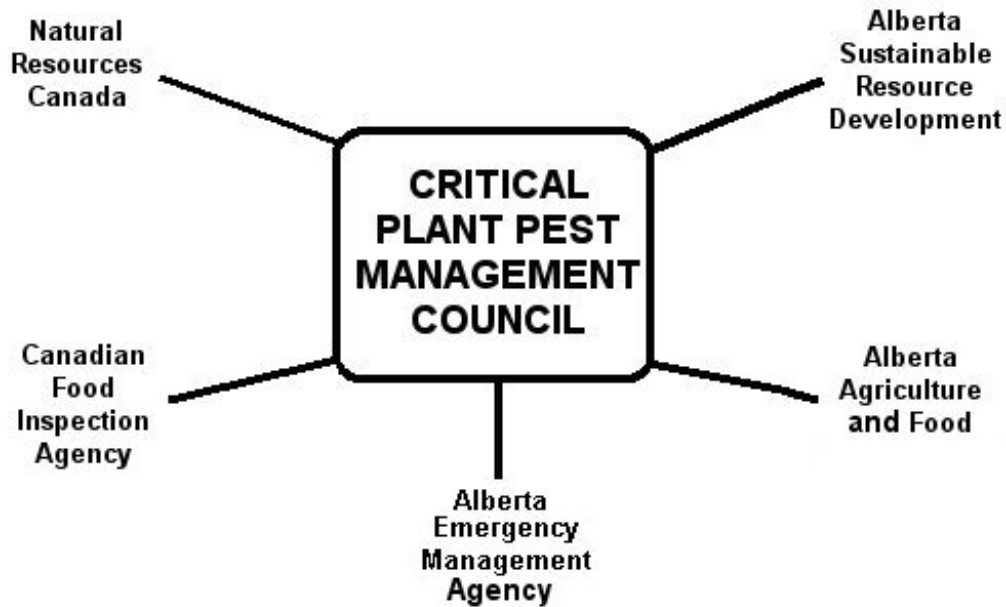
1. *"The Plant Protection Act" of Canada;*
2. *"Agricultural Pests Act" of Alberta;*
3. *"Forest and Prairie Protection Act" of Alberta;*
4. *"Forests Act" of Alberta*
5. *"Forestry Act" of Canada.*

#### Secondary

1. *"Weed Control Act" of Alberta;*
2. *"Public Safety Services Act" of Alberta;*
3. *"Police Act" of Alberta;*
4. *"Environmental Protection and Enhancement Act" of Alberta;*
5. *"Public Health Act" of Alberta;*
6. *"Municipal Government Act" of Alberta;*
7. *"Canada National Parks Act";*
8. *"Canadian Environmental Protection Act";*
9. *"Indian Act" of Canada;*
10. *"Pest Control Products Act" of Canada.*
11. *"Canadian Food Inspection Agency Act" of Canada.*

## ANNEX 2

### COMPOSITION OF CRITICAL PLANT PEST MANAGEMENT COUNCIL



### MEMBERSHIP

- |   |  |
|---|--|
| <b>Alberta Agriculture and Food</b>             | • Deputy Minister or Assistant Deputy Minister of Industry Development or Designate                      |
| <b>Alberta Sustainable Resource Development</b> | • Deputy Minister or Assistant Deputy Minister of Alberta Public Lands and Forests Division or Designate |
| <b>Natural Resources Canada</b>                 | • Director General, Northern Forestry Centre or Designate  |
| <b>Canadian Food Inspection Agency</b>          | • Executive Director, Western Operations or Designate  |
| <b>Alberta Emergency Management Agency</b>      | • Managing Director, Emergency Management Alberta Agency or Designate                                    |

## ANNEX 3

# MANAGEMENT RESPONSIBILITIES FOR A CRITICAL PLANT PEST INFESTATION RESPONSE TO A PEST INFESTATION THREATENING EITHER OR BOTH ALBERTA'S CROP RESOURCES AND FORESTED AREAS OR ASSOCIATED INDUSTRIES.

### Operational Mandate

1. It is recognized that certain pest infestations can affect either or both agricultural crop production and forest regions of Alberta. This can result in severe damage in areas common to both, with a resultant economic loss to the province, shortages of food and raw materials produced by industry, which are dependent upon the production of agricultural and forest lands.

Pests may be either naturally or artificially introduced into areas of the province where serious damage may occur within a relatively short time. The severity of the infestation combined with crucial time factors for eradication, control and damage prevention can create a critical situation.

Due to the number of agencies that would be involved in a combined operation, co-ordination of effort, resources, and decisive action is of prime importance. It is recognized, however, that certain agencies would have a greater stakeholder interest than others and possess a more focussed expertise in dealing with an infestation.

The appropriate involvement of associated agencies and government departments at all levels will be essential for effective response to the infestation.

### Operating Relationships

#### 2. Primary Roles and Responsibilities

- a. It is recognized that many functions of each agency/department participating in this plan are similar. Legislation at both the provincial and federal level provides for cross jurisdictional operations and roles. Therefore the roles and responsibilities listed here may be in many cases interchangeable.
- b. Alberta Agriculture & Food:
  - liaison with agricultural industry and associated interest groups;
  - detection and monitoring of pests at the "farm gate" level;
  - treatment of affected areas;
  - regulation, enforcement and ongoing extension of producer practices and awareness;
  - training;
  - provision of technical information on control and safety;
  - information and progress reporting.

- c. Canadian Food Inspection Agency
- inspection and infestation declaration under *Plant Protection Act (Canada)*;
  - field inspection and control;
  - detection and monitoring international and interprovincial movement of pests in crop transportation systems;
  - survey national and international pest movement;
  - area quarantine and control;
  - diagnostic services;
  - training;
  - international liaison and negotiations.
- d. Agriculture and Agri-Food Canada
- i. Research Branch
- pest control research
  - diagnostics
- ii. Markets and Industry Services Branch
- industry/federal government liaison;
- e. Natural Resources Canada, Canadian Forest Service\*
- taxonomic and diagnostic services;
  - research survey methods, pest management methods, and pest biology;
  - interprovincial and international information exchange.
- \* responsibilities of the Canadian Forest Service concerning plant quarantine pests is described in the Memorandum of Understanding between Natural Resources Canada and the Canadian Food Inspection Agency.
- f. Alberta Environment
- pesticide service registrations and special use approvals (in, on or near water);
  - certification of pesticide applicators;
  - monitoring pesticide environmental impact;
  - Alberta Environmental Response Centre (1-800-222-6514) for reporting associated environmental emergencies, complaints and concerns.
- g. Alberta Sustainable Resource Development
- diagnostic services;
  - detection and monitoring of forest area infestations;
  - aerial and ground survey;
  - planning and implementation of infestation management programs;
  - training;
  - public information;
  - regulatory enforcement in areas affected by a quarantine;

- technical information exchange with other agencies.
  - habitat impact assessment.
- h. Alberta Emergency Management Agency
- co-ordinate traffic control and movement in and around a quarantine area;
  - provide communications and operational support as required;
  - liaison with provincial departments and municipalities involved in operations and control.
- i. Public Safety and Emergency Preparedness Canada
- liaison with federal departments involved in operations and control.
- j. Alberta Public Affairs Bureau
- establish media information centres located in proximity to the GEOC;
  - co-ordinate public information;
  - develop a public information plan.
- k. Local Government
- liaison with local media;
  - monitoring and control of agricultural pest infestation;
  - other as required.
- l. Other stakeholders with expertise or resources that would be helpful in response to an infestation.

### Managing Critical Plant Pest Response Situations

3. Lead Agency. The lead agency is appointed by the Management Council and will manage the response. The lead agency may be changed at the discretion of the Management Council.
4. Pest Specific Action Plan. Management of the response will be in accordance with the relevant pest-specific action plan in effect through the agricultural and forestry departments. If a pre-approved pest-specific action plan is not available, an interim action plan will be prepared jointly by Alberta Agriculture & Food, Canadian Food Inspection Agency, Alberta Sustainable Resource Development and Natural Resources Canada. The plan will be operationalized within an Incident Command System (ICS) framework.
5. Critical Plant Pest Response Management (CPPRM) Team. The Team will be convened as required in the COMOC by the lead department after declaration of a critical plant pest incident by the Management Council. The CPPRM Team will provide a pool of expertise, support and resource deployment from member agencies/departments.

6. CPPRM Team Members (see **ANNEX 8, OPERATIONS TIME LINE INVOLVEMENT OF DEPARTMENTS AND AGENCIES**)

Alberta Agriculture & Food	<ul style="list-style-type: none"><li>• Branch Head, Pest Management Branch</li><li>• Director, Communications Division</li></ul>
Canadian Food Inspection Agency	<ul style="list-style-type: none"><li>• Western Area Executive Director</li><li>• Alberta North Regional Director</li><li>• Alberta South Regional Director</li><li>• Edmonton and/or Calgary Inspection Manager - Western Area</li><li>• Regional Specialist, Plant Protection</li></ul>
Pest Management Regulatory Agency	<ul style="list-style-type: none"><li>• Specialist</li></ul>
Alberta Environment	<ul style="list-style-type: none"><li>• Pesticide Certification Specialist</li></ul>
Alberta Sustainable Resource Development	<ul style="list-style-type: none"><li>• Director, Forest Management Division</li><li>• Manager, Forest Health</li><li>• Regional Director, Land and Forest Service</li></ul>
Natural Resources Canada - Canadian Forest Service	<ul style="list-style-type: none"><li>• Director General, Northern Forestry Research Centre</li><li>• Program Director, Forest Biology</li><li>• Research Scientist, Forest Biology or designate</li></ul>
Alberta Emergency Management Agency	<ul style="list-style-type: none"><li>• Director, Consequence Management</li></ul>
Public Safety and Emergency Preparedness Canada	<ul style="list-style-type: none"><li>• Regional Director</li></ul>
Alberta Public Affairs Bureau	<ul style="list-style-type: none"><li>• Information Officer, Public Affairs Bureau</li><li>• Information Officer, Alberta Agriculture &amp; Food</li></ul>
Agriculture Financial Services Corporation Insurance Division	<ul style="list-style-type: none"><li>• As appropriate</li></ul>
Local Authority	<ul style="list-style-type: none"><li>• As appropriate</li></ul>
Parks Canada	<ul style="list-style-type: none"><li>• As appropriate</li></ul>

7. The CPPRM Team will execute, in consultation with its member departments and agencies;

- a. the roles and responsibilities of each of its member departments;
- b. response to the pest infestation;

- c. a reporting mechanism to its respective member departments and members through their representatives;
- d. determination of the immediate and long-term mitigative actions to be taken by the Government of Alberta and the Government of Canada, which may include:
  - Declaration of a plant pest emergency or area quarantine;
  - Activation of such emergency operations centres and/or FOCs as may be required to meet the needs of the critical plant pest response. Whenever possible, FOCs are to be activated in conjunction with local Agriculture Service Boards;
  - Treatment of the affected area;
  - Establishment of a public information service;
  - Any other action considered necessary under the circumstances including the development of a compensation program for crop producers where required;
  - Appointment of teams of experts under the direction of team leaders to staff FOCs in order to:
    - conduct impact assessment and evaluation,
    - establish parameters of quarantine zone(s),
    - prescribe treatment,
    - develop and implement survey and damage assessment technologies,
    - co-ordinate public awareness and education programs,
    - conduct detailed infestation survey(s) of area surrounding quarantine zone,
    - co-ordinate international and interprovincial information exchange,
    - direct environmental monitoring for the effects of infestation and treatment,
    - co-ordinate regulatory enforcement,
    - report to the Operations Team on a daily basis or as required.

## **ANNEX 4**

### **Consequence Management Operations Centre** Operational Role

The Consequence Management Operations Centre is located at the Alberta Emergency Management Agency Operations Centre (AEMAOC), 14515 - 122 Avenue, Edmonton, Alberta.

The Critical Plant Pest Operations Team operates from the Consequence Management Operations Centre. The Critical Plant Pest Operations Team manages the critical plant pest response, ensuring that all activities of all teams are carried out in accordance with the plan, and any plant specific action plans established by the lead agency. It also ensures that resources are available to carry out the mitigation procedures.

The duties of the Critical Plant Pest Operations Team are outlined in **ANNEX 3, MANAGEMENT RESPONSIBILITIES**, para 7.

## **ANNEX 5**

### **FIELD OPERATIONS CENTRE**

#### Operational Role

Field Operations Teams may be established to co-ordinate scientific and technical expertise in response to a Critical Plant Pest Infestation. Teams would operate from Field Operations Centres established by the various departments and agencies participating in the infestation response.

The Field Operations Team provides survey, technical and consultative resources to the various participating departments and agencies in a critical plant pest infestation response.

Its specific functions are as follows:

- To provide its resources to the Site Operations Centre on all matters affecting the infestation response.
- To report to the Consequence Management Operations Centre on all matters affecting the infestation response.
- To determine the scope of the infestation.
- Identify appropriate responses to and mitigative measures for the infestation and recommend mitigative measures to the Consequence Management Operations Centre.
- Determine resource needs and pass these on to the Consequence Management Operations Centre.
- Develop a public and professional awareness and education plan.
- Monitor the progress of mitigative actions against the pest.
- Provide scientific and technical advice to all participants.
- Develop a training and orientation package for Site Operations Centre workers.
- Determine appropriate and applicable legislation and quarantinable areas.
- Recommend contracting of supplies and services to the Consequence Management Operations Centre under financial guidelines established by the Critical Plant Pest Management Council.
- Assess status of operations and report to the Consequence Management Operations Centre on progress of operations.
- Recommendation of compensation to the Consequence Management Operations Centre and responding to requests therefore.
- Recommend how complaints, litigation and political interest are handled.
- Establish logistics and processes for supply, services and administration of the response.

## **ANNEX 6**

### **SITE OPERATIONS CENTRE**

#### Operational Role

The role of the SITE Operations Centre is to implement pest mitigative measures as required by decision of the Critical Plant Pest Management Council and under direction of the Consequence Management Operations Centre.

There may be more than one Site Operations Centre established depending on the nature and scope of the infestation.

#### Functions

- Apply mitigative measures to the infestation area
- respond to public concerns and feedback at site
- communicate with private land owners on treatment plans
- respond to media presence in the infestation area
- coordinate and supervise site resources and contractual work
- monitor and ensure worker health and safety
- monitor and ensure public health and safety
- implement training for workers
- maintain site financial and operational records

## ANNEX 7

### PUBLIC COMMUNICATIONS

It is recognized that during a critical infestation situation the best public information distribution and public and media communications can be achieved by joint information and a demonstration of the effectiveness of departments and agencies of different levels of government working together to a common goal. However, also recognizing that each participating department or agency has a degree of expertise in plant pest management, nothing in this annex precludes or is intended to intrude upon the jurisdiction of any participating department or agency to provide public or media information within its own mandate.

Public communications response to an infestation or a threatened infestation shall be as follows.

*Level 1* - The communications personnel of the department first identifying the particular threat will provide the lead for public communications which may include:

- initial news release
- follow-up news releases
- news conferences
- public statements
- information on the pest or disease or the type of plant life at risk
- the development and distribution of written materials
- co-operative steps taken by participating department or agencies to mitigate the risk

*Level 2* - The Lead Agency as appointed by the Critical Plant Pest Management Council will provide the direction for public communications which may include:

- initial news release
- follow-up news releases
- news conferences
- public statements
- information on the pest or disease or the type of plant life at risk
- the development and distribution of written materials
- co-operative steps taken by participating department or agencies to mitigate the risk
- public or community consultative meetings intended to allow for public information distribution or feedback
- consultation with public communications or news organizations

The Lead Agency may request assistance from any of the following public communications groups:

1. Public communications staff from the participating departments or agencies;
2. Alberta Public Affairs Bureau

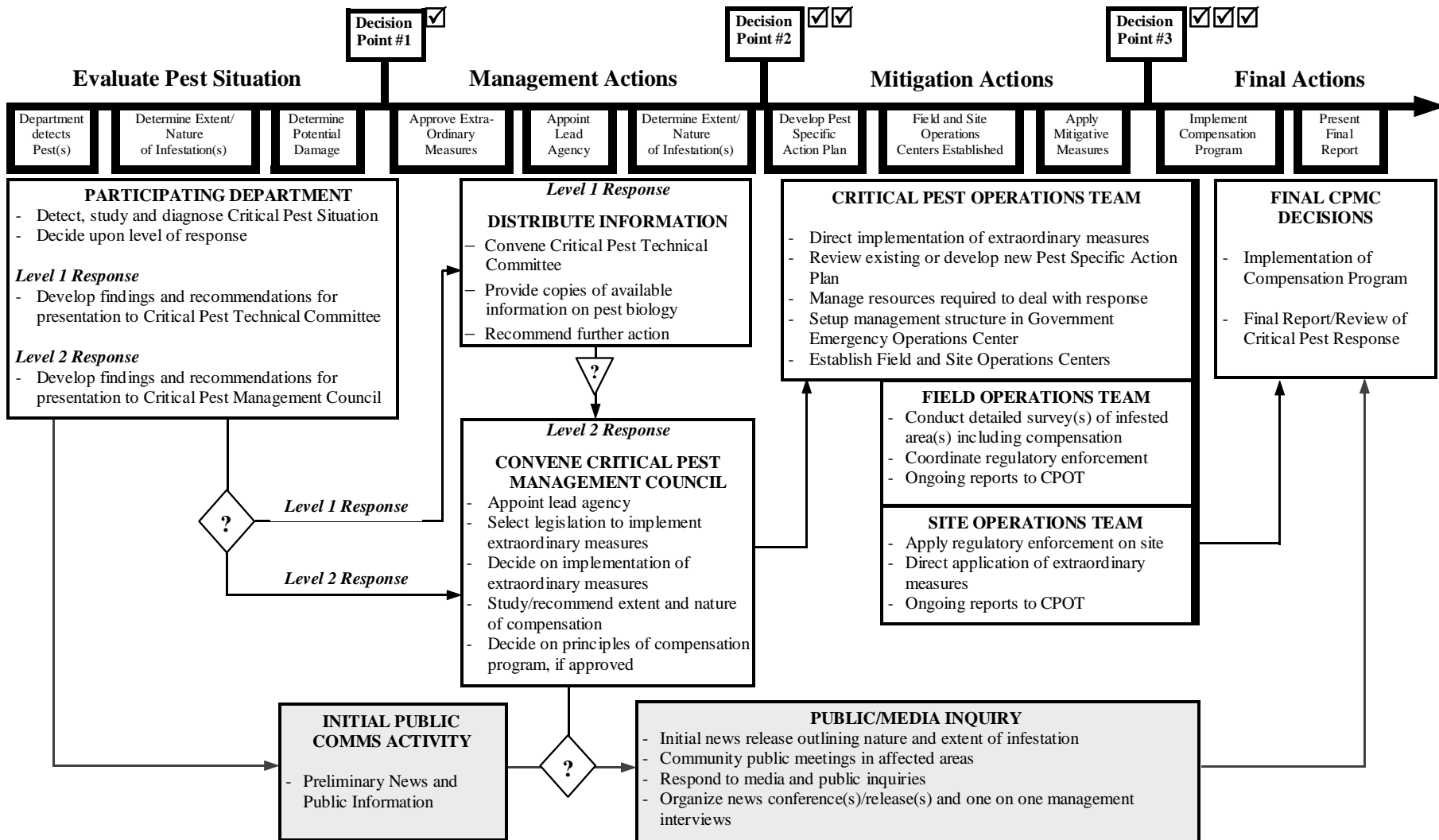
If required, the Alberta Public Affairs Bureau may be requested to activate the Government of Alberta Public Media Inquiry Room to handle public and media requests at any point during a level 2 response.

ANNEX 8

OPERATIONS TIME LINE INVOLVEMENT OF DEPARTMENTS AND AGENCIES

➔		
Warning Period	Active Infestation Response	Post Infestation
<p><b><u>Critical Plant Pest Technical Committee</u></b></p> <ul style="list-style-type: none"> <li>☞ <b><i>Alberta Agriculture and Food</i></b> <ul style="list-style-type: none"> <li>▪ Pest Risk Management Specialist</li> </ul> </li>   <li>☞ <b><i>Alberta Sustainable Resource Development</i></b> <ul style="list-style-type: none"> <li>▪ Manager, Forest Health Branch</li> </ul> </li>   <li>☞ <b><i>Canadian Food Inspection Agency</i></b> <ul style="list-style-type: none"> <li>▪ Western Area Executive Director</li> <li>▪ Alberta North Regional Director</li> <li>▪ Alberta South Regional Director</li> </ul> </li>   <li>☞ <b><i>Natural Resources Canada, Canadian Forestry Service</i></b> <ul style="list-style-type: none"> <li>▪ Unit Leader, Forest Health Network</li> </ul> </li> </ul>		<p><b><u>Critical Plant Pest Management Team</u></b></p> <ul style="list-style-type: none"> <li>☞ <b><i>Alberta Agriculture and Food</i></b> <ul style="list-style-type: none"> <li>▪ Branch Head, Pest Management Branch</li> <li>▪ Director, Communications Division</li> </ul> </li>   <li>☞ <b><i>Alberta Sustainable Resource Development</i></b> <ul style="list-style-type: none"> <li>▪ Director, Forest Management Division</li> <li>▪ Manager, Forest Health Branch</li> <li>▪ Regional Director, Land and Forest Service</li> </ul> </li>   <li>☞ <b><i>Canadian Food Inspection Agency</i></b> <ul style="list-style-type: none"> <li>▪ Network Manager, Western Plant Health Program</li> <li>▪ Regional Specialist, Plant Protection</li> </ul> </li>   <li>☞ <b><i>Natural Resources Canada, Canadian Forestry Service</i></b> <ul style="list-style-type: none"> <li>▪ Director General, Northern Forestry Research Centre</li> <li>▪ Program Director, Forest Biology</li> <li>▪ Research Scientist, Forest Biology or designate</li> </ul> </li>   <li>☞ <b><i>Alberta Emergency Management Agency</i></b> <ul style="list-style-type: none"> <li>▪ Director, Consequence Management, Emergency Management Agency</li> </ul> </li>   <li>☞ <b><i>Alberta Environment</i></b> <ul style="list-style-type: none"> <li>▪ Pesticide Certification Specialist</li> </ul> </li>   <li>☞ <b><i>Public Safety and Emergency Preparedness Canada</i></b> <ul style="list-style-type: none"> <li>▪ Regional Director</li> </ul> </li>   <li>☞ <b><i>Alberta Public Affairs Bureau</i></b> <ul style="list-style-type: none"> <li>▪ Information Officer, Public Affairs Bureau</li> <li>▪ Information Officer, Alberta Agriculture &amp; Food</li> </ul> </li>   <li>☞ <b><i>Agriculture Financial Services Corporation</i></b> <ul style="list-style-type: none"> <li>▪ Risk Management Division</li> </ul> </li>   <li>☞ <b><i>Local Authority</i></b> <ul style="list-style-type: none"> <li>▪ As appropriate</li> </ul> </li>   <li>☞ <b><i>Parks Canada</i></b></li> </ul>

**ANNEX 9**  
**CRITICAL PEST INFESTATION RESPONSE**  
*Flow Chart*



- Decision Point #1** - *Is the pest threat serious enough to respond and at which level?*
- Decision Point #2** - *Are extraordinary measures required to effectively deal with the pest, and should they be implemented?*
- Decision Point #3** - *Completion of extraordinary measures and implementation of compensation program.*

## ANNEX 10

### COMPENSATION

The Management Council may recommend the extent and nature of assistance and compensation to appropriate federal or provincial ministers responsible for agriculture and/or forestry in accordance with their role in activation of this plan. If compensation is to be awarded under the Plant Protection Act (Canada), regulations must be made to name the pest in question. It is not an automatic process. The promulgation of regulations may take six months or more.

The Agriculture Financial Services Corporation - Insurance Division will conduct an appraisal to determine the extent of crop damage and loss. The appraisal will consist of:

- a statutory declaration by the producer listing the producer's estimate of loss;
- a follow-up assessment by the Agriculture Financial Services Corporation - Insurance Division to confirm the producer's estimate of loss;
- all loss will be considered for payment under the Agriculture Financial Services Corporation Program;
- the Management Council will review all losses not covered under the Agriculture Financial Services Corporation and may recommend whether or not a program of assistance should be instituted, its extent and administration, to the federal and provincial ministers responsible for agriculture and forestry as appropriate;
- recommendation to the Alberta Executive Council or the Privy Council of Canada shall be through the Alberta/Canada Ministers of Agriculture & Food supported by the ministers responsible for the Alberta Emergency Management Agency/Public Safety and Emergency Preparedness Canada;

If the damage is to forestry areas and producers, the Management Council will review the extent of loss and damage, or potential damage and may recommend whether or not a program of assistance should be instituted, its extent and administration to the appropriate federal and provincial ministers.

Recommendation to appropriate federal and provincial ministers shall be through the Alberta/Canada Minister of Agriculture & Food and/or Environment, supported by the federal and provincial ministers responsible for emergency preparedness.

## **SCHEDULE “B”**

(Memorandum of Understanding for Critical Plant Pest Infestation Response in Alberta)

### **Information Sharing Process**

#### **PURPOSE**

1. The purpose of this Schedule which forms part of the Memorandum of Understanding ("MOU") is to facilitate the sharing of information between the Participants for the common purpose of monitoring or regulating the control of, spread, and eradication of critical plant pest infestations, and for enhancement of regulatory activities by the Participants, as well as for notification to the public of an infestation within Alberta.
2. Information sharing pursuant to this MOU is meant to:
  - (a) enhance the general regulatory intent of the Acts administered and enforced by the Participants,
  - (b) where applicable, protect the privacy of individuals about whom the information relates, as well as confidential information, and
  - (c) enhance the Participants' ability to ensure appropriate notice to the public of any emergencies or risks of harm to the public, plants or the environment.

#### **3. USE OF INFORMATION**

- 3.1 The information shared pursuant to this MOU will be used to enhance decision-making within the specific authorities and legislative schemes of the Participants by creating a clear understanding of relevant plant infestation facts.
- 3.2 The information provided by either Participant will only be used to:
  - (a) provide to each other essential, supplementary or complimentary facts and other information such as licenses and permits, related to the common purpose of plant health regulatory decision making as deemed necessary by a Participant for the identified purpose;
  - (b) enhance enforcement activities of the Participants; and
  - (c) avoid unnecessary duplication of facts or voids of relevant facts.

#### **4. INFORMATION TO BE EXCHANGED**

- 4.1 In case of an infestation, each Participant will, as soon as practicable, notify the other of such infestation.
- 4.2 A Participant may request any or all of the following from the other Participant in respect of an infestation or generally as the information is available to the Participant from whom it is requested:
  - (a) laboratory tests results;
  - (b) inspectors' reports;
  - (c) disease or infestation reports;

- (d) plant movement permits or licences;
- (e) quarantine documents;
- (f) import certificates;
- (g) export certificates;
- (h) reports of infestations.

## **5. REPORTS AND CONFIDENTIALITY**

- 5.1 The Participants may prepare reports based upon the data provided by one to the other under this MOU.
- 5.2 If a Participant wishes to release an external report, it must provide a copy of it to the other Participant. The other Participant shall have at least three (3) days from the day of receipt to examine the external report and make known whether it consents to its release in whole or in part, having consideration for the following principles:
- (a) the overriding concern for public, plant and environmental safety and well being;
  - (b) protection of personal and confidential information according to the respective laws of the Participants; and
  - (c) each Participant will act in good faith and will not unreasonably withhold consent to release.
- 5.3 A Participant will not release an external report it has prepared unless the consent of the other Participant has been obtained under clause 5.2.
- 5.4 Notwithstanding clauses 5.2 and 5.3, in an emergency situation a Participant has an obligation to notify the public or any affected group of people of any information of a risk of significant harm to the environment or to the health or safety of the public or plants, or information the disclosure of which is for any other reason in the public interest. If it is not practicable to comply with clauses 5.2 and 5.3, that Participant shall notify the other Participant at the time the external report is provided and the other Participant shall have 3 hours to advise of any concerns with the release of the external report. If a response is not received within 3 hours the Participant may release the external report without further recourse to the other Participant.
- 5.5 In the event a Participant receives a request from a third party to disclose any information received pursuant to this MOU, that Participant will promptly advise the other of the request in writing and will refrain from disclosing the information until the remitting Participant has reviewed the request and has either consented to the disclosure or provided reasons for not disclosing the information. Should the requesting Participant not receive the consent or the reasons for refusing disclosure within 30 days of the date of the advice, the requesting Participant may disclose the requested information without further recourse to the remitting Participant.

5.6 Notwithstanding any provision in this MOU, the release of information to, including subsequent disclosure, and sharing of information between the Participants, will be in accordance with and subject to each Participant's access to information and protection of privacy legislation that applies to that participant.

## **6. DESTRUCTION OF INFORMATION**

6.1 In the event of termination of this MOU, each Participant will destroy or dispose of the information received from the other Participant, upon the written request of the remitting Participant and in accordance with the legislative requirements of that Participant, unless that information is incorporated into and forms part of an "external report" prepared by the other Participant.

6.2 Each Participant will send a letter to the other advising of the destruction or the disposition of the information.