

Appendix D

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

Table D1 *Cumulative Statistics on Exceedances*

Monitoring Parameters	Action/Limit Level	Total No. recorded in this reporting quarter	Total No. recorded since Contract commencement
Post Construction (Operational) Dolphin Monitoring	Action Limit	0 1	0 1

Table D2 *Cumulative Statistics on Complaints, Notifications of Summons and Successful Prosecutions*

Reporting Period	Cumulative Statistics		
	Complaints	Notifications of Summons	Successful Prosecutions
This Reporting Period (September to November 2021)	0	0	0
Total No. received since Contract commencement	0	0	0

Email
message

Environmental
Resources
Management

To Ramboll Hong Kong, Limited (ENPO)

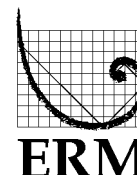
From ERM- Hong Kong, Limited

Ref/Project number Agreement No. HMWSD 1/2021 (EP) Post-
Construction Monitoring of Chinese White
Dolphin (Line-transect Vessel Surveys) for Tuen
Mun – Chek Lap Kok Link in Northeast and
Northwest Lantau Survey Area - Investigation

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

Date 31 December 2021

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



Dear Sir or Madam,

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

0611663_September/November2021_dolphin_STG&ANI_NEL&NWL

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

Regards,

A handwritten signature in cursive script that reads "Jasmine".

Dr Jasmine Ng
Environmental Team Leader

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ERM-Hong Kong, Limited

AGREEMENT NO. HMWSD 1/2021 (EP)
 POST-CONSTRUCTION MONITORING OF CHINESE WHITE DOLPHIN
 (LINE-TRANSECT VESSEL SURVEYS) FOR TUEN MUN -
 CHEK LAP KOK LINK IN NORTHEAST AND NORTHWEST LANTAU SURVEY AREA -
 INVESTIGATION

Post Construction Dolphin Monitoring
 Notification of Exceedance

Log No.	0611663_ Sep/Nov2021_dolphin_STG&ANI_NEL&NWL [Total No. of Exceedances = 1 Limit Level Exceedance]	
Date	September - November 2021 (monitored) 9 December 2021 (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 = 0.55 & ANI = 1.09
	One Limit Level Exceedance was recorded in the quarterly post construction dolphin monitoring at NEL and NWL between September and November 2021.	
Statistical Analyses	<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"> A two-way ANOVA with repeated measures and unequal sample size was conducted using Period (2 levels: baseline vs present post construction quarter, September and November 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 $\alpha = 0.01$ as the significance level in the statistical tests, significant differences in STG ($p = 0.0024$) and ANI ($p = 0.0357$) were detected between Periods. A two-way ANOVA with repeated measures and unequal sample size was conducted using Cumulative Period (2 levels: the first 36 quarters of impact and post construction phases of HKLR03/TMCLKL08) 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 $\alpha = 0.00001$ as the significance level in the statistical tests, significant difference in STG ($p = 0.000000$) and in ANI ($p = 0.000000$) between Cumulative Period and Location were detected. <p>*Note: Operational phase dolphin monitoring between June 2020 and August 2021 were conducted under Contract No. HY/2012/08 and operational phase dolphin monitoring between September 2021 and May 2022 were/will be conducted under Agreement No. HMWSD 1/2021 (EP).</p>	

Works Undertaken (in the monitoring quarter)	<p>No marine works was undertaken in the reporting period under Agreement No. HMWSD 1/2021 (EP).</p> <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&A programme was approved by EPD on 19 March 2021. The construction phase EM&A programme of Contract No. HY/2012/08 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&A programme of Contract No. HY/2012/07 was approved by EPD on 16 March 2020. The construction phase EM&A programme of Contract No. HY/2012/07 has been terminated since 16 March 2020.</p>
Possible Reason for Action or Limit Level Exceedance(s)	<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"> • Marine works of TMCLKL project: No marine works was undertaken in the reporting period under Agreement No. HMWSD 1/2021 (EP). 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&A programme was approved by EPD on 19 March 2021. The construction phase EM&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&A programme of Contract No. HY/2012/07 was approved by EPD on 16 March 2020. The construction phase EM&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. • 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 (monitoring conducted under Contract No. HY/2012/08). • 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. <p>In view of the above, no unacceptable impact on CWD or its habitat was associated with TMCLKL project in this quarter.</p>
Actions Taken / To Be Taken	<p>No marine works and vessels was undertaken/deployed in the reporting period. The ET will monitor for future trends in exceedances.</p>
Remarks	<p>The results of post construction dolphin monitoring are documented in the approved <i>First to Third Monthly EM&A Reports</i>.</p>