

Full Authority
21 September 2017
Agenda Item: 10

General Manager's Report

The General Manager's report provides a brief update for the Board Members prior to the Board meeting bringing forward additional information and/or progress on initiatives or current issues for the Board members consideration.

1. Current Water Level and Flow Conditions

- In the June report, I stated "a normal pattern should begin to develop". As it has turned out, there was never a normal pattern this summer. Levels and flows remained consistently high for the entire summer season.
- Virtually every day (including weekends) this summer stop log adjustments were necessary at many of our dams under our control or direction. A total of 264 adjustments were made from June to August this year. Last year, there were 95 and most of those were jacking operations to save water.
- 310.4mm of water was received from the 1st of June to 31st of August at the Belmont rain gauge
- 338mm of water was received at the Glen Alda gauge
- The Marmora flow gauge recorded a high of 54 cm/s in July – unheard of for summer flows which typically average closer to 1.5 cm/s

2. WECI (Water and Erosion Control Infrastructure) Projects

- Some complications have arisen with the WECI projects, which have delayed progress
- Regrettably, the design work, drawings and specifications for the Belmont and Allan Mills boom logs has been hindered by postponements and interruptions. Crowe River flows would have also delayed the installation even if the other components of the project were able to go ahead.
- The engineer's work will not be completed until the end of October and could jeopardize the installation of the booms before our year end.

- O.D.S. Marine has been contacted to determine whether the work can proceed or not before freeze up.
- There is a small window of opportunity if the materials (boom logs) can be ordered now, but that is still contingent upon the engineer getting the correct information to O.D.S. Marine. If the boom logs can be ordered, then the waiting period for the engineer's specifications and the booms can coincide and provide that opportunity to still complete the work this year.
- In addition, a permit from Transport Canada will be required for the installation and hopefully that can be approved this fall.
- Ministry of Natural Resources and Forestry have been contacted and updated with the situation. Rob Fancy, Senior Program Advisor and WECI Committee member has assured myself the project can be split over two MNRF fiscal periods.
- Rob has agreed with myself to proceed with the projects and pay for as much of the expenses this fiscal period to use the approved funds
- These steps will also assist the funding situation as the engineer had neglected to include his costs in his estimate for the projects. Rob has stated additional funds will be available if required since some projects at other conservation authorities are not going ahead this year.

3. Monitoring Equipment

- CVCA staff have been asked to help with the installation of the hydrometric monitoring equipment at the McGeachie Conservation Area. The installation of the equipment is currently scheduled for the end of the month.
- Staff have done some preliminary work to date, however, the high water table this year has presented a challenge we are trying to work around.
- Staff have met on site with the MNRF staff who will be doing the installation of the equipment. A site was identified near the parking area and beside Bass Creek.

4. Conservation Authorities Act Review

- The Ministry of Natural Resources and Forestry review of the Conservation Authorities Act has taken another significant step forward. The Act has been introduced into the Provincial legislature for the second time as of the 11th of September.

5. Conservation Areas Update

Callaghan's Rapids C.A.

- CVCA hired Maxama Protection Inc. from Peterborough to conduct security patrols at Callaghan's during long weekends in the summer
- Maxama currently does similar patrols for the Lower Trent Region CA
- Patrols were limited to high end usage of Callaghan's, usually in blocks of four hours in the afternoon or in the early evening when illegal camping activities would occur
- Maxama's rate was approximately \$20.00 per hour plus expenses, which was considerably less than the OPP
- Final reports are yet to be received
- In the meantime, a letter to the editor of local newspapers was sent by a resident giving his opinion of the situation and the CVCA – it is included in the agenda package for your consideration

The Gut

- Outhouse at The Gut has been returned to its normal upright position by staff.
- A letter has been received from Wally Hilts and has been included in the agenda package – if the Board is willing to commit to a long term lease, ***staff recommend contacting our solicitors to draft such an agreement***

6. Additional Notes

Conservation Authorities Act Review - Admin By-Law Committee

- Theresa Mendler – Policy and Planning Officer from Conservation Ontario has contacted a number of General Managers from a broad selection of conservation

authorities to represent the collective on a committee to create a template by-law in response to the Section 19.1 of the CA Act Review

- I have been selected to sit on the Committee (of 6, with Theresa Chairing the Committee) and provide the CVCA's perspective regarding shared lessons, governance challenges and act as a sounding board to review the template by-law and resources created for CAs including but not limited to training materials and a guidebook before they are presented in draft and final formats to all CAs at Council and GM meetings.
- The following is provided for your information

A new section 19.1 is enacted setting out the power of an authority to make by-laws in relation to its governance, including its meetings, employees, officers and its executive committee. Many of these powers were previously regulation-making powers that the authorities held under section 30 of the Act. The Minister may direct an authority to make or amend a by-law within a specified time. If the authority fails to do so, the Minister has the power to make a regulation that has the same effect as the by-law was intended to have.

The Act is amended by adding the following section:

By-laws

19.1 (1) An authority may make by-laws,

- (a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
 - (i) the termination of the services of the secretary-treasurer,
 - (ii) the power to raise money, and
 - (iii) the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the authority;
- (e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;
- (f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;
- (g) requiring accountability and transparency in the administration of the authority including,
 - (i) providing for the retention of records specified in the by-laws and for making the records available to the public,

- (ii) establishing a code of conduct for the members of the authority, and
- (iii) adopting conflict of interest guidelines for the members of the authority;
- (h) respecting the management of the authority's financial affairs, including auditing and reporting on the authority's finances;
- (i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and
- (j) respecting such other matters as may be prescribed by regulation.

WECI Tour

- Rob Fancy, MNRF's representative on the WECI Committee has chosen three conservation authorities in Eastern Ontario to conduct a tour in the fall of 2017. The Mississippi, Quinte and Crowe were selected.
- A tour of the CVCA's past, present and future projects will be completed on the 13th of October. This is an excellent opportunity to showcase the recent achievements of the CVCA, its current projects and to raise issues or concerns moving forward. Having the Committee members attend our sites in person is a powerful tool for the members to get to know and familiarize themselves with the CVCA and its infrastructure. This will have a positive influence when future projects are considered.

Cyber Insurance vs. Local Cyber "Coverage"

- This is a difficult situation to make a comparison between our insurance provider, Marsh Insurance Inc. and our IT provider Mr. Mike Wiltshire because they essentially will be offering different services for the CVCA.
- Marsh Insurance will cover primarily liability coverage to the CVCA in event of a cyber attack. Therefore, items like a breach of private information would be covered, legal advice, credit monitoring, data restoration, crisis management, business interruption and forensic investigation. For example, the first concern for the CVCA would be the data restoration. These costs to recreate, restore, or recollect data and other intangible assets that are corrupted or destroyed would be covered by Marsh.
- Secondly, the CVCA would be concerned about the breach of private information. There are a number of expenses to comply with the various breach notification laws and regulations including legal expense, call centers, credit monitoring, and forensic investigation. Once again, Marsh would cover these items and the Authority could consider the level of coverage offered.

- The other consideration is third party coverage. This would be for alleged harm caused to others by using information gleaned from the CVCA's data. Defense costs may be incurred, financial loss to customers, privacy liability issues and civil fines and penalties.
- The current liability limits being offered by Marsh is from \$100,000 to \$2,000,000.
- Marsh estimates a low severity event could cost approximately \$300,000 to a high event approaching \$3,000,000.
- Therefore based on Marsh's estimates and the coverage required, the minimum CVCA requirements could be fulfilled with liability coverage of approximately \$500,000 at an annual cost of approximately \$1,000.
- Mr. Wiltshire provided a quote based on weekly monitoring of the server in an attempt to minimize server issues and viruses. As well, a remote service maintenance plan will be implemented yearly. Mr. Wiltshire's strategy to combat a cyber attack is to not succumb to their demands to have the data "unlocked", rather restoration of our data and programs from an off site backup system would be the method used. However, this would still leave private data and CVCA information in the hands of the attacker.
- Mr. Wiltshire's quote is \$2,542.36

Staff recommend the collection of further data and better understanding of the processes to recover and ensure the electronic data is safe from both providers. As well, staff will determine if there can be additional cost savings prior to making a commitment for the 2018 Draft Budget deliberations.