



Notice of Meeting and Meeting Agenda Core Area Liquid Waste Management Committee

Wednesday, July 22, 2026

11:30 AM

Electronic

Electronic Meeting

ELECTRONIC MEETING

[26-0849](#) Electronic Meeting Notice

In accordance with Capital Regional District Board Procedures Bylaw No. 3828, the meeting will take place electronically with committee members participating on Microsoft Teams. Members of the public may attend the meeting by connecting to the meeting by phone (1-877-567-6843 ID: 999 236 049#), electronically (MS Teams link below) or in person at the public viewing room (Capital Regional District, 625 Fisgard Street, Room 129).

Attachments: [MS Teams Link: CALWMC Electronic Meeting - July 22, 2026](#)

C. Coleman (Chair), D. Kobayashi (Vice Chair), M. Alto, S. Brice, J. Brownoff, J. Caradonna, Z. de Vries, B. Desjardins, S. Goodmanson, K. Murdoch, D. Murdock, C. Plant, D. Thompson, S. Tobias, Alt. M. Wagner, C. McNeil-Smith (Board Chair, ex-officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. Territorial Acknowledgement

2. Approval of Agenda

3. Adoption of Minutes

3.1. [26-0848](#) Minutes of the Core Area Liquid Waste Management Committee meeting of March 25, 2026

Recommendation: That the minutes of the Core Area Liquid Waste Management Committee meeting of March 25, 2026 be adopted as circulated.

Attachments: [Minutes: March 25, 2026](#)

4. Chair's Remarks

5. Presentations/Delegations

The public are welcome to attend CRD meetings in-person.

Delegations will have the option to participate electronically. Please complete the online application at www.crd.ca/address no later than 4:30 pm two days before the meeting and staff will respond with details.

Alternatively, you may email your comments on an agenda item to the CRD Board at crdboard@crd.bc.ca.

6. Committee Business

- 6.1. [26-0797](#) Core Area Liquid Waste Management Committee 2026 Mid-Year Capital Projects and Operations Update

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: Mid-Year Capital Projects and Operations Update](#)
[Appendix A: Core Area Wastewater Capital Program - Current Status](#)

- 6.2. [26-0795](#) Wastewater Bypass Activities at MPWWTP and ECCC Warning Letter

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: WW Bypass Activities at MPWWTP and ECCC Warning Letter](#)
[Appendix A: Provincial and Federal Auth. for 2025 and 2026 MPWWTP Bypass](#)
[Appendix B: ECCC Warning Letter to CRD - Received May 19, 2026](#)
[Appendix C: CRD Response Letter to ECCC - June 2, 2026](#)

7. Notice(s) of Motion

8. New Business

9. Adjournment

There are no more scheduled meetings for 2026.

Core Area Liquid Waste Management Committee

Wednesday, July 22, 2026

11:30 AM

Electronic

Connect to the meeting electronically:

Join: <https://teams.microsoft.com/meet/25500942307132?p=py1yJMEmaxtdK5LVIO>

Meeting ID: 255 009 423 071 32

Passcode: vG9oP39N

Connect to the meeting by phone:

+1 778-402-9211,,999 236 049# Canada, Victoria

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Phone conference ID: 999 236 049#

Attend the public viewing room:

Capital Regional District, 625 Fisgard Street, Room 129

Meeting Minutes

Core Area Liquid Waste Management Committee

Wednesday, March 25, 2026

11:30 AM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC V8W 1R7

PRESENT:

Directors: C. Coleman (Chair), D. Kobayashi (Vice Chair) (EP), S. Brice, J. Brownoff, Z. de Vries (EP), B. Desjardins, S. Goodmanson, K. Harper (for D. Murdock), K. Murdoch (EP) (11:34 am), S. Kim (for M. Alto) (EP) (11:45 am), C. Plant, L. Szpak, D. Thompson (EP), C. McNeil-Smith (Board Chair, ex-officio) (11:32 am)

Staff: T. Robbins, Chief Administrative Officer; A. Fraser, General Manager, Infrastructure and Water Services; L. Jones, General Manager, Parks, Recreation and Environmental Services; J. Dales, Senior Manager, Wastewater Infrastructure Operations; G. Harris, Senior Manager, Environmental Protection; J. Marr, Senior Manager, Infrastructure Planning and Engineering; R. Tooke, Senior Manager, Environmental Innovation; L. Ferris, Manager, Resource Recovery and Innovation; M. Lagoa, Deputy Corporate Officer/Senior Manager, Legislative Services; J. Dorman, Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Director(s) M. Alto, J. Caradonna, D. Murdock, S. Tobias

The meeting was called to order at 11:31 am.

1. Territorial Acknowledgement

Director Goodmanson provided the Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Goodmanson, **SECONDED** by Director Brice,
That the agenda for the Core Area Liquid Waste Management Committee
meeting of March 25, 2026 be approved.
CARRIED

Director McNeil-Smith joined the meeting in person at 11:32 am.

Director Murdoch joined the meeting electronically at 11:34 am.

3. Adoption of Minutes

- 3.1. [26-0310](#) Minutes of the Core Area Liquid Waste Management Committee meetings of July 23, 2025 and October 15, 2025

MOVED by Alternate Director Harper, **SECONDED** by Director Brice,
That the minutes of the Core Area Liquid Waste Management Committee meetings of July 23, 2025 and October 15, 2025 be adopted as circulated.
CARRIED

4. Chair's Remarks

Chair Coleman informed the committee that today is Manatee Appreciation Day and tomorrow is International Purple Day for epilepsy awareness.

5. Presentations/Delegations

There were no presentations or delegations.

6. Committee Business

- 6.1. [26-0109](#) 2026 Core Area Liquid Waste Management Committee Terms of Reference

A. Fraser presented Item 6.1. for information.

Discussion ensued on the inclusion of the role of General Manager of Parks, Recreation and Environmental Services and the differentiation between environmental and infrastructure water components of the service.

- 6.2. [26-0333](#) 2025 Annual Compliance Summary - McLoughlin Point Wastewater Treatment Plant

A. Fraser presented Item 6.2. for information.

Discussion ensued on the following:

- federal and provincial political environmental protection expectations
- updates to disk filter components and the process
- redundancy and implementation of secondary treatment processes
- advantages on continuous improvements and current operation levels

Alternate Director Kim joined the meeting electronically at 11:45 am.

- 6.3. [26-0350](#) November 2025 Core Area Residual Solids Conveyance Line Blockage

A. Fraser presented Item 6.3. for information.

Discussion ensued on the following:

- trucking routes and alternate routing
- mitigation steps and future traffic implication reductions
- cooperative efforts and collaboration amongst municipalities

7. Notice(s) of Motion

There were no notice(s) of motion.

8. New Business

There was no new business.

9. Motion to Close the Meeting

9.1. [26-0351](#) Motion to Close the Meeting

MOVED by Director Brice, **SECONDED** by Director Szpak,
That the meeting be closed for First Nations or Indigenous entity in accordance
with Section 90(2)(b)(iii) if the Community Charter.
CARRIED

10. Adjournment

MOVED by Director Brice, **SECONDED** by Director Szpak,
That the Core Area Liquid Waste Management Committee meeting of March 25,
2026 be adjourned as 12:53 pm.
CARRIED

CHAIR

RECORDER

**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE
MEETING OF JULY 22, 2026**

SUBJECT **Core Area Liquid Waste Management Committee 2026 Mid-Year Capital Projects and Operations Update**

ISSUE SUMMARY

To provide a mid-year update on the Core Area Wastewater System capital program and operations, including odour mitigation activities.

BACKGROUND

Capital Program Update

The Core Area Wastewater (CAWW) capital program reflects the planned capital spending for the next five years and forms part of the annual service budget that is approved in March each year by the Capital Regional District (CRD) Board. In 2026, there were 40 capital projects identified, some of which are programs containing several sub-projects. The approved 2026 budget is \$27.8 million. The status of the major projects progressing in 2026 is detailed in Appendix A. This list is not exhaustive as additional smaller projects will also progress based on criticality and the availability of resourcing. Of works currently in progress, 4 projects have noted variances in excess of 5% against the forecasted 2026 spends. These variances are result of project schedule delays and projects moving into 2027.

The total CAWW capital plan for 2026 to 2030 is \$100.5 million. Of this amount, up to \$59.29 million is currently planned to be funded through borrowing, subject to the required approvals.

The CRD anticipates that existing borrowing authority for the service will be fully utilized in 2026. As a result, additional borrowing authority is required to support planned capital investments over the next five years.

The proposed borrowing authority is being advanced through two bylaws:

- Bylaw No. 4750 - \$24.45 million, for capital projects already reflected in the CRD's Liquid Waste Management Plan, which was approved by the BC Ministry of Environment. This bylaw was adopted by the CRD Board on June 10, 2026.
- Bylaw No. 4699 - \$34.84 million, for additional capital renewal and upgrade projects arising since approval of the Liquid Waste Management Plan and therefore requiring elector approval Alternative Approval Process (AAP).

Projects identified in the CRD's approved 2026 Financial Plan that could be funded through bylaw No. 4699 include, but are not limited to:

- Core Area Sewers, Manholes and Chamber Repairs & Upgrades.
- Shoreline Trunk Sewer Upgrade.
- Pump Station Renewal Program.
- Design, site planning, and air quality modelling for introducing carbonization technology at the Residuals Treatment Facility.

The AAP commenced on June 18, 2026, and is scheduled to conclude on July 31, 2026. The results of the AAP are expected to be reported to the CRD Board on September 9, 2026. If the AAP is successful, the Board may proceed with final adoption of Bylaw No. 4699.

Operations Update

Compliance

Compliance monitoring is undertaken to confirm that regulatory requirements are met and appropriately reported. Table 1 summarizes non-compliance events recorded to the end of June 2026.

Table 1: Non-Compliance Events, January-June 2026

Month	# of times out of Compliance	Reasons for Non-Compliance
January	1	Average TSS, cBOD, and max TSS exceeded permitted levels
February	2	Average TSS, cBOD, and max TSS exceeded permitted levels. An equipment error created a hydraulic surge at MPWWTP Feb 2, resulting in the treatment capacity of the facility being overcome.
March	1	Average TSS, cBOD, and max TSS exceeded permitted levels
April	1	Average TSS exceeded permitted levels
May	1	Planned Plant bypass resulting in an exceedance in all permitted levels.
June	0	Waiting for monthly averages
Total to end of June	6	6 non-compliance events due to exceedance of permitted effluent levels, one the result of an equipment error and one due to a planned plant bypass

Year-to-date compliance performance is primarily affected by effluent quality exceedances. The primary driver for these non-compliance events is effluent in the limited performance and availability of the tertiary disc filters. The February event resulted from an equipment error that created a hydraulic surge at MPWWTP and exceeded treatment capacity. The May event was directly related to the planned bypass work.

For comparison, five non-compliance events were recorded through the end of May 2025. These events were similar in nature to the 2026 year-to-date events.

In early June 2026, MPWWTP staff initiated a pilot project to optimize the secondary treatment process through adjustments to chemical dosing, mixing speeds, and recirculation. The pilot is intended to improve effluent quality, reduce turbidity, and lower chemical costs. The project uses a reinforcement learning program designed to support continuous, safe optimization of on-site operations.

Odour Management

The McLoughlin Point Wastewater Treatment Plant (MPWWTP) was designed in accordance with the Project Agreement, which included treatment of all odour-laden air before discharge to the environment. All exhausted air at and beyond the plant boundary property line and the shoreline should have a maximum odour concentration of five odour units per cubic meter (OU/m³). MPWWTP has a sophisticated air collection and handling system, with carbon treatment to manage odour-laden air from the process systems. Despite the state-of-the-art odour control systems, MPWWTP has generated complaints from neighbouring communities since commissioning. As a result, the Capital Regional District (CRD) committed to continued monitoring of the odour control system performance and discharges, and to work directly with equipment suppliers to seek opportunities to further increase potential odour removal.

An internal audit of the odour collection and treatment systems, as well as an analysis of the previous odour complaints, completed at the end of 2022, outlined the odour mitigation steps for future years. These tasks included an odour assessment using dispersion modelling, odour collection upgrades, revisions to plant maintenance procedures, and a recommendation for further review of findings to validate the approach.

Results from the odour modelling work completed by WSP Canada Inc. confirmed the maximum odour concentration at the plant property boundary remains below 5 OU/m³ during normal plant operations. During plant maintenance work, when tank covers are removed, odour concentrations at the plant property boundary and within the surrounding community were observed to exceed the maximum 5 OU/m³.

Staff continue to log and investigate all odour complaints from the community. This information is used to further inform the modelling and understanding of the impact of maintenance activities on odour dispersion.

Preventative maintenance and system upgrades with a higher risk of odour emissions are scheduled outside seasonally warmer periods wherever practicable to reduce potential community impacts. Standard operating procedures require consideration of wind, temperature, and tide conditions to reduce the likelihood of odour emissions extending beyond facility boundaries during maintenance activities.

The MPWWTP's odour control system operates as designed under normal conditions. The CRD completed additional odour mitigation upgrades in 2025 and has further work planned for 2026 and 2027, consistent with the MPWWTP Odour Control System Review and Assessment. These actions are expected to improve regular plant operations and reduce community odour impacts associated with maintenance activities.

Odour Complaints and Public Engagement

In 2025, the Core Area system received 100 odour complaints. Of the 100 complaints, 52 were attributed to MPWWTP, 46 to the conveyance system, and 2 to other sources. Table 2 provides a summary of the complaints recorded since 2021.

Table 2: Summary of Wastewater Odour Complaints Received

Year	Number of days complaints received	Number of complaints	Number of unique complainants
2021	135	222	69
2022	85	101	29
2023	116	151	46
2024	47	73	33
2025	76	100	26
To Date 2026	37	41	7

Each odour complaint is investigated to confirm its nature and potential source. Since commissioning of the MPWWTP in 2021, complaint activity has generally declined from the 2023 peak with fewer unique complainants; however, increases in 2025 and 2026 have been associated with two isolated conveyance system locations, which account for 40% of 2026 complaints to date. To address ongoing concerns, several mitigation initiatives have commenced or been completed as outlined in the following section.

A second MPWWTP bypass was completed from May 22 to 29 in response to unforeseen leakage from a plant valve. The bypass was required to protect plant infrastructure, maintain worker safety, and reduce the risk of uncontrolled system failure. The work was not expected to generate odour impacts, and the two complaints received during this period were not attributed to the project.

Staff continue to engage with the Esquimalt Liaison Committee (ELC) on odour mitigation and upcoming maintenance activities that may generate odour. In 2026, semi-annual ELC meetings are scheduled for March 5 and September 24, with operational updates planned for May 28 and November 26.

Odour Mitigation Initiatives

Conveyance System

In response to identified odour concerns within the conveyance system, the following mitigation measures have been implemented:

- Differential pressure monitoring: Select manholes have been monitored to collect data on the conditions that contribute to gas release (**Ongoing**).
- Installation of new manhole equipment: New equipment has been installed in targeted manholes to treat H₂S emissions and associated odours (**Complete January-2026**).
- Continuous H₂S monitoring: Year-round monitoring is in place to track H₂S levels and identify trends over time (**Ongoing**).
- Increased chemical dosing: Bioxide dosing has been increased to support odour reduction and minimize impacts to nearby residents (**Complete January-2026**).
- Outfall pipe crack repair: Repairs have been completed to seal additional pathways for escaping gas (**Complete-2025**).

- Source control review: The CRD source control team has been engaged to review bylaw requirements and clarify municipal responsibilities related to sulphide discharge into CRD infrastructure (**Complete May-2026**).
- Long-term engineering review: Given the persistent nature of the concern, a third-party engineering firm has been retained to complete a study this summer evaluating additional measures to mitigate odour emissions from CRD infrastructure (**Started June-2026**).

McLoughlin Wastewater Treatment Plant

In addition to administrative controls for maintenance-related odour, the following 2025 upgrades were completed to improve system performance and reduce emissions:

- Secondary Odour Control System Upgrades: Reduced moisture through the pre-filter improves odour removal, extends product life, and reduces maintenance requirements (**Complete December-2025**).
- Densadeg No. 1 Scum Removal System: Improved scum removal eliminates an odour source and reduces the required frequency of Plant Maintenance (**Complete June-2026**).
- MBBR Odour Extraction Ducting Improvements: The addition of mist eliminators and increasing the duct diameter will improve odour extraction from the MBBR tank (**Complete December-2025**).
- Dirty Backwash Tank Odour Treatment System Upgrade: Upgrading the current passive system to a larger fan unit (**Complete May-2026**).

Each of these upgrades are expected to reduce odour impacts in surrounding communities. Localized benefits have already been observed on-site at MPWWTP and should be reflected by fewer complaints during summer 2026 and beyond.

Future Odour Control Related Improvements

The next phase of work will target remaining odour sources in the collection system and process treatment areas.

Table 3: Core Area Odour Projects

Improvement	Purpose	Target Year
Collection system full-service odour control system	H ₂ S monitoring and Bioxide dosing to aid odour reduction.	2026
Primary odour control system mist eliminator upgrades	Improve treatment system performance and reduce odour-related maintenance impacts.	2027
Additional odour extraction points for plate settlers and Densadegs	Increase odour capture in identified process areas.	2027

Budget

Aside from the disc filter performance and compliance matters noted above, the remainder of the system has experienced minimal unexpected operational issues to date in 2026. Operating expenditures remain aligned with budget, except for a \$580,000 variance at the Residual Treatment Facility resulting from a 14% Industrial Price Index increase for quarry disposal of biosolids.

CONCLUSION

This report provides the Core Area Liquid Waste Management Committee with an update on ongoing capital programs for the Core Area Wastewater System and the Core Area Wastewater Treatment Project. It also summarizes key operational matters, non-compliance events, odour management activities, and budget variances.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Joseph Marr, P.Eng., Senior Manager, Infrastructure Engineering
Submitted by:	Jason Dales, B.SC., WD IV, Senior Manager, Wastewater Infrastructure Operations
Concurrence:	Alicia Fraser, P.Eng., General Manager, Infrastructure and Water Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Core Area Wastewater Capital Program – Current Status

Core Area Wastewater Capital Program – Current Status

Project Number	Project Title	Total Budget	2026 Budget	Target Schedule	Project Scope and Update
21-01	Lang Cove Electrical and Building Upgrades	\$1,200,000	\$208,000	Substantial Completion Deadline of October 1, 2026	Construction Contract has been awarded for electrical works for combined projects 21-01, 21-02 & 21-03. Electrical and controls upgrades are underway with Currie PS and Lang Cove PS completed prior to year end 2025 and Marigold PS scheduled to be complete by Q3 2026.
21-02	Marigold Electrical and Building Upgrades	\$5,850,000	\$1,615,000		
21-03	Currie Major Electrical Upgrades	\$2,350,000	\$265,000		
21-05	Harling PS – Complete Replacement	\$2,500,000	\$2,300,000	Construction Completion – Q3 2026	This project is currently under construction with completion anticipated in Q3 of 2026
21-06	Shoreline Trunk Sewer Upgrade	\$4,000,000	\$2,800,000	Construction target winter 2027/28	Detailed design contract is awarded and underway. Negotiations with impacted properties commencing with the hopes of being able to construct in winter of 2027/28.
21-07	Western Trunk Sewer Twinning	\$25,000,000	\$350,000	5+ years	This project is expected to be constructed outside of the current 5-year capital plan window but design progression is expected to continue through the coming years and consideration for coordinating construction with Regional Water Supply upgrades to Main No. 3.
21-13	Craigflower Force Main Twinning	\$20,800,000	\$320,000	Tentative construction commencement target of 2028	Detailed design contract is awarded but significant planning, stakeholder engagement and routing assessment is still required prior to preparing this project for construction.

Project Number	Project Title	Total Budget	2026 Budget	Target Schedule	Project Scope and Update
26-01	Core Area Sewers, Manholes and Chamber Repairs & Upgrades	\$13,300,000	\$7,075,000	Ongoing Program	This new program budget is being well utilized, with separate construction contracts awarded in 2026 for: 1) Harriet Siphon Inlet Chamber Upgrade; 2) Western Trunk Manhole Upgrades; & 3) Alpha Terrace Sewer Replacement; Cecelia Ravine pipe protection work is also being bundled with City of Victoria and CRD trails work to be undertaken on the Galloping Goose Trail and is expected to be awarded by Q3 2026. Additionally, conditional assessment and design effort is underway for 1) Island Grit Chamber structural assessment; and 2) Marigold Intake Chamber.
23-08	Core Area Process and Mechanical Upgrades	\$4,250,000	\$800,000	Ongoing	2026 work includes: chemical dosing optimization with machine learning agent; disk filter fouling mitigation (academic partnership); dirty backwash odour control installation; BAF flow meters installations; mechanical and instrumentation improvement at Macaulay and Clover Pump Stations.
23-09	Core Area Safety and Security Upgrades	\$2,400,000	\$600,000	Ongoing	Annual provisional account for smaller scale safety and security upgrades. 2026 work includes UPS consolidation and generator load testing installation at Macaulay Pump Station.

Project Number	Project Title	Total Budget	2026 Budget	Target Schedule	Project Scope and Update
25-01	Secondary Odour Collection System Upgrade -Pre-filter	\$750,000	\$230,000	Construction Complete Q1-2026	Replacement of existing pre-filter to further optimize odour treatment and extend the life of carbon treatment. Contract substantially completed and warranty period will be until Q1-2027.
25-04	Pump Station Renewal Program	\$5,500,000	\$940,000	Ongoing	Program for small to mid-scale improvements at pump stations focusing on improvements at Penrhyn, Currie Major, Lang cove and any other small to mid-items at other pump stations in 2026 based on existing condition assessments and operational inspections.
26-02	Concrete Condition Assessment	\$650,000	\$450,000	Procurement initiation in Q3 and assessments initiated in Q4.	Plan to engage and hire consultant by end of 2026 and complete assessments by Q1 2027. Results to inform 21-22.
21-22	Asset Management Plan	\$450,000	\$450,000	2027	The project is anticipated to begin in late Q4, once the assessments for Project 26-02 are nearing completion. The findings will be critical in assisting this project, and additional staff capacity is expected to become available at that time.
21-24	Record Drawing and Wastewater Agreement Updates	\$1,100,000	\$470,000	Ongoing	Record drawing project initiation and procurement completed in Q1, kickoff meeting held in Q2 with progress expected steadily to completion by end of Q1 2027. Wastewater agreement updates expected to proceed as staff capacity becomes available.

Project Number	Project Title	Total Budget	2026 Budget	Target Schedule	Project Scope and Update
27-03	Master Plan and Future Wastewater Treatment Plant Assessment	\$1,140,000	\$240,000	Project initiation in Q3, multi-year progression towards completion	Project is planned to be initiated in late Q3 and integrated with project 26-07 and 21-22.
26-07	Wastewater Strategic Planning	\$200,000	\$200,000	Ongoing	The project was initiated in Q1. An RFI was issued and completed in Q2. Based on results, current progression of project includes integrated scope of work with project 27-03.
26-08	Biosolids Advanced Thermal (Biochar) Project	\$10,000,000	\$1,100,000	Construction in 2029 (subject to regulatory authorization)	The project will integrate new equipment at the Residuals Treatment Facility (RTF) to transform Class A biosolids into Biochar. Preliminary design, permitting, business case development, procurement planning, and First Nations consultation are underway to support implementation of the project.

Project Numbers refer to project numbers from the 2026 Capital Plan. The list focuses on the most notable project efforts underway but is not comprehensive of all ongoing capital project efforts.

REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE MEETING OF JULY 22, 2026

SUBJECT **Wastewater Bypass Activities at MPWWTP and ECCC Warning Letter**

ISSUE SUMMARY

This report provides an overview of the two McLoughlin Point Wastewater Treatment Plant (MPWWTP) planned bypass events, outlines the associated regulatory requirements and engagement activities, and summarizes the actions taken and planned in response to a recent warning letter from Environment and Climate Change Canada (ECCC).

BACKGROUND

Rationale for Bypasses

Between March 2025 and June 2026, two planned bypasses of secondary and tertiary treatment works were required at the MPWWTP. Every effort was made to avoid or minimize bypassing of treatment works; however, due to the MPWWTP's hydraulic configuration, secondary and tertiary treatment processes could not be operated during the required work. Both bypasses were undertaken as controlled measures to manage risk to the treatment plant, receiving environment, and broader conveyance system. Primary wastewater treatment processes remained operational and were not impacted by this work.

2025 Bypass (March 26 to April 14, 2025)

The first bypass occurred over 20 days and was primarily undertaken to clean the dirty backwash tank (DBWT), which stores backwash waste from the biological aerated filters (BAF, secondary treatment) and disk filters (tertiary treatment). The DBWT had not been cleaned since commissioning the plant in 2020 and had accumulated debris to the point that cleaning was necessary to maintain reliable operation and mitigate odour. The periodic cleaning of the DBWT is a known requirement and is a planned maintenance activity which will need to occur approximately every five years. Staff have been planning the cleaning since 2022. Activities completed during this bypass period included removing approximately 104,000 kg of accumulated media from the DBWT, replacing failed DWBT pump guiderails, and additional cleaning, maintenance, and inspection.

2026 Bypass (May 22 to May 29, 2026)

The second bypass occurred over eight days and was undertaken primarily in response to unforeseen leakage from a BAF inlet valve. Conditions required prompt action to prevent further potential damage to plant processes, ensure worker safety, and avoid uncontrolled system failures. The 2026 bypass included replacing the leaking BAF inlet valve and submarine access door, inspecting the valves and doors in the other BAF units, and retrofits on pump guide rails in the DBWT. Unlike the 2025 bypass, the work was not anticipated as the BAF valve failed prematurely, well before its expected service life of 20 yrs, and resulted in the need for an unanticipated bypass.

Design Requirements for MPWWTP

The discharge from the MPWWTP is considered to be near recreational waters with potential for human contact; therefore, the plant was designed as a Reliability Category 1 facility in accordance with the BC Municipal Wastewater Regulation (MWR). The MPWWTP is authorized to discharge under the MWR registration RE-108831, which stipulates effluent quality and monitoring requirements. The facility must also meet all requirements of the Federal Wastewater Systems Effluent Regulations (WSER). Treated effluent from the plant is discharged to the ocean out the 2 km long outfall.

The MWR requirements for Category 1 facilities apply to process component units, not individual process equipment. Redundancy is incorporated at the process unit level, with critical equipment generally duplicated or designed to operate with one unit out of service, and additional (n+1) redundancy provided for key supporting systems such as pumps. Table 1 summarizes the reliability requirements of MWR for Category 1 facilities versus what is provided for at MPWWTP and incorporated in the Provincially approved Operating Plan for MPWWTP.

Table 1: MWR Reliability Requirements vs MPWWTP Redundancy of Design

McLoughlin Point WWTP System	Category 1 Requirements (MWR)		McLoughlin WWTP	
	Treatment System	Remaining Capacity w/ Largest Unit Out of Service	Units Provided	Remaining Capacity w/ Largest Unit Out of Service
Blower Aerators	Multiple Units	100%	5 Duty, 1 Standby	100%
Primary Clarifier	Multiple Units	50%	2x Plate Settlers + 3x Densadeg	100%
Fine Screens	N/A	N/A	2 Duty, 1 Standby	100%
Aeration Basins	Multiple Units	75%	2x MBBR + 12 BAFs	>75% *
Effluent Filters	2 Minimum	75%	3 Duty Disk Filters	>75% *

* 75% of treatment capacity for secondary and tertiary treatment at 216 MLD.

Full redundancy is not feasible for all components due to space, cost, and operational constraints. As such, some maintenance activities require temporary bypasses, as permitted under Section 49 of the MWR, when work cannot reasonably proceed otherwise. For example, the DBWT dimensions are approximately 31 m × 14 m × 6.5 m (length × width × height), resulting in a tank volume of approximately 2,800 m³. Due to the size and location of the tank, as well as the limited site area available, construction of a redundant DBWT was not feasible. Certain activities, such as cleaning the DBWT, can also require bypass to meet WorkSafeBC safety requirements.

While process redundancy supports continuous operation, interconnecting systems and ancillary equipment still require periodic maintenance, repair, or replacement. Equipment performance can vary from expected service life, with some components failing prematurely and others exceeding design expectations.

Permitting Requirements

In order to carry out maintenance bypasses, authorization is required under the Provincial MWR, and Federal Municipal Systems Effluent Regulations (MSER). In advance of both the bypasses, both Provincial and Federal regulatory agencies were notified, and approvals by both the Provincial and Federal Government were received. Approvals with all specific conditions and compliance requirements are included in Appendix A.

Provincial requirements (under MWR) included:

- Adherence to specific duration, systems bypassed, communication protocols and monitoring program, including specified locations and parameters, during and post bypass.
- Submitting a bypass summary report within 60 days of the completion of the bypass event to the province and specified First Nations.
- Submitting an updated Operating Plan.
 - The 2025 authorization noted the updated Operating Plan must be submitted by September 1, 2025, and include all regular maintenance activities that require bypasses of authorized works with recommendations for how and when to undertake that work to minimize any associated bypass requests.
 - The 2026 authorization noted the requirement to submit a further update to the Operating Plan by October 31, 2026, informed by the results of the Maintenance Bypass Risk and Mitigation Assessment. This update must identify and evaluate design and operational measures to reduce the frequency, duration, and necessity of maintenance-related bypasses, and include recommendations for how and when identified maintenance activities should be undertaken to minimize future bypass requests. These recommendations must include design changes to prevent future bypasses for BAF inlet valves.

Federal requirements (under WSER) included:

- Monitoring measures to be implemented during the bypass, including sampling and reporting results.
- A final report to be sent to ECCC, within 90 days after the last day of the period of the authorization, that among other items, includes:
 - a confirmation of the existence of a plan that describes future planned modifications to the wastewater system and other measures that will be taken to reduce the need for future temporary bypass authorizations. The plan must include a schedule for implementation.
 - a declaration that this plan is available to the public and information on how it is publicly accessible.

To date, the Capital Regional District (CRD) has submitted the 2025 bypass summary report to the Province and the 2025 final report to ECCC. These reports include results and summaries of the bypass activities, communications and monitoring completed. Remaining deliverables include an updated Operating Plan; a Maintenance Bypass Risk and Mitigation Assessment (including confirmation of its public availability); effluent dispersion modelling; and the 2026 bypass summary report and final report. Additional communications, monitoring and reporting for the 2026 bypass are also underway. Actions to address all outstanding issues are outlined below.

Environmental Monitoring Requirements

As a condition of the provincial bypass approval, the CRD is required to evaluate the bypass scenario with an oceanographic plume dilution and dispersion model, and carry out additional monitoring before, during and after bypass events to confirm the model predictions and better understand the potential for impacts. Historically, the CRD has relied on the model to predict near and far field impacts of the MPWWTP wastewater discharge and to guide the environmental monitoring program. Conservative model predictions indicated that exceedances of bacteriological guidelines would occur in the immediate vicinity of the outfall, but that exceedances at far-field locations should not occur. At the time of writing this report, 2026 monitoring data is being compiled; however, data from the 2025 bypass confirmed bacterial levels did not exceed recreational targets (protective of swimming and wading) at any shoreline monitoring location. Additionally, the monitoring confirmed the risk of bacterial contamination impacting shellfish harvesting in the far-field reaches of the plume (e.g., Tl'ches (Chatham/Discovery Islands), Haystack Islets) to be low.

Public and First Nations Engagement

Prior to the bypasses and concurrent to the requests for authorization, the CRD notified all First Nations with interests in the area to explain the reason for the bypasses, potential impacts and the enhanced monitoring to be done during bypassing. The CRD also met with the neighbouring community through the Esquimalt Liaison Committee and posted public website alerts.

ECCC Warning Letter and Engagement

On May 19, 2026, the CRD received a warning letter, dated April 29, 2026, from Environment and Climate Change Canada (ECCC) in relation to the 2025 bypass final report submission (Appendix B). The warning letter outlines alleged contraventions of WSER, specifically sections 44(1)(c.1)(ii), paragraph 45.2(3)(f) and subsection 45.2(4). These related to the CRD's outstanding obligations to include, in the 2025 final report, the confirmation of a plan to reduce the need for future MPWWTP bypasses and to limit adverse effects of bypasses, a schedule for implementation of the plan, and confirmation that the plan is publicly available. The warning letter states that its purpose is to bring these matters to the CRD's attention and to set the expectation that corrective actions will be taken to achieve compliance and demonstrate due diligence going forward. The letter does not constitute a finding of guilt or civil liability.

The MPWWTP is relatively new and, as with any new facility, process and maintenance improvements are typically established within the first few years of operation including identifying the necessary maintenance activities and bypass requirements. As part of ongoing operations of the plant it was understood that bypasses would be necessary. The requirement to develop a bypass mitigation plan was not anticipated so soon after bringing the plant online; therefore, a plan was not readily available to meet the requirements of the ECCC bypass authorization. Further study and engineering assessment is required in order to develop a plan of this nature.

In response to the warning letter, the CRD provided a formal written response to ECCC on June 2, 2026, outlining the actions underway to address the outstanding reporting requirements and achieve compliance with the WSER. The response described the CRD's planned technical assessment process, development of a Maintenance Bypass Risk and Mitigation Assessment

Report and updated Operating Plan, proposed timeline for completion, and commitment to publicly communicate information regarding bypass requirements and mitigation measures. A copy of the CRD's response letter is included as Appendix C.

Next Steps

In order to address the outstanding ECCC requirements identified in the warning letter, the CRD is working to develop the plan to mitigate the need for future bypasses. Staff have engaged the original MPWWTP design engineering consultant to develop a Maintenance Bypass Risk and Mitigation Assessment that will include:

- evaluation of maintenance work;
- predictions for future bypass requirements;
- identification of modifications and evaluation of design and operational measures to:
 - reduce the frequency, duration, and necessity of maintenance-related bypasses
 - limit any adverse effects on fish, fish habitat or the use by man of fish
- recommendations for how and when identified maintenance activities should be undertaken to minimize future bypass requests. Recommendations must include design changes to prevent future bypasses for BAF inlet valves;
- description of future planned modifications to the wastewater system and other measures that will be taken to reduce the need for future temporary bypass authorizations; and
- a schedule for implementation.

Once the Maintenance Bypass Risk and Mitigation Assessment is completed, CRD will re-issue the 2025 final bypass report to ECCC. In addition, a summary of the Maintenance Bypass Risk and Mitigation Assessment will be posted to the CRD website in order to meet the ECCC requirements that the information is made available for public examination. These actions will address the outstanding items noted by ECCC in the warning letter.

Based on the results and findings of the Maintenance Bypass Risk and Mitigation Assessment, operational changes and capital upgrades will be scheduled and incorporated into both capital and operating budgets through the next budget cycle, with costs allocated as part of the five-year capital planning process.

In addition, staff will complete outstanding regulatory requirements of the 2026 bypass authorizations in alignment with the identified Provincial and Federal requirements and timeframes including submitting:

- a Bypass Summary Report to the Province and First Nations.
- a Final Report to ECCC.
- Effluent Dispersion Modelling to the Province.
- an Updated Operating Plan, informed by the Maintenance Bypass Risk and Mitigation Assessment, to the Province.

CONCLUSION

Two bypass events at McLoughlin Point Wastewater Treatment Plant in 2025 and 2026 were necessary, controlled measures undertaken to maintain safe and reliable plant operations. Both bypasses were completed under Provincial and Federal authorizations. Despite the actions undertaken for the 2025 bypass, the Capital Regional District (CRD) received a warning letter from Environment and Climate Change Canada (ECCC) identifying gaps in formalizing and

publicly communicating a plan to reduce future bypasses. In response, the CRD has initiated actions to address these gaps, including completing outstanding reporting requirements, developing a comprehensive Maintenance Bypass Risk and Mitigation Assessment, and integrating its recommendations into operational and capital planning. These steps will strengthen system reliability, reduce the frequency and duration of future bypasses, and support ongoing protection of the receiving environment while meeting regulatory expectations.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Joseph Marr, P.Eng., Senior Manager, Infrastructure Engineering
Concurrence:	Glenn Harris, Ph.D., R.P.Bio., Acting General Manager, Parks, Recreation & Environmental Services
Concurrence:	Alicia Fraser, P.Eng., General Manager, Infrastructure and Water Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Provincial and Federal Authorizations for 2025 and 2026 MPWWTP Bypasses
Appendix B: ECCC Warning Letter to CRD – April 29, 2026 (Received May 19, 2026)
Appendix C: CRD Response Letter to ECCC – June 2, 2026



Issued Temporary Bypass Authorization - Capital Regional District

From Eaux Usées / Waste Water (ECCC) <eu-ww@ec.gc.ca>

Date Fri 2/21/2025 12:17 PM

To Barri Rudolph <brudolph@crd.bc.ca>

Cc Eaux Usées / Waste Water (ECCC) <eu-ww@ec.gc.ca>

1 attachment (89 KB)

Capital Regional District_NewTempBypassAuth_EN signed.pdf;

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello,

The attached temporary bypass authorization has been issued under the *Wastewater Systems Effluent Regulations* for the McLoughlin Point Wastewater Treatment Plant owned by the Capital Regional District. This authorization allows for the Capital Regional District – McLoughlin Point Wastewater Treatment Plant to deposit bypassed effluent of physical or biological treatment and a volume of 2,761,500 m³ from the final discharge point through the 2 kilometer outfall into the Salish Sea for 504 hours from March 26, 2025 to April 15, 2025.

Conditions of the Temporary Bypass Authorization

Capital Regional District is authorized to deposit effluent during the period of work as long as the conditions specified in the authorization are met (including commitments in the original application and through email correspondence). The following mitigation and monitoring measures of the application must be implemented, including but not limited to:

- Treat the effluent at primary treatment through high rate clarifiers and additionally chemically enhanced clarifiers during wet weather flows of 160 MLD and above until the flows drop to 155 MLD.
- Conduct water column sampling within the initial dilution zone for a broad suite of contaminants as part of regular monitoring program.
- Conduct bi-weekly sampling at far field sites before, during and after the bypass to validate the dispersion model. Sampling will include bacterial sampling as well as bacteria/microbial source tracking to give more information about the sources of the bacteria.
 - Establish in-situ bacterial monitoring near Chatham and Discovery islands in cooperation with First Nations to collect samples before and during the bypass from a mooring.
- Should the far-field sites indicate impacts:
 - Update notification on website if impacts observed at sites that are used for recreation.
 - Notify Shellfish Program.
 - Put signage up if there are impacts on beaches.
- Communicate with First Nations about results from the monitoring in general and inform First Nations of any impacts especially to Chatham and Discovery islands.

Please note this authorization only covers the parameters and dates listed above. If you need to update information on the bypass, please contact ECCC.

Compliance Obligations of the Temporary Bypass Authorization

- During the bypass, the owner or operator must continue to sample, monitor and submit report at the final discharge point, per usual.
 - While the authorization is in effect, it is not required to comply with the effluent quality standards at the final discharge point.
 - If an acute lethality test fails during the authorization, it is not required to increase testing frequency.
 - If monitoring equipment is normally used to record the daily volume or rate of flow but is inoperable during the bypass, a method of estimation can be used to determine the daily volume in accordance with subsection 7(4).
- If the system has CSO points, the owner or operator must continue to monitor and report as required.

Final Report

A final report must be sent to ECCC, within 90 days after the last day of the period of the authorization, that contains the following information:

- the actual duration of the deposits (in hours)
- the actual or estimated volume of all deposits (in m³)
- a description of the actual treatment applied to effluent, if any
- a description of how the mitigation and monitoring measures were implemented during the bypass
- the results of any sampling and monitoring conducted during the bypass period, if applicable
 - This includes samples of the bypassed effluent and any samples collected in the receiving environment
- a confirmation of the existence of a plan that describes future planned modifications to the wastewater system and other measures that will be taken to reduce the need for future temporary bypass authorizations that have large volumes, long durations and are untreated. The plan must include a schedule for implementation
- a declaration that this plan is available to the public
 - Information on how it is publicly accessible must be provided, e.g. a website link

Revocation

A temporary bypass authorization (TBA) may be revoked after it has been issued if:

- the information contained in the temporary bypass authorization application is false or misleading
- the TBA holder has failed to implement the mitigation and monitoring measures that were proposed in the application
- the TBA holder has failed to comply with the compliance obligations
- new information indicates that the authorized deposit had or is likely to have an effect on fish, fish habitat or the use of fish by persons that is more adverse than the effects that were anticipated when the authorization was issued

For more information on temporary bypass authorization, please consult this [factsheet](#).

Regards,

Section des eaux usées

Division des produits forestiers et Loi sur les pêches

Direction des secteurs industriels et substances chimiques

Direction générale de la protection de l'environnement

Environnement et Changement climatique Canada / Gouvernement du Canada
eu-ww@ec.gc.ca / Tél. : 819-420-7727 / Téléc. : 819-420-7384

Wastewater Section

Forest Products and Fisheries Act Division
Industrial Sectors and Chemicals Directorate
Environmental Protection Branch
Environment and Climate Change Canada / Government of Canada
eu-ww@ec.gc.ca / Tel: 819-420-7727 / Fax: 819-420-7384



Government
of Canada

Gouvernement
du Canada

Canada

Ce courriel a comme seul but de fournir de l'information. Ce courriel n'est pas un substitut pour la lecture du Règlement sur les effluents des systèmes d'assainissement des eaux usées (RESAEU) et ne remplace ni ne modifie en aucune façon la Loi sur les pêches ou le RESAEU. En cas de divergence entre l'information contenue dans ce courriel et la Loi ou le RESAEU, la Loi et le RESAEU ont préséance. Les personnes aux prises avec des problèmes juridiques précis sont priées de consulter un avocat.

This email is intended to provide guidance only. This document is not a substitute for reading the Wastewater Systems Effluent Regulations (WSER) and does not in any way supersede or modify the Fisheries Act or the WSER. In the event of an inconsistency between the content of this email and the Act and/or the WSER, the Act and the WSER prevail. Individuals with specific legal problems are urged to seek advice from legal counsel.

Wastewater Systems Effluent Regulations

TEMPORARY BYPASS AUTHORIZATION

Name of owner: Capital Regional District
Address of owner: **Civic:**
625 Fisgard Street
Victoria, British Columbia, V8W 1R7
Mailing:
625 Fisgard Street
Victoria, British Columbia, V8W 2S6
Name of operator: Capital Regional District
Address of operator: **Civic:**
625 Fisgard Street
Victoria, British Columbia, V8W 1R7
Mailing:
625 Fisgard Street
Victoria, British Columbia, V8W 2S6

in respect of

Name of wastewater system: McLoughlin Point Wastewater Treatment Plant
Address of wastewater system: **Civic:**
337 Victoria View Road
Esquimalt, British Columbia, V9A 3Z3

is (are) authorized, as of March 26, 2025 for 504 hours until April 15, 2025 to deposit effluent with physical or biological treatment and a volume of 2761500 m³ from

- Latitude (N): 48.4199 Longitude (W): 123.3973

into Salish Sea (Juan de Fuca Straight)

IMPORTANT: Please refer to sections 45.1 and 45.2 of these Regulations for the conditions and compliance requirements related to the authorization. Please also note that this authorization may be revoked under section 47(3) of the *Wastewater Systems Effluent Regulations*.

Authorization Officer

Signature: Aubie, Karissa
Digitally signed by Aubie, Karissa
Date: 2025.02.21 14:18:06 -05'00'

Date: February 21, 2025

Name: Karissa Aubie

Title: Acting Manager, Wastewater



February 19, 2025

Authorization Number: 108831

VIA EMAIL:

Samantha Silva: ssilva@crd.bc.ca

Capital Regional District
625 Fisgard Street
Victoria BC V8W 2S6

Dear Capital Regional District

Re: Request for Temporary Bypass of Authorized Works at McLoughlin Point Wastewater Treatment Facility pursuant to section 49, Municipal Wastewater Regulation, Registration 108831

On December 6, 2024, the Ministry of Environment and Parks (ENV) received your updated request for approval of a temporary bypass of works authorized under Municipal Wastewater Regulation Registration 108831 at McLoughlin Point Wastewater Treatment Facility.

Bypass Request:

The Capital Regional District (CRD) is requesting a bypass of their secondary and tertiary treatment trains at the McLoughlin Point Wastewater Treatment Facility to undertake regular maintenance of the dirty backwash tanks that support the biological aerated filters and the disc filters. The bypass is requested for up to 21 continuous days between March and May 2025, and will result in an estimated 131.5 m³/day of primary treated effluent discharged to the marine environment via the McLoughlin Point marine outfall (1,925m long and 60m depth).

Conditional Approval of Bypass:

Pursuant to Section 49(2)(b) of the Municipal Wastewater Regulation, a temporary bypass of the moving bed biofilm reactors, the biological aerated filters, and the disc filters are approved subject to the following conditions:

- a) The maximum duration of the bypass is 21 continuous days between March 1, 2025 to May 31, 2025 inclusive.
- b) The discharge of effluent may bypass the moving bed biofilm reactors, the biological aerated filters, and the disc filters. All other registered works must remain in operation.

- c) The effluent quality must not exceed 230 mg/L total suspended solids and carbonaceous biochemical oxygen demand.
- d) The CRD must notify the director by email at ENVCIA@gov.bc.ca immediately prior to commencement of the bypass and within 24 hours of termination of the bypass event. The notification of termination must confirm the duration of the bypass event.
- e) The CRD must conduct the following receiving environment monitoring program unless inaccessible due to unsafe conditions:
 - i. 4 sampling events: one approximately one week prior to the bypass, two during the bypass and one approximately one week after the bypass.
 - ii. Six sampling locations: edge of the Initial Dilution Zone (IDZ), Haystack Islets, Ogden Point Breakwater, Foot of Cook Street, Trial Island, Chatham/Discovery Islands.
 - iii. Parameters: fecal coliform, enterococci, bacterial source tracking.

All other monitoring requirements in Registration 108831 remain in effect.

- f) If receiving environment monitoring results show exceedances of recreational or shellfish harvesting guidelines, all First Nations identified for consultation and the public must be notified.
- g) The results of all monitoring conducted in Condition e (requirement above) must be uploaded into EMS within 30 days of the completion of the bypass event.
- h) A bypass summary report must be submitted to the Director via EnvAuthorizationsReporting@gov.bc.ca, Sc'ianew First Nation, Esquimalt Nation and Songhees Nation within 60 days of the completion of the bypass event which includes the following:
 - i. Compendium of the municipal effluent flow, municipal effluent quality and receiving environment monitoring data.
 - ii. Proof of unsafe conditions if unable to undertake the monitoring.
 - iii. A comparison of receiving environment monitoring results to the appropriate Water Quality Guidelines and a discussion of the effect of any exceedances on the quality of the receiving environment, using appropriate statistical and graphical analysis.
 - iv. An evaluation of the maintenance work with predictions for future bypass requirements.
 - v. Estimate the minimum dilution based on concurrent effluent and receiving environment water quality samples at the edge of the initial dilution zone and far-field sites and discuss how the calculated minimum dilution compares to the predicted dilution from the model;

- i) By September 1, 2025, the CRD must update their Operating Plan to include all regular maintenance activities that require bypasses of authorized works with recommendations for how and when to undertake that work to minimize any associated bypass requests.

Failure to comply with any conditions of this letter will invalidate the approval.

Any requests for extensions on the duration of the bypass should form a new formal request to the director for review and decision.

With the exception of the temporary bypass of moving bed biofilm reactors, the biological aerated filters, and the disc filters, this letter does not affect any other requirements of the Municipal Wastewater Regulation which remain in full force and effect.

The CRD must immediately report spills to the environment in accordance with the [Spill Reporting Regulation](#), which among other things, requires notification to Emergency Management BC at 1-800-663-3456. Please refer to the ENV [website for reporting a spill](#) requirements.

This letter does not constitute approval by any other agency with jurisdiction over this matter. This letter does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the CRD.

This letter is issued pursuant to the provisions of the *Environmental Management Act* to ensure compliance with Section 120(3) of that statute, which makes it an offence to discharge waste, from a prescribed industry or activity, without proper authorization. It is also the responsibility of the CRD to ensure that all activities conducted under this letter are carried out with regard to the rights of third parties, and comply with other applicable legislation that may be in force.

This decision may be appealed to the Environmental Appeal Board in accordance with Part 8 of the *Environmental Management Act*. An appeal must be delivered 30 days from the date that the notice of this decision is given. For further information, please contact the Environmental Appeal Board at 250-387-3464.

If you have any questions or concerns, please do not hesitate to contact Senior Environmental Protection Officer, Melanie Mamoser by email at melanie.mamoser@gov.bc.ca at 250-739-8328.

Yours truly,



Liz Archibald
for director, *Environmental Management Act*

cc: Glen Harris, Capital Regional District

Chris Lowe, Capital Regional District

Barri Rudolph, Capital Regional District

Corinne Proux, Environment and Climate Change Canada

Ruth Sauder, Sc'ianew First Nation

Charmaine Caughlin, Songhees Nation

From: [Eaux-usées / Wastewater \(ECCC\)](#)
To: [Chris Lowe](#); [Peter Kickham](#)
Cc: [Eaux-usées / Wastewater \(ECCC\)](#)
Subject: Issued Temporary Bypass Authorization - Capital Regional District - McLoughlin Point WWTP
Date: Thursday, May 14, 2026 12:51:42 PM
Attachments: [image001.png](#)
[CapitalRegionalDistrict-McLoughlin WWTP-TempBypassAuth.pdf](#)

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello,

The attached Temporary Bypass Authorization (TBA) has been issued under the *Wastewater Systems Effluent Regulations* for the McLoughlin Point Wastewater Treatment Plant owned by the Capital Regional District (Victoria, BC). This authorization allows the Capital Regional District – McLoughlin Point Wastewater Treatment Plant to deposit bypassed effluent that has received physical or biological treatment from the final discharge point into the Salish Sea (Strait of Juan de Fuca), subject to the volume not exceeding 2,174,250 m³ and the duration not exceeding 13 days (312 hours) between May 22nd and June 18th 2026.

Please note this authorization only covers the parameters and dates listed above. If you need to update information on the bypass, please contact ECCC.

Conditions of the Temporary Bypass Authorization

Capital Regional District is authorized to deposit bypassed effluent during the period of work as long as the conditions specified in the authorization are met. This includes implementing the mitigation and monitoring measures of the application.

Compliance Obligations of the Temporary Bypass Authorization

- During the bypass, the owner or operator must continue to sample, monitor and submit report at the final discharge point, per usual
 - While the authorization is in effect, it is not required to comply with the effluent quality standards at the final discharge point
 - If an acute lethality test fails during the authorization, it is not required to increase testing frequency
 - If monitoring equipment is normally used to record the daily volume or rate of flow but is inoperable during the bypass, a method of estimation can be used to determine the daily volume in accordance with subsection 7(4)
- If the system has CSO points, the owner or operator must continue to monitor and report as required

Final Report

A final report must be sent to ECCC, within 90 days after the last day of the period of the authorization, that contains the following information:

- the actual dates of the bypass
- the actual duration of the deposits (in hours)
- the actual or estimated volume of all deposits (in m³)
- a description of the actual treatment applied to the effluent, if any
- a description of how the mitigation and monitoring measures were implemented during the bypass
- any results of notification received since the TBA application was submitted (e.g. news articles, feedback online, etc.)
- the results of the sampling and monitoring conducted during the bypass period, if applicable
 - This includes samples of the bypassed effluent and any samples collected in the receiving environment
- a confirmation of the existence of a plan that describes future planned modifications to the wastewater system and other measures that will be taken to reduce the need for future temporary bypass authorizations. The plan must include a schedule for implementation
- a declaration that this plan is available to the public
 - Information on how it is publicly accessible must be provided (e.g. a website link)

Revocation

A temporary bypass authorization may be revoked after it has been issued if:

- the information contained in the TBA application is false or misleading
- the TBA holder has failed to implement the mitigation and monitoring measures that were listed in the application
- the TBA holder has failed to comply with the compliance obligations
- new information indicates that the authorized deposit had or is likely to have an effect on fish, fish habitat or the use of fish by persons that is more adverse than the effects that were anticipated when the authorization was issued

For more information on temporary bypass authorizations, please consult this [factsheet](#).

Regards,

Section des eaux usées

Division des produits forestiers et Loi sur les pêches
Environnement et Changement climatique Canada / Gouvernement du Canada
eu-ww@ec.gc.ca / Tél. : 819-420-7727 / Téléc. : 819-420-7380

Wastewater Section

Forest Products and Fisheries Act Division

Environment and Climate Change Canada / Government of Canada

eu-ww@ec.gc.ca / Tel: 819-420-7727 / Fax: 819-420-7380



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Wastewater Systems Effluent Regulations

TEMPORARY BYPASS AUTHORIZATION

Name of owner: Capital Regional District
Address of owner: **Civic:**
625 Fisgard Street
Victoria, British Columbia, V8W 1R7
Mailing:
625 Fisgard Street
Victoria, British Columbia, V8W 2S6
Name of operator: Capital Regional District
Address of operator: **Civic:**
625 Fisgard Street
Victoria, British Columbia, V8W 1R7
Mailing:
625 Fisgard Street
Victoria, British Columbia, V8W 2S6

in respect of

Name of wastewater system: McLoughlin Point Wastewater Treatment Plant
Address of wastewater system: **Civic:**
337 Victoria View Road
Esquimalt, British Columbia, V9A 3Z3

is (are) authorized, as of May 22, 2026 for 312 hours until June 18, 2026 to deposit effluent with physical or biological treatment and a volume of 2174250 m³ from

- Latitude (N): 48.4199 Longitude (W): 123.3973

into Salish Sea (Straight of Juan de Fuca - Victoria Bight)

IMPORTANT: Please refer to sections 45.1 and 45.2 of these Regulations for the conditions and compliance requirements related to the authorization. Please also note that this authorization may be revoked under section 47(3) of the *Wastewater Systems Effluent Regulations*.

Authorization Officer

Signature: Saikali, Zeina Digitally signed by Saikali, Zeina
Date: 2026.05.14 15:31:48 -04'00' Date: _____

Name: Zeina Saikali Title: Manager, Wastewater Section



May 11, 2026

Authorization Number: 108831

VIA EMAIL: pkickham@crd.bc.ca

Capital Regional District
625 Fisgard Street
Victoria BC V8W 2S6

Dear Capital Regional District

Re: Request for Temporary Bypass of Authorized Works at McLoughlin Point Wastewater Treatment Facility pursuant to section 49, Municipal Wastewater Regulation, Registration 108831

On April 24, 2026, the Ministry of Environment and Parks (ENV) received your updated request for approval of a temporary bypass of works authorized under Municipal Wastewater Regulation Registration 108831 at McLoughlin Point Wastewater Treatment Facility.

Bypass Request:

The Capital Regional District (CRD) is requesting a bypass of their secondary and tertiary treatment trains at the McLoughlin Point Wastewater Treatment Facility to undertake corrective maintenance on an inlet valve to the biological aerated filters. The bypass is requested for up to 13 continuous days between May 22 to June 3, 2026, and will result in an estimated 131,500 m³/day of primary treated effluent discharged to the marine environment via the McLoughlin Point marine outfall (1,925m in length at a depth of 60m).

Conditional Approval of Bypass:

Pursuant to Section 49(2)(b) of the Municipal Wastewater Regulation, a temporary bypass of the moving bed biofilm reactors, the biological aerated filters, and the disc filters is approved subject to the following conditions:

- a) The maximum duration of the bypass is 13 continuous days between May 22 and June 3, 2026 inclusive with an anticipated duration of 9 days.
- b) The discharge of effluent may bypass the moving bed biofilm reactors, the biological aerated filters, and the disc filters. All other registered works must remain in operation.

- c) The effluent quality must not exceed 230 mg/L total suspended solids and carbonaceous biochemical oxygen demand.
- d) The CRD must notify the director by email at ENVCIA@gov.bc.ca immediately prior to commencement of the bypass and within 24 hours of termination of the bypass event. The notification of termination must confirm the duration of the bypass event.
- e) The CRD must conduct the following receiving environment monitoring program unless inaccessible due to unsafe conditions:

Frequency	Location	Parameters
Four sampling days: Approximately 1 week before the bypass; Two sampling events during the bypass; Approximately one week after the bypass	Near-field: 12 Surface water sites around the outfall as per map in Appendix 1.	Fecal coliforms; Enterococci
	Far-field: Tl'ches Islands; Trial Island; Waterfront at Cook Street; Ogden Point; Esquimalt Harbour; Esquimalt Lagoon; Haystack Islets as per map in Appendix 1.	Fecal coliforms; Enterococci; Bacterial Source Tracking to affirm human vs non-human sources

All other monitoring requirements in Registration 108831 remain in effect.

- f) If receiving environment monitoring results show exceedances of recreational or shellfish harvesting guidelines outside the federal shellfish harvest area closure 19.1, all First Nations identified in the bypass application and the Health Authority must be notified.
- g) The results of all monitoring conducted in Condition e (requirement above) must be uploaded into EnMoDS within 30 days of the completion of the bypass event.
- h) A Bypass Summary Report must be submitted to the director via EnvAuthorizationsReporting@gov.bc.ca, and Songhees Nation, Esquimalt Nation, Sc'ianew First Nation, Tsawout First Nation, and Tsartlip First Nation within 60 days of the completion of the bypass event which includes the following:
 - i. Compendium of the municipal effluent flow, municipal effluent quality and

- receiving environment monitoring data. The reports must include all municipal effluent quality results until the effluent returns to pre-bypass quality.
- ii. Proof of unsafe conditions if unable to undertake the monitoring.
 - iii. A comparison of receiving environment monitoring results to the appropriate Water Quality Guidelines and a discussion of the effect of any exceedances on the quality of the receiving environment, using appropriate statistical and graphical analysis.
 - iv. An evaluation of the maintenance work with predictions for future bypass requirements.
 - v. Estimate the minimum dilution based on concurrent effluent and receiving environment water quality samples at the edge of the initial dilution zone and far- field sites and discuss how the calculated minimum dilution compares to the predicted dilution from the model.
- i) By October 31, 2026, the CRD must:
- i. Provide effluent dispersion modelling of effluent during predicted bypass events to characterize dilution and exposure in receiving waters.
 - ii. Submit a further update to the Operating Plan for the WWTF informed by the results of the Maintenance Bypass Risk and Mitigation Assessment. This update must identify and evaluate design and operational measures to reduce the frequency, duration, and necessity of maintenance-related bypasses, and include recommendations for how and when identified maintenance activities should be undertaken to minimize future bypass requests. These recommendations must include design changes to prevent future bypasses for biological aerated filter inlet valves.

Failure to comply with any conditions of this letter will invalidate the approval.

Any requests for extensions on the duration of the bypass should form a new formal request to the director for review and decision.

With the exception of the temporary bypass of moving bed biofilm reactors, the biological aerated filters, and the disc filters, this letter does not affect any other requirements of the Municipal Wastewater Regulation which remain in full force and effect.

The CRD must immediately report spills to the environment in accordance with the [Spill Reporting Regulation](#), which among other things, requires notification to Emergency Management BC at 1-800-663-3456. Please refer to the ENV [website for reporting a spill](#) requirements.

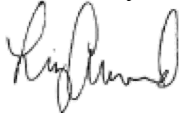
This letter does not constitute approval by any other agency with jurisdiction over this matter. This letter does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the CRD.

This letter is issued pursuant to the provisions of the *Environmental Management Act* to ensure compliance with Section 120(3) of that statute, which makes it an offence to discharge waste, from a prescribed industry or activity, without proper authorization. It is also the responsibility of the CRD to ensure that all activities conducted under this letter are carried out with regard to the rights of third parties, and comply with other applicable legislation that may be in force.

This decision may be appealed to the Environmental Appeal Board in accordance with Part 8 of the *Environmental Management Act*. An appeal must be delivered 30 days from the date that the notice of this decision is given. For further information, please contact the Environmental Appeal Board at 250-387-3464.

If you have any questions or concerns, please do not hesitate to contact Senior Environmental Protection Officer, Melanie Mamoser by email at melanie.mamoser@gov.bc.ca at 250-739-8328.

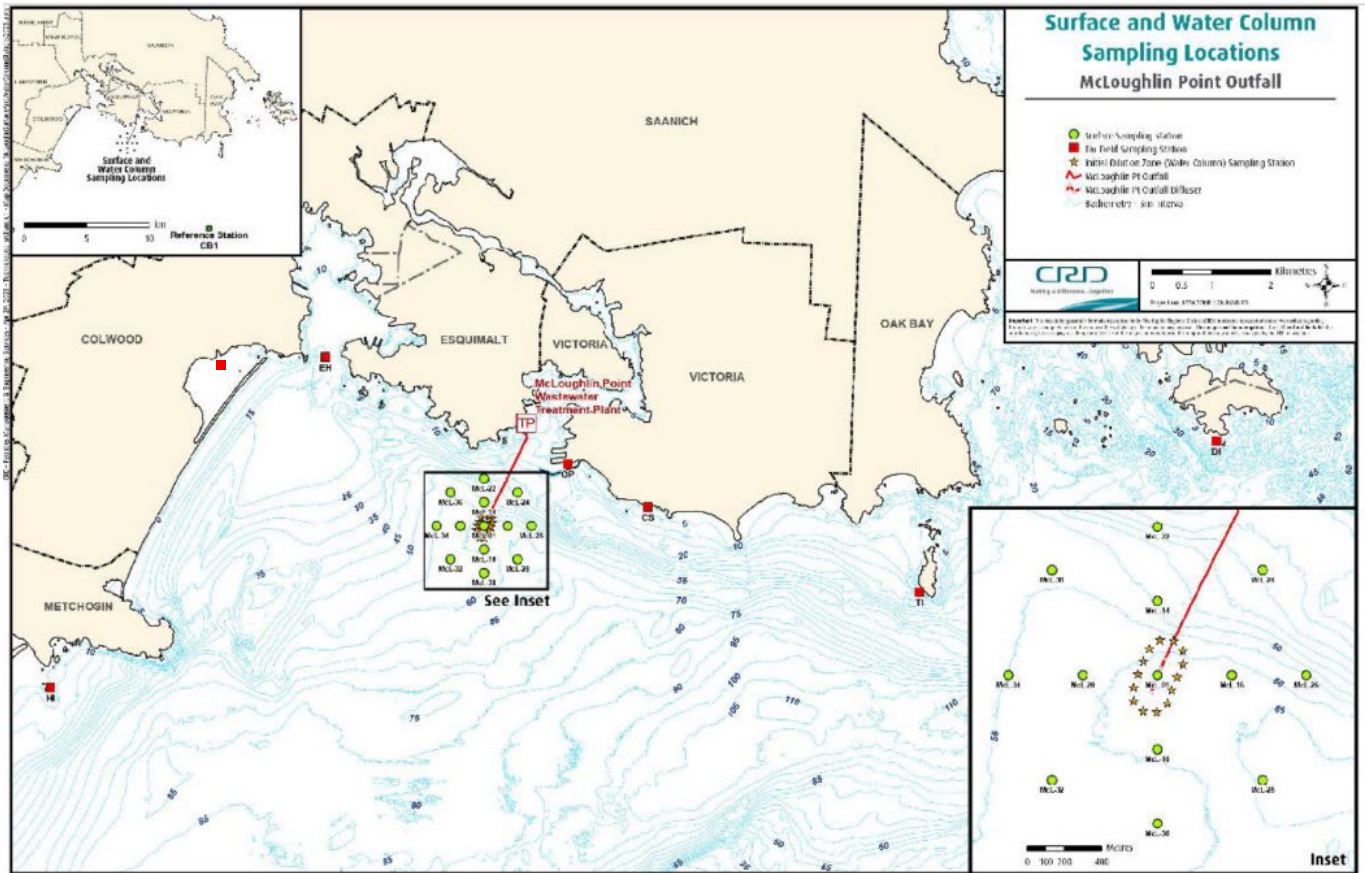
Yours truly,



Liz Archibald
for director, *Environmental Management Act*

cc: Karissa Aubie, Environment and Climate Change Canada
Linden Terry, B.C. Ministry of Environment and Parks

Appendix 1. Receiving Environment Monitoring Locations





Environment and
Climate Change Canada

Environnement et
Changement climatique Canada

**ENFORCEMENT
BRANCH**

Environmental Enforcement



**DIRECTION GÉNÉRALE DE
L'APPLICATION DE LA LOI**

Application de la loi en environnement

WRITTEN WARNING

***FISHERIES ACT
Wastewater Systems Effluent Regulations***

File: 8530-2026-04-01-6917
PROTECTED B

April 29, 2026

Registered with acknowledgement of receipt

The purpose of this warning is to inform:

Capital Regional District
479 Island Highway
Victoria, BC, V9B 1H7

c/o

Jason Dales
Senior Manager, Wastewater Infrastructure Operations
Capital Regional District
479 Island Highway
Victoria, BC, V9B 1H7

&

Ted Robbins
Chief Administrative Officer
Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7

&

Alicia Fraser
General Manager of Infrastructure & Water Services
Capital Regional District
479 Island Highway
Victoria, BC, V9B 1H7

That information obtained on March 12, 2026, by the undersigned inspector and fishery officer designated by the Minister of Environment and Climate Change under the *Fisheries Act*, provided reasonable grounds to

Canada

believe that the Capital Regional District and its responsible officials were in contravention of section 44(1)(c.1)(ii), paragraph 45.2(3)(f), and subsection 45.2(4) of the *Wastewater Systems Effluent Regulations* (WSER) made pursuant to the *Fisheries Act*.

ALLEGED FACTS

As a result of a review of submitted data, I, the undersigned inspector and fishery officer determined the following alleged facts:

1. That the Capital Regional District (CRD) owns and operates the McLoughlin Point Wastewater Treatment Plant located at 337 Victoria View Road, Victoria, BC V9A 6T7.
2. That the Wastewater section of Environment and Climate Change Canada (ECCC) received a temporary bypass authorization (TBA) application from the CRD on November 30, 2024, and a Category 3 bypass authorization was issued on February 21, 2025, for maintenance work on the backwash tank at the McLoughlin Point Wastewater Treatment Plant.
3. The temporary bypass authorization period was from March 26, 2025, to April 14, 2025, for a total of 464 hours.
4. That the holder of a temporary bypass authorization must, within 90 days after the last day of the authorization period, send to the authorization officer a final report on the temporary bypass; Paragraph 45.2(3) of WSER states that the final report must include:
 - f. *for a Category 2 bypass as determined in accordance with sections 43.3 or 43.4 or a Category 3 bypass as determined in accordance with sections 43.2 to 43.4, a confirmation of the existence of a plan that describes modifications to be made to the wastewater system and any other measures to be taken to reduce the need for future temporary bypass authorizations and to limit any adverse effects on fish, fish habitat or the use by man of fish when performing work referred to in paragraph 43(2)(a), including a schedule for implementation of the plan.*
5. That subsection 45.2(4) of WSER requires that:

The holder of a temporary bypass authorization must ensure that the plan referred to in paragraph 45.2(3)(f) is available for examination by the public.
6. That any subsequent temporary bypass authorization applications require an explanation of how the proposed bypass meets the requirements of the plan as per 44(1)(c.1)(ii) of WSER.
7. That the final report for the temporary bypass authorization was submitted by the CRD on July 13, 2025, and did not confirm the existence of a plan described by paragraph 45.2(3)(f).
8. That on March 12, 2026, I confirmed with CRD personnel that a plan as described in paragraph 45.2(3)(f) has not been made available to the public for examination as required under 45.2(4).
9. That on September 26, 2025, the CRD submitted a subsequent temporary bypass authorization application but did not include an explanation of how the bypass meets the requirements of 45.2(3)(f) and was therefore in contravention of the *Wastewater Systems Effluent Regulations* paragraph 44(1)(c.1)(ii).
10. That the final report submitted to ECCC by the CRD for the temporary bypass that occurred between March 26, 2025, to April 14, 2025, did not confirm the existence of a publicly available plan that described modifications to be made to the wastewater system and any other measures to be taken to reduce the need for future temporary bypass authorizations and to limit any adverse

effects on fish, fish habitat or the use by man of fish, and was therefore in contravention of the *Wastewater Systems Effluent Regulations* paragraph 45.2(3)(f) and subsection 45.2(4).

11. That contraventions of section 44(1)(c.1)(ii), paragraph 45.2(3)(f), and subsection 45.2(4) of the *Wastewater Systems Effluent Regulations* are offences under paragraph 40(3)(a) of the *Fisheries Act*.

THE LAW

Wastewater Systems Effluent Regulations

43(2) An application for a temporary bypass authorization is not to be made unless

- (a) the requirement to bypass those treatment processes arises from
- (i) construction work to make changes to the system,
 - (ii) the maintenance of the system, or
 - (iii) the response to an anticipated event that is beyond the control of the owner or operator of the system;

44 (1) An application for a temporary bypass authorization must contain the following information:

- (c.1) a description of the construction work, the maintenance of the system or the response referred to in paragraph 43(2)(a), as well as:
- (ii) in the case of an application by an owner or operator who had to confirm the existence of a plan referred to in paragraph 45.2(3)(f) for a previous authorization, an explanation that demonstrates how the bypass meets the requirements of that plan and any amendments to that plan since it was created;

45.2(3) The holder of a temporary bypass authorization must, within 90 days after the last day of the period of the authorization, send to the authorization officer a final report on the temporary bypass that includes the following information, as applicable:

[...]

- (f) for a Category 2 bypass as determined in accordance with sections 43.3 or 43.4 or a Category 3 bypass as determined in accordance with sections 43.2 to 43.4, a confirmation of the existence of a plan that describes modifications to be made to the wastewater system and any other measures to be taken to reduce the need for future temporary bypass authorizations and to limit any adverse effects on fish, fish habitat or the use by man of fish when performing work referred to in paragraph 43(2)(a), including a schedule for implementation of the plan.

[...]

45.2(4) The holder of a temporary bypass authorization must ensure that the plan referred to in paragraph (3)(f) is available for examination by the public.

Fisheries Act

Deposit of deleterious substance prohibited

- 36(3) Subject to subsection (4), no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water.

Deposits authorized by regulation

- (4) No person contravenes subsection (3) by depositing or permitting the deposit in any water or place of
- (a) waste or pollutant of a type, in a quantity and under conditions authorized by regulations applicable to that water or place made by the Governor in Council under any Act other than this Act;
 - (b) a deleterious substance of a class and under conditions — which may include conditions with respect to quantity or concentration — authorized under regulations made under subsection (5) applicable to that water or place or to any work or undertaking or class of works or undertakings; or
 - (c) a deleterious substance the deposit of which is authorized by regulations made under subsection (5.2) and that is deposited in accordance with those regulations.

Offence and punishment

40(2) Every person who contravenes subsection 36(1) or (3) is guilty of an offence and liable

(a) on conviction on indictment,

- (i) in the case of an individual,
 - (A) for a first offence, to a fine of not less than \$15,000 and not more than \$1,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$30,000 and not more than \$2,000,000, or to imprisonment for a term not exceeding three years, or to both,
- (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
 - (A) for a first offence, to a fine of not less than \$500,000 and not more than \$6,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$1,000,000 and not more than \$12,000,000, and
- (iii) in the case of a corporation that the court has determined to be a small revenue corporation,
 - (A) for a first offence, to a fine of not less than \$75,000 and not more than \$4,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$150,000 and not more than \$8,000,000; or

(b) on summary conviction,

- (i) in the case of an individual,
 - (A) for a first offence, to a fine of not less than \$5,000 and not more than \$300,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$10,000 and not more than \$600,000, or to imprisonment for a term not exceeding six months, or to both,
- (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
 - (A) for a first offence, to a fine of not less than \$100,000 and not more than \$4,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$200,000 and not more than \$8,000,000, and
- (iii) in the case of a corporation that the court has determined to be a small revenue corporation,
 - (A) for a first offence, to a fine of not less than \$25,000 and not more than \$2,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$50,000 and not more than \$4,000,000.

Other Offences

40(3) Every person who

[...]

- (a) in carrying on a work, undertaking or activity, fails to comply with a prescribed condition referred to in paragraph 34.4(2)(a) or 35(2)(a), with a condition set out in an authorization or a permit, as the case may be, issued under paragraph 34.4(2)(b) or (c) or 35(2)(b) or (c) or subsection 35.1(3) or 35.2(7), or with a condition imposed by regulations made under subsection 36(5) or (5.2),

[...]

is guilty of an offence punishable on summary conviction and liable, for a first offence, to a fine not exceeding two hundred thousand dollars and, for any subsequent offence, to a fine not exceeding two hundred thousand dollars or to imprisonment for a term not exceeding six months, or to both.

Duty to take corrective measures

- 38(6) Any person described in paragraph (4)(a) or (b) or 5(a) or (b) shall, as soon as feasible, take all reasonable measures consistent with public safety and with the conservation and protection of fish and fish habitat to prevent the occurrence or to counteract, mitigate or remedy any adverse effects that result from the occurrence or might reasonably be expected to result from it.

Report

- 38(7) As soon as feasible after the occurrence or after learning of the danger of the occurrence, the person shall provide an inspector, fishery officer or an authority prescribed by the regulations with a written report on the occurrence or danger of the occurrence.

Corrective measures

- 38(7.1) If an inspector or fishery officer, whether or not they have been notified under subsection (4) or (5) or provided with a report under subsection (7), is satisfied on reasonable grounds that immediate action is necessary in order to take any measures referred to in subsection (6), the inspector or officer may, subject to subsection (7.2), **take any of those measures at the expense of any person described in paragraph (4)(a) or (b) or (5)(a) or (b) or direct such person to take them at that person's expense.**

Continuing Offence

- 78.1 Where any contravention of this Act or the regulations is committed or continued on more than one day, it constitutes a separate offence for each day on which the contravention is committed or continued.

Offences by corporate officers, etc.

- 78.2 Where a corporation commits an offence under this Act, any officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is a party to and guilty of the offence and is liable on conviction to the punishment provided for the offence, whether or not the corporation has been prosecuted.

Offences by employers

- 78.3 In any prosecution for an offence under this Act, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent

is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of the accused.

CONCLUSION

This warning alleges contravention of section 44(1)(c.1)(ii), paragraph 45.2(3)(f), and subsection 45.2(4) of the *Wastewater Systems Effluent Regulations*. It is intended to bring this matter to your attention in order for you to take the necessary corrective action to ensure compliance with the *Fisheries Act* or to exercise due diligence in the future. This document is not a finding of guilt or civil liability, and is not an administrative adjudication.

This warning and the circumstances to which it refers will form part of Environment and Climate Change Canada's records of the Capital Regional District and its responsible officials, and will be taken into account in future responses to alleged violations and for internal purposes such as setting the frequency of inspections. Environment and Climate Change Canada will consider taking further action if you do not take all necessary corrective steps to comply or do not exercise due diligence in the future.

This warning is issued in accordance with the Compliance and Enforcement Policy for the Habitat Protection and Pollution Prevention Provisions of the *Fisheries Act*. The complete text of this policy is available on Environment and Climate Change Canada's website:

<https://www.canada.ca/en/environment-climate-change/services/environmental-enforcement.html>

The complete text of the *Fisheries Act* is available on the Department of Justice website: <http://laws-lois.justice.gc.ca/eng/acts/F-14/>

For more information or to respond to the alleged facts contained in this warning, please call or write the undersigned. Your comments will be considered, and where appropriate, a response provided. Any comments you make, as well as Environment and Climate Change Canada's response, will be maintained on file with this warning in Environment and Climate Change Canada's records.

**Brisotto,
Quentin**

Digitally signed by
Brisotto, Quentin
Date: 2026.04.21
10:56:49 -07'00'

[Officer Signature]

960

[Badge Number]

Quentin Brisotto
Enforcement Officer
Environment and Climate Change Canada
Coastal District, Pacific Yukon Region
Environmental Enforcement Directorate
Enforcement Branch
101 - 401 Burrard St.
Vancouver, BC, V6C 3R2
Phone: (236) 339-8765
Email: quentin.brisotto@ec.gc.ca



Making a difference...together

Infrastructure and Water Services

479 Island Highway

Victoria, BC V9B 1H7

T: 250.474.9600

F: 250.474.4012

www.crd.ca

APPENDIX C

June 2, 2026

File: 0220-20 2026 Correspondence

Quentin Brisotto
Enforcement Officer
Environment and Climate Change Canada
Environmental Enforcement Directorate
101 – 401 Burrard Street
Vancouver, BC V6C 3R2
Via email: quentin.brisotto@ec.gc.ca

Dear Quentin Brisotto:

**RE: RESPONSE TO WRITTEN WARNING – FILE NO. 8530-2026-04-01-6917
MCLOUGHLIN POINT WASTEWATER TREATMENT PLANT**

The Capital Regional District (CRD) acknowledges receipt of Environment and Climate Change Canada's (ECCC) written warning dated April 29, 2026, and recognizes the outstanding reporting requirements identified therein, including those associated with sections 45.2(3)(f), and 45.2(4) of the *Wastewater Systems Effluent Regulations* (WSER).

The CRD also acknowledges that the matters outlined in the written warning were a matter of discussion between CRD staff and ECCC Wastewater Section between June and November 2025 and were discussed with the Enforcement Branch during a March 12, 2026 meeting. The CRD considered these discussions constructive in clarifying regulatory expectations and informing the actions now underway.

The McLoughlin Point Wastewater Treatment Plant (MPWWTP), which began operations on January 1, 2021, is still considered a relatively new and complex facility. CRD staff continue to refine operational procedures and validate system performance, including those related to maintenance activities that require temporarily bypassing various components of treatment. This work is being undertaken with the objective of ensuring compliance with all requirements from both provincial and federal regulatory agencies.

The CRD acknowledges that a plan to meet requirements of WSER section 45.2(3)(f), including public availability, has not yet been finalized and we are taking steps to address this deficiency.

CRD staff have initiated a structured work program to identify plant components that may necessitate full or partial bypass during maintenance or replacement. The CRD has retained the original MPWWTP engineer of record to undertake a systematic assessment of planned and unplanned bypass scenarios, associated risks, and regulatory considerations; and to develop appropriate mitigation plans to minimize any impact to the marine receiving environment.

This work will culminate in the development of a Maintenance Bypass Risk and Mitigation Assessment Report and an updated Operating Plan, with the intent of satisfying the outstanding

reporting requirement (WSER 45.2(3)(f)), including provision of an implementation schedule and measures to minimize the frequency and duration of future temporary bypass authorizations.

In addition, the CRD is advancing information related to the bypass(es) to the Core Area Liquid Waste Management Committee, a standing committee of the CRD Board, at a meeting scheduled for July 22, 2026. Following this, and receipt by the CRD Board, the CRD will update its public website with information regarding the requirements for maintenance bypasses, and the CRD's related plans. Subject to completion of the technical work and committee review, the CRD anticipates finalizing the reporting in Q3 2026, and will provide ECCC with a formal update upon completion.

Please let me know if ECCC requires any additional information regarding the CRD's approach at this stage to support regulatory oversight.

Please also advise whether the approach and timeline described above are acceptable for the purposes of addressing the identified non-compliance, or alternatively, that ECCC provide any additional direction necessary to ensure alignment with regulatory requirements.

The CRD remains committed to achieving and maintaining full compliance with the *Fisheries Act* and WSER and to exercising due diligence and best practices in the operation of its wastewater systems.

Best Regards,

Alicia Fraser, P.Eng.
General Manager, Infrastructure and Water Services
Capital Regional District

cc: Ted Robbins, Chief Administrative Officer, CRD
Jason Dales, Senior Manager, Wastewater Infrastructure Operations, CRD

