

*Appendix L1 Cumulative Statistics on Exceedances*

		Total No. recorded in this quarter	Total No. recorded since project commencement
1-Hr TSP	Action	0	0
	Limit	0	0
24-Hr TSP	Action	0	2
	Limit	0	0
Noise	Action	0	0
	Limit	0	0
Water Quality	Action	0	2
	Limit	0	0
Impact Dolphin Monitoring	Action	0	9
	Limit	1	7

*Appendix L2 Cumulative Statistics on Complaints, Notifications of Summons and Successful Prosecutions*

Reporting Period	Cumulative Statistics		
	Complaints	Notifications of Summons	Successful Prosecutions
This quarter	2	0	0
Total No. received since project commencement	6	0	0



**ENVIRONMENTAL COMPLAINT/ ENQUIRY FORM**

<b>Complaint/ Enquiry Received*</b>
Date: 22 September 2016 Time: Undisclosed From: Highways Department (HyD) Via: Email
Complainant/ <del>Enquirer</del> *: Name: Undisclosed Tel: Undisclosed Address: Undisclosed Media: <del>Dust</del> Noise Water Quality <del>Other</del> Description: Two flattop barges departing from Tuen Mun everyday were complained discharging whitish effluent outside sea area of cells C054 and C055 of Hong Kong Boundary Crossing Facilities (HKBCF) and causing pollution during 6pm to 4am next day.

***Investigation Report & Response***

<p>The Contractor reviewed the vessel and operation records upon receiving the complaint. The location under complaint is confirmed far away from the project area of this Contract. This Contract also has no flattop barge mooring at or delivered from Tuen Mun in September 2016. Furthermore, the Contract has no discharge activity during the concerned time.</p> <p>According to ET's weekly site inspection record, Pier E13 (the works area adjacent to southern landfall, HKBCF) was visited on 21 September 2016. The construction activities were conducted within project site boundary. Improper discharge was not observed during the site audit. The corresponding mitigation measures were also properly implemented.</p> <p>Upon reviewing the Contractor's records and ET's site inspection record. The flattop barges under complaint are considered not related to this Contract and the location under complaint is not in the project area of this Contract. The corresponding mitigation measures are properly implemented by the Contractor. Thus, the complaint is considered not related to this Contract. The project boundary and the area under complaint are shown in a layout provided by SOR of this Contract for easy reference (Figure 1).</p>
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***Mitigation Measures and Follow-Up Actions Recommended to Contractor***

<p>Since the complaint is considered not related to this Contract, no further action is required. The ET will keep checking whether the mitigation measures are properly implemented. Improvement actions will be advised if necessary.</p>
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Date of File Closed :            11 October 2016  
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Approved and Filed by:

A handwritten signature in black ink, appearing to read 'Jovy Tam', written over a light blue horizontal line.

(Jovy Tam, ET Leader)  
Date: 11 October 2016

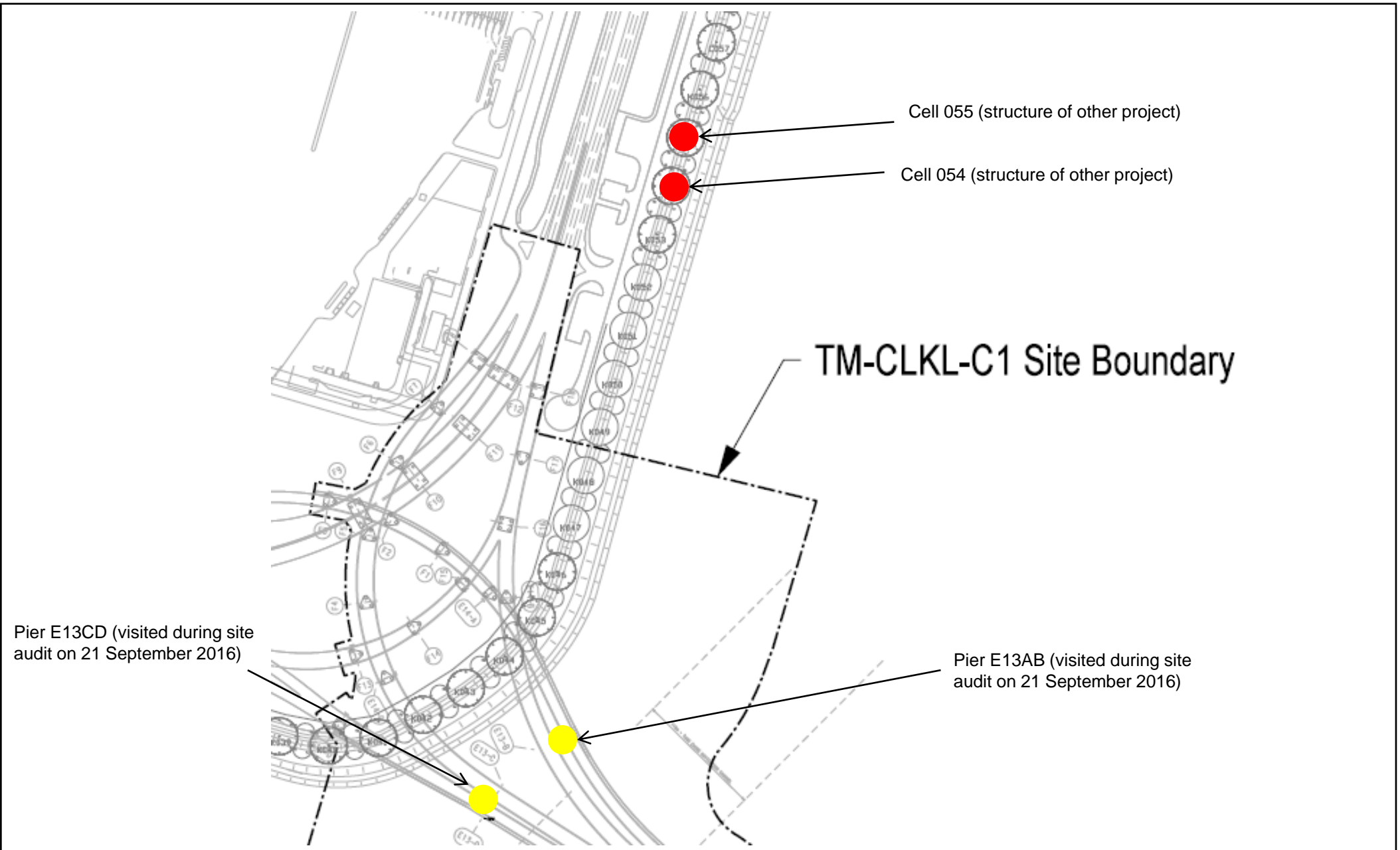


Figure 1 – HY/2012/07 Project Boundary at Southern Landfall



**ENVIRONMENTAL COMPLAINT/ ENQUIRY FORM**

<b>Complaint/ Enquiry Received*</b>
Date: 9 November 2016 Time: 14:49 From: Environmental Protection Department (EPD) Via: Email
Complainant/ <del>Enquirer</del> *: Name: Undisclosed Tel: Undisclosed Address: Undisclosed Media: <del>Dust</del> Noise Water Quality <del>Other</del> Description: One barge in travel was complained causing muddy plume by the barge's propeller wash near Tung Chung New Development Ferry Pier at 09:26am on 7 November 2016.

***Investigation Report & Response***

<p>The Contractor reviewed the vessel and operation records upon receiving the complaint. The location under complaint is confirmed far away from the project area of this Contract and the concerned barge is not from this Contract. This Contract also has no barge travelling from the area near Tung Chung New Development Ferry Pier in November 2016.</p> <p>According to ET's weekly site inspection record, Piers E12 and E13 where is the navigation channel (the works area adjacent to southern landfall, HKBCF) was visited on 2 November 2016. The construction activities were conducted within project site boundary. No muddy plume was observed in association with the construction activities during the site audit on 2 November 2016.</p> <p>Upon reviewing the Contractor's records and ET's site inspection record. The barge under complaint is considered not related to this Contract and the location under complaint is not in the project area of this Contract. Thus, the complaint is considered not related to this Contract.</p>
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***Mitigation Measures and Follow-Up Actions Recommended to Contractor***

<p>Since the complaint is considered not related to this Contract, no further action is required. EPD has reminded all Contractors of HKZMB Projects to avoid marine travel in the waters around Tung Chung town and south of Hong Kong International Airport during low tide (email dated 9/11/2016). The ET will keep checking whether the mitigation measures are properly implemented. Improvement actions will be advised if necessary.</p>
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Date of File Closed :            18 November 2016  
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Approved and Filed by:

(Jovy Tam, ET Leader)  
Date: 18 November 2016

Email  
message

Environmental  
Resources  
Management

**To** Ramboll Environ - Hong Kong, Limited (ENPO)

**From** ERM- Hong Kong, Limited

**Ref/Project number** Contract No. HY/2012/07 Tuen Mun–Chek Lap  
Kok Link–Southern Connection Viaduct Section

**Subject** Notification of Exceedance for Impact Dolphin  
Monitoring

**Date** 06 February 2017

16/F Berkshire House,  
25 Westlands Road  
Quarry Bay, Hong Kong  
Telephone: (852) 2271 3113  
Facsimile: (852) 2723 5660  
E-mail: jovy.tam@erm.com



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Dear Sir or Madam,

Please find attached the Notification of Exceedance (NOE) of the following  
Log no.:

0215660\_Sep2016/Nov2016\_dolphin\_STG&ANI\_NEL&NWL

A total of one limit level exceedance was recorded in the quarterly impact  
dolphin monitoring data between September and November 2016.

Regards,

A handwritten signature in black ink, appearing to read 'Jovy Tam', is positioned above the typed name.

Mr Jovy Tam  
Environmental Team Leader

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ERM-Hong Kong, Limited

CONTRACT NO. HY/2012/07

TUEN MUN – CHEK LAP KOK LINK –  
SOUTHERN CONNECTION VIADUCT SECTION

Impact Dolphin Monitoring  
Notification of Exceedance

Log No.	0215660_Sep2016/Nov2016_dolphin_STG&ANI_NEL&NWL [Total No. of Exceedance = 1]	
Date	September to November 2016 (monitored) 06 February 2017 (results received by ERM)	
Monitoring Area	Northeast Lantau (NEL) and Northwest Lantau (NWL)	
Parameter(s) with Exceedance(s)	Quarterly encounter rate of dolphin sightings (STG) Quarterly encounter rate of total number of dolphins (ANI)	
Action Levels	North Lantau Social cluster	NEL: STG < 4.2 & ANI < 15.5 or NWL: STG < 6.9 & ANI < 31.3
Limit Levels		NEL: STG < 2.4 & ANI < 8.9 and NWL: STG < 3.9 & ANI < 17.9
Recorded Levels	NEL	STG = 0 & ANI = 0
	NWL	STG = 2.86 & ANI = 10.89
	One Limit Level Exceedance was recorded in the quarterly impact dolphin monitoring at NEL and NWL between September and November 2016. The exceedance was reported in the approved <i>Thirty-Seventh Monthly EM&amp;A Report</i> dated 13 December 2016.	
Statistical Analyses	<p>Further to the review of the available and relevant dolphin monitoring data in the EM&amp;A under this Contract, statistical analyses were conducted as follows:</p> <ul style="list-style-type: none"> <li>A two-way ANOVA with repeated measures and unequal sample size was conducted using Period (2 levels: baseline vs impact – present impact quarter, September to November 2016) and Location (2 levels: NEL and NWL) as fixed factors to examine whether there were any significant differences in the average encounter rates between the baseline and present impact monitoring quarter. By setting <math>\alpha = 0.05</math> as the significance level in the statistical tests, significant differences in STG (<math>p = 0.0051</math>) and ANI (<math>p = 0.0296</math>) were detected between Periods.</li> <li>A two-way ANOVA with repeated measures and unequal sample size was conducted using Cumulative Period (2 levels: baseline vs impact – cumulative quarters, December 2012 to November 2016) and Location (2 levels: NEL and NWL) as fixed factors to examine whether there were any significant differences in the average encounter rates between the baseline and cumulative impact monitoring quarter. By setting <math>\alpha = 0.00005</math> as the significance level in the statistical tests, significant difference in STG (<math>p = 0.000004</math>) and in ANI (<math>p = 0.000001</math>) between Cumulative Period and Location were detected.</li> </ul> <p>* Note: The commencement date under <i>Contract No. HY/2012/07</i> is 31 October 2013.</p>	
Works Undertaken (in the monitoring quarter)	<p>In the quarter between September 2016 and November 2016, the major marine works under <i>Contract No. HY/2012/07</i> included:</p> <ul style="list-style-type: none"> <li>Uninstallation of marine piling platform;</li> <li>Pier construction;</li> <li>Launching gantry operation; and</li> <li>Installation of deck segment and pier head segment.</li> </ul>	

<p><b>Possible Reason for Action or Limit Level Exceedance(s)</b></p>	<p>The potential factors that may have contributed to the observed exceedance are reviewed below:</p> <ul style="list-style-type: none"> <li>• Blocking of CWD travelling corridor: The <i>Monitoring of Marine Mammals in Hong Kong Waters (2015 – 16)</i> <sup>(1)</sup> reported that dolphin usage and traveling activities to the northern side of the airport (dolphin traveling corridor) are affected by frequent high-speed ferry traffic from Sky Pier (not related to this Contract), which is likely a major factor resulting in the decrease in dolphin abundances in North Lantau.</li> <li>• Marine works of the Contract: As per the findings from the EIA report (<i>Section 8.11.9</i>), the major influences on the Chinese White Dolphin (CWD) <i>Sousa chinensis</i> under this Contract are marine traffics and bored piling works. The <i>Monitoring of Marine Mammals in Hong Kong Waters (2015-2016)</i> also reported that CWD decline were likely influenced by reclamation works, bored piling and intensive marine traffic from construction activities. Based on these possible reasons, the corresponding marine works and implementation of mitigation measures are reviewed. This Contract does not have any reclamation works, thus no habitat loss was caused by reclamation. In the reporting period, the Contractor implemented the marine traffic control as per the requirements in the <i>EP-354/2009/D</i> and the updated <i>EM&amp;A Manual</i>. Most of the vessels of this Contract also worked within the site boundary, in which the area is seldom used by CWD. Disturbance from vessels of this Contract is considered minor. All of the marine bored piling works of this Contract was completed in September 2015. Thus, underwater noise emission from this Contract had been substantially reduced in this reporting period when comparing to the previous quarters. During dolphin monitoring in this quarter, no unacceptable impact on CWD due to the activities under this Contract was observed.</li> <li>• Impact on water quality: According to the findings in the water quality monitoring results at the impact monitoring stations between September 2016 and November 2016, there was no exceedance on WQM. Impact mean levels of depth-averaged SS at all sampling stations during both mid-ebb and mid-flood tides were well below the corresponding ambient levels. The WQM results imply that no unacceptable impact on water quality was associated with the marine works under this Contract, and thus no indirect impacts on marine habitat quality due to change in water quality is observed in this Contract.</li> </ul> <p>In view of the above, marine ecological mitigation measures were considered properly implemented, and thus no unacceptable impact on CWD or its habitat was associated with this Contract in this quarter.</p>
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(1) Hung SKY (2016). Prepared for AFCD. Available at: [https://www.afcd.gov.hk/english/conservation/con\\_mar/con\\_mar\\_chi/con\\_mar\\_chi\\_chi\\_chi/files/Final\\_Report\\_2015\\_16.pdf](https://www.afcd.gov.hk/english/conservation/con_mar/con_mar_chi/con_mar_chi_chi/files/Final_Report_2015_16.pdf)

<p><b>Actions Taken/ To Be Taken</b></p>	<p>With reference to the site inspection records in this quarter, the respective marine ecological mitigation measures have been implemented properly by the Contractor throughout the marine works period, including:</p> <ol style="list-style-type: none"> <li>1. 250m dolphin exclusion zone;</li> <li>2. Acoustic decoupling plan;</li> <li>3. Training to workers;</li> <li>4. Offsite vessel routing control in accordance with Regular Marine Travel Routes Plan, including routing control within existing and proposed marine park boundaries;</li> <li>5. Vessels speed limited at 5 knots and 10 knots within existing and proposed marine park boundaries and site boundary respectively;</li> <li>6. Idling and mooring of working vessels within site boundary;</li> </ol> <p>The existing mitigation measures are recommended to be continuously implemented. Furthermore, it is also recommended to reduce the vessels for marine works as much as possible. The ET will monitor for future trends in exceedance(s).</p> <p>A joint team meeting was held on 10 February 2017 for discussion on CWD trend, with attendance of ENPO, HyD, Representatives of Resident Site Staff (RSS), Representatives of Environmental Team (ET) for Contract No. HY/2010/02, HY2011/03, HY/2012/07 and HY/2012/08. The discussion/recommendation as recorded in the minutes of the meeting, which might be relevant to this Contract are summarized below. It was concluded that the HZMB works is one of the contributing factors affecting the dolphins. It was also concluded the contribution of impacts due to the HZMB works as a whole (or individual marine contracts) cannot be quantified or separate from the other stress factors. ENPO presented the interim CWD survey results in mainland waters obtained from Hong Kong-Zhuhai-Macao Bridge Authority that some CWDs that previously more often sighted in Hong Kong waters have expanded their ranges into mainland waters, and some with reduced usage in Hong Kong waters, while they are partially accounted for the local decline. It was reminded that the ETs shall keep reviewing the implementation status of the dolphin related mitigation measures and remind the contractor to ensure the relevant measures are fully implemented. The ETs were also reminded to update the BMP boundary in the Regular Marine Travel Route Plan. The participants were requested by ENPO to collect and report the marine traffic statistics. It was recommended that the marine works of HZMB projects should be completed as soon as possible to reduce the overall duration of impacts and allow the dolphins population to recover as early as possible. It was also suggested that the protection measures (e.g., speed limit control) for the proposed Brothers Marine Park (BMP) shall be brought forward as soon as possible before its establishment so as to provide a better habitat for dolphin recovery.</p>
<p><b>Remarks</b></p>	<p>The results of impact water quality and impact dolphin monitoring, the status of implemented marine ecological mitigation measures are documented in the approved <i>Thirty-Fifth to Thirty-Seventh Monthly EM&amp;A Reports</i>. Comparison on water quality between impact and baseline periods is elaborated in the <i>12<sup>th</sup> Quarterly EM&amp;A Report</i>.</p>