

Appendix J

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

**Table J1** *Cumulative Statistics on Exceedances*

<b>Monitoring Parameters</b>	<b>Action/Limit Level</b>	<b>Total No. recorded in this reporting quarter</b>	<b>Total No. recorded since Contract commencement</b>
1-Hr TSP	Action	0	122
	Limit	0	15
24-Hr TSP	Action	0	12
	Limit	0	4
Water Quality	Action	0	167
	Limit	0	19
Impact Dolphin Monitoring	Action	0	11
	Limit	0	19
Post Construction (Operational) Dolphin Monitoring	Action	0	0
	Limit	1	4

**Table J2** *Cumulative Statistics on Complaints, Notifications of Summons and Successful Prosecutions*

<b>Reporting Period</b>	<b>Cumulative Statistics</b>		
	<b>Complaints</b>	<b>Notifications of Summons</b>	<b>Successful Prosecutions</b>
This Reporting Period (March to May 2021)	0	0	0
Total No. received since Contract commencement	17	1	0

**Email  
message**

**Environmental  
Resources  
Management**

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

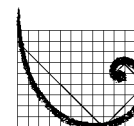
**From** ERM- Hong Kong, Limited

**Ref/Project number** Contract No. HY/2012/08 Tuen Mun–Chek Lap  
Kok Link–Northern Connection Sub-sea Tunnel  
Section

**Subject** Notification of Exceedance for Post Construction  
(Operational) Dolphin Monitoring

**Date** 9 June 2021

2509, 25/F One Harbourfront  
18 Tak Fung Street  
Hung Hom, Kowloon  
Hong Kong  
Telephone: (852) 2271 3000  
Facsimile: (852) 3015 8052



**ERM**

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Dear Sir or Madam,

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

0212330\_March/May2021\_dolphin\_STG&ANI\_NEL&NWL

A total of one limit level exceedance was recorded in the quarterly post  
construction (operational) dolphin monitoring data between March and May  
2021.

Regards,

A handwritten signature in black ink, appearing to read 'Jasmine', written in a cursive style.

Dr Jasmine Ng  
Environmental Team Leader

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**ERM-Hong Kong, Limited**

**CONTRACT NO. HY/2012/08**

**TUEN MUN – CHEK LAP KOK LINK –  
NORTHERN CONNECTION SUB-SEA TUNNEL SECTION**

**Post Construction Dolphin Monitoring  
Notification of Exceedance**

<b>Log No.</b>	0212330_Mar/May2021_dolphin_STG&ANI_NEL&NWL [Total No. of Exceedances = 1 Limit Level Exceedance]	
<b>Date</b>	March – May 2021 (monitored) 9 June 2021 (results received by ERM)	
<b>Monitoring Area</b>	Northeast Lantau (NEL) and Northwest Lantau (NWL)	
<b>Parameter(s) with Exceedance(s)</b>	Quarterly encounter rate of dolphin sightings (STG) Quarterly encounter rate of total number of dolphins (ANI)	
<b>Action Levels</b>	North Lantau Social cluster	NEL: STG < 4.2 & ANI < 15.5 or NWL: STG < 6.9 & ANI < 31.3
<b>Limit Levels</b>		NEL: STG < 2.4 & ANI < 8.9 and NWL: STG < 3.9 & ANI < 17.9
<b>Recorded Levels</b>	NEL	STG = 0 & ANI = 0
	NWL	STG = 0.55 & ANI = 1.09
	One Limit Level Exceedance was recorded in the quarterly post construction dolphin monitoring at NEL and NWL between March and May 2021.	
<b>Statistical Analyses</b>	<p>Further to the review of the available and relevant dolphin monitoring data for TMCLKL project, 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 present post construction quarter, June and August 2021) 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 post construction monitoring quarter. By setting <math>\alpha = 0.01</math> as the significance level in the statistical tests, significant differences in STG (<math>p = 0.0122</math>) and ANI (<math>p = 0.0425</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: the first 34 quarters of impact and post construction phases) 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 quarters. By setting <math>\alpha = 0.00001</math> as the significance level in the statistical tests, significant difference in STG (<math>p = 0.000000</math>) and in ANI (<math>p = 0.000000</math>) between Cumulative Period and Location were detected.</li> </ul> <p>*Note: The commencement date under <i>Contract No. HY/2012/08</i> is 1 November 2013 and the Proposal for operational phase dolphin monitoring was approved by EPD on 19 May 2020. Operational phase dolphin monitoring commenced in June 2020.</p>	

<b>Works Undertaken (in the monitoring quarter)</b>	<p>No marine works was undertaken in the reporting period under Contract No. HY/2012/08. Operational phase dolphin monitoring commenced in June 2020. Termination proposal for construction EM&amp;A programme was approved by EPD on 19 March 2021. The construction phase EM&amp;A programme of the Contract has been terminated since 19 March 2021.</p> <p>No marine works was undertaken in the reporting period under Contract No. HY/2012/07. Termination proposal for construction EM&amp;A programme of Contract No. HY/2012/07 was approved by EPD on 16 March 2020. The construction phase EM&amp;A programme of Contract No. HY/2012/07 has been terminated since 16 March 2020.</p>
<b>Possible Reason for Action or Limit Level Exceedance(s)</b>	<p>The exceedance recorded in the quarterly post construction dolphin monitoring is unlikely to be due to TMCLKL project, in view of the following:</p> <ul style="list-style-type: none"> <li>• Marine works of TMCLKL project: Marine works were completed and no marine vessels will be deployed under Contract No. HY/2012/08 as per confirmed by SOR on 17 April 2020. The Proposal for operational phase dolphin monitoring was approved by EPD on 19 May 2020. Operational phase dolphin monitoring commenced in June 2020. Termination proposal for construction EM&amp;A programme was approved by EPD on 19 March 2021. The construction phase EM&amp;A programme of the Contract has been terminated since 19 March 2021. No marine works was undertaken in the reporting period under Contract No. HY/2012/07. Termination proposal for construction EM&amp;A programme of Contract No. HY/2012/07 was approved by EPD on 16 March 2020. The construction phase EM&amp;A programme of Contract No. HY/2012/07 has been terminated since 16 March 2020. During this quarter of dolphin monitoring, no adverse impact on CWD due to the activities under TMCLKL project was observed.</li> <li>• Impact on water quality: Marine works were completed and no marine vessels will be deployed under TMCLKL project. The Proposal for operational phase water quality monitoring was approved by EPD on 19 May 2020. Operational phase water quality monitoring commenced in June 2020 and completed in May 2021.</li> <li>• Provision of Marine Park: The Government has designated the Brothers Islands as a marine park in December 2016, with the aim to help better conserve the Chinese White Dolphins, their habitats and enhance the marine and fisheries resources therein.</li> </ul> <p>In view of the above, no unacceptable impact on CWD or its habitat was associated with TMCLKL project in this quarter.</p>
<b>Actions Taken / To Be Taken</b>	<p>No marine works and vessels was undertaken/ deployed in the reporting period. The ET will monitor for future trends in exceedances.</p>
<b>Remarks</b>	<p>The results of post construction dolphin monitoring are documented in the approved <i>Eighty-Ninth to Ninety-First Monthly EM&amp;A Reports</i>.</p>