Confirmed Minutes of the 128th Meeting of the Environmental Impact Assessment Subcommittee held on 2 September 2014 at 2:00 pm

Present:

Dr Dorothy CHAN, BBS (Chairperson)

Dr HUNG Wing-tat, MH (Deputy Chairman)

Dr Gary ADES

Prof CHAU Kwai-cheong, BBS, JP

Prof FUNG Tung

Dr Billy HAU

Prof LI Xiang-dong

Miss Yolanda NG, MH

Prof Nora TAM, BBS, JP

Dr Eric TSANG

Mr Luther WONG

Prof Ray YEP

Miss Evelyn LEUNG (Secretary)

Absent with Apologies:

Prof John NG

Dr Eric YIP

In Attendance:

Non-EIASC Members
Prof Paul LAM, SBS, JP
Mr Oscar CHOW
Mr Anthony LOCK

Ms Pansy YAU

Government Officials

Mr Andrew LAI Deputy Director of Environmental Protection (3),

Environmental Protection Department (EPD)

Mr K F TANG Assistant Director (Environmental Assessment), EPD Mr Joseph SHAM Assistant Director (Country and Marine Parks),

Agriculture, Fisheries and Conservation Department

(AFCD)

Mr Louis CHAN Principal Environmental Protection Officer (Regional

Assessment), EPD

Mr Maurice YEUNG Principal Environmental Protection Officer

(Assessment & Noise), EPD

Mr Lawrence NGO Senior Environmental Protection Officer (Regional

Assessment)1, EPD

Dr Kenneth LEUNG Senior Environmental Protection Officer (Strategic

Assessment) 5, EPD

Mr LEE Chee-kwan Senior Environmental Protection Officer (Assessment

& Noise)3, EPD

Mr Dick CHOI Senior Marine Conservation Officer (West), AFCD

Mr Alan CHAN

Ms Joanne CHIN

Ms Daicie TONG

Senior Marine Parks Officer, AFCD

Executive Officer (CBD), EPD

Executive Manager (CBD), EPD

<u>Action</u>

<u>Item 1 : EIA Report on "Expansion of Hong Kong International Airport into a Three-Runway System"</u> (ACE-EIA Paper 3/2014)

The Chairperson advised that it was the fifth meeting of the EIA Subcommittee (EIASC) after it met on 11, 13, 18 and 19 August 2014 to deliberate the EIA report on the "Expansion of Hong Kong International Airport into a Three-Runway System" (the 3RS EIA report). Non-EIASC Members of ACE had been invited to join the discussions. Members also visited the SkyPier at the Hong Kong International Airport (HKIA) on 25 August 2014 to better understand the operation of the pier in order to ascertain whether the proposed relocation as raised at the previous meeting would bring benefits to the environment. The Chairperson informed Members that the Airport Authority Hong Kong (AAHK) had provided the supplementary information to the questions raised on 18 August 2014 and been circulated for Members' reference before the meeting.

- 2. <u>The Chairperson</u> invited Members to note the press release issued by AFCD on 1 September 2014 to designate the waters around Fan Lau and Soko Islands (i.e. Southwest Lantau Marine Park and Soko Islands Marine Park respectively) as well as the submissions from World Wide Fund (Hong Kong) (WWF-HK) and Green Sense regarding the designation which the Secretariat received before the meeting.
- 3. As regards the proposal to relocate the SkyPier from the east end to the west end of the airport island, the Chairperson reported that Members had taken note of the technical and operational restrictions involved while the proposal could not bring about the reduced impacts on CWDs intended, e.g. high speed ferries (HSFs) at the SkyPier would still have to en-route into and through the future proposed marine park area and the Pearl River Estuary Chinese White Dolphin (PRE CWD) National Nature Reserve for access to and from the northern ports in the Mainland. Further, Airport West area was regularly used by CWDs and was considered to have a higher habitat quality when compared with Airport North area. Members' concern on the SkyPier marine traffic issues would be discussed at the later part of the meeting.

4. <u>The Chairperson</u> referred Members to the list of initial comments of EIASC on the EIA report which the Secretariat had collated for Members' reference. Members were invited to give further comments on the list for formulating the views on the EIA report which EIASC would recommend ACE to consider at the meeting on 15 September 2014.

CWDs and the proposed marine park

- 5. Members noted AFCD's plan on the designation of Southwest Lantau Marine Park and Soko Islands Marine Park by 2017. <u>The Chairperson</u> said that while the designation was a government initiative and independent of the 3RS EIA report under AAHK, it would improve the overall conservation status of CWDs in the Lantau waters which Members had been championing at previous meetings.
- 6. A Member welcomed the Government's commitment to the designation. However, he was concerned that the mitigation measures in the 3RS EIA report were still not adequate to compensate for the permanent loss of CWD habitats and would suggest AAHK to work with the Government on the designation process and management of the new marine parks. Mr Joseph Sham said that the designation of the two new marine parks was independent of the 3RS project and therefore AAHK would not be involved. AFCD would be launching another round of public engagement to consult relevant stakeholders including fishermen's associations, rural committees, district councils and other parties as necessary for designating the waters around Fan Lau and Soko Islands as marine parks. While AFCD at present was working full-geared on the designation of Brothers Marine Park (BMP) with a view to completing the designation by early 2016, they in parallel were mapping out the designation work of the two new marine parks and sought to complete the statutory process by end 2016 or early 2017.
- 7. <u>A Member</u> welcomed the announcement as the two new marine parks in Fan Lau and Soko Islands were to be designated independent of the development of the 3RS project. Further, the designation to be completed by 2017 very likely would precede the commencement of the 3RS construction. He considered the situation was more favourable than what Members had proposed at previous meetings.
- 8. In response to <u>a Member</u>'s question on the possible connection of the two marine parks and the 3RS project, <u>the Chairperson</u> clarified that the designation work in Fan Lau and Soko Islands was independent of the 3RS EIA report and hence could not be taken as a mitigation measure for the project. The Country and Marine Parks Board would be consulted on the draft maps of the two marine parks before they were to be gazetted for public inspection in accordance with the statutory process under the Marine Parks Ordinance.
- 9. <u>A Member</u> opined that the AFCD's announcement inevitably invited speculation in the community that the two subjects were connected. Nonetheless, EIASC should continue study the 3RS EIA report in itself under the EIA regime. <u>Another Member</u> commented that the Government had given a positive response to address concerns from EIASC and in the community on CWD conservation by

making an open commitment on the designation plan.

10. In reply to <u>a Member</u>'s enquiry on the certainty of the designation plan, <u>Mr Joseph Sham</u> said that the Government was committed to complete the process by 2017. The Government would rally support of the Legislative Council for the designation. <u>Mr Sham</u> added that AFCD had to address fishermen's concerns that were beyond pecuniary consideration such as request for transferable fishing permits. They would approach the fishermen leaders to gain their understanding and support before embarking on the public engagement for the designation process.

Marine Traffic Routes and Management Plan for high speed ferries (HSFs) at the SkyPier

- 11. On a Member's question about the speed limit for the SkyPier HSFs, the Chairperson explained that the 15-knot level proposed by AAHK was adopted as a balanced consideration between CWD conservation and passenger comfort. As AAHK experts had explained, operating HSFs at 10 knots against the normal speed at 30-40 knots would cause discomfort and safety concern to passengers on board. She cited the speed of other vessels for Members' reference, e.g. Star Ferry travelling at 8 knots and New World First Ferry to Cheung Chau at 13-25 knots. The Chairperson said that EIASC could propose a condition or recommendation to require AAHK to devise a Marine Traffic Routes and Management Plan for the SkyPier HSFs. This could include imposing speed limit of 15 knots within the Hong Kong waters which were hotspots of CWDs during the construction phase so as to minimize chances of possible collision and disturbance to dolphins.
- 12. <u>A Member</u> was concerned that similar speed restrictions should be imposed in the PRE waters which were one of the core areas for dolphins. <u>Another Member</u> suggested to impose speed limits to all vessels navigating through the CWD core areas particularly around the Sha Chau and Lung Kwu Chau waters. <u>A Member</u> commented that while the proposal was beyond the ambit of AAHK, they could negotiate with the relevant Mainland authorities and other parties concerned on the proposed speed restrictions. She further suggested diverting marine routes of the SkyPier HSFs to the north of Sha Chau and Lung Kwu Chau so as to avoid en-routing into and through the CWD core region. <u>A Member</u> echoed similar views.
- 13. <u>A Member</u> asked about the level of implementation of the proposed speed limit on the SkyPier HSFs prior to and after the construction phase. <u>Another Member</u> said that according to AAHK, the speed limits would be adopted during the construction phase and prior to the designation of the proposed marine park, whereas the cap on the level of operation would apply before completion of the designation.
- 14. <u>The Chairperson</u> suggested that some of the proposals raised above could be set as recommendations so as to give room for AAHK to discuss with the relevant authorities in Hong Kong and the Mainland as well as other stakeholders concerned on possible implementation.

15. To avoid confusion, <u>a Member</u> suggested stating clearly that the diverted marine routes to the north of Sha Chau and Lung Kwu Chau would continue after the designation of the proposed marine park. <u>A Member</u> added that the region around Urmston Road should also be considered for speed restrictions.

Silt Curtain Deployment Plan

16. <u>A Member</u> suggested that the request for devising a Silt Curtain Deployment Plan should be set as a condition, and that an action limit be drawn up on the construction method in particular the sinking of steel cell structure as plumes of suspended solids might be produced in the process affecting water quality in the neighbouring waters. <u>A Member</u> suggested to add the above in the Environmental Monitoring and Audit (EM&A) Manual for monitoring.

Marine Mammal Watching Plan

- 17. The Chairperson supported a Member's suggestion to commit AAHK for an on-going Marine Mammal Watching Plan and to conduct long-term scientific research in the marine works areas. The Chairperson pointed out that AAHK had agreed to carry out daily patrol and additional surveillance in the marine works areas to support long-term conservation of the marine environment. A Member stressed that the Marine Mammal Watching Plan should serve as an important mitigation measure during the construction phase.
- 18. In response to <u>a Member</u>'s question, <u>the Chairperson</u> said that the Marine Mammal Watching Plan and the Fisheries Enhancement Fund (FEF) were separate schemes.

Marine Ecology Enhancement Fund (MEEF) and Fisheries Enhancement Fund (FEF) in support of Marine Ecology and Fisheries Enhancement Plan (MEFEP)

- 19. <u>The Chairperson</u> informed Members that AAHK had set out details of the MEEF and FEF in the supplementary information. The information included the objectives of the two enhancement funds, an amount of \$200-\$300 million being allocated subject to approval from the Board of AAHK, and the setting up of separate management committees for the two funds and the proposed composition.
- 20. <u>A Member</u> opined that the set up of the MEEF and FEF should be a condition, and that AAHK should ensure that the fund size should be large enough to sustain the efforts of the two enhancement funds during the construction and operation phase. He estimated that a minimum amount of \$15 million annual expenses would be required to support the operation of the MEEF, e.g. monitoring studies on CWD core areas in Hong Kong and the PRE.
- 21. In reply to a similar question from <u>a Member</u> on specifying the fund size in the condition, <u>another Member</u> suggested EIASC could invite AAHK to set up two separate enhancement funds each for marine ecology and fisheries, and that the

funds should be substantial and sustainable for the enhancement initiatives. It would not be appropriate to specify the amount for each fund in the condition so as to allow flexibility for AAHK to work out the implementation details.

- 22. <u>A Member</u> commented that AAHK should provide clear objectives with regard to the MEEF on the conservation of CWDs and other marine life. <u>The Chairperson</u> said that more detailed information on the design, operation and management of the MEFEP on the initiatives in enhancing marine habitats and fisheries resources in addition to the proposed marine park, as well as encouraging relevant scientific research and studies.
- 23. In response to the suggestion from two Members on the chairmanship and composition of the management committees of the MEEF and FEF, the Chairperson said that a recommendation could be made to suggest AAHK to have careful deliberation on the level of representation taking into account the objectives and operation of the two funds.
- 24. Drawing reference to the EIA report on the proposed development at Fung Lok Wai back in 2008, a Member asked about the legal entity of the MEEF and FEF to be set up by AAHK. The Chairperson clarified that AAHK had committed to establish the two funds under its own ambit. A Member said that AAHK had pledged to take responsibility in the management of the two funds. Another Member added that AAHK had experience in managing environmental funds and in subsidising research and studies on marine conservation including CWDs.
- 25. <u>A Member</u> was concerned about monitoring the quality of the MEFEP. <u>Another Member</u> suggested that crucial issues/features of the MEFEP should be incorporated as a condition for AAHK. <u>A Member</u> said that it was customary for ACE to suggest a condition for the project proponent to submit management plans to the satisfaction of the relevant authorities such as AFCD and EPD before commencement of the project. For the present case, Members could consider a condition to require AAHK to take into account ACE's comments when formulating details of the MEFEP. <u>The Chairperson</u> suggested that the requirement in the condition should be a general statement so as to give flexibility for ACE to draw up its comments to AAHK.
- 26. In reply to <u>a Member</u>'s enquiry about how a condition included in the Environmental Permit (EP) would be handled, <u>Mr K F Tang</u> said that the common practice was that the plan submitted by the project proponent would be circulated to the relevant authority for comment. The plan would be revised basing on the comment made and be approved before commencement of the project. For the present case, Members could consider a condition requiring AAHK to consult ACE on the MEFEP before submission to EPD, albeit it would not a usual practice. <u>A Member</u> supported this approach.
- 27. Following on this approach, <u>a Member</u> suggested that a task force comprising interested Council Members and relevant experts could be set up to study the technical and implementation details of the MEFEP when submitted to

- ACE for comment. <u>Another Member</u> suggested the Nature Conservation Subcommittee would be the appropriate platform. He also asked how the public could be engaged during the discussion. <u>A Member</u> clarified that AAHK was required to work out the implementation details of the MEFEP for comment by ACE. Public comments should be welcomed in the process. <u>Mr K F Tang</u> added that AAHK was well aware of the need to engage relevant stakeholders in devising the MEFEP for effective implementation. <u>Two Members</u> shared the view.
- 28. <u>A Member</u> suggested that AAHK should provide more details of the MEFEP in particular for measures during the construction phase. They should set out clearly the objectives and implementation details on how water quality could be enhanced for CWD conservation. <u>The Chairperson</u> pointed out that AAHK had outlined the concept of the MEFEP, and details on the initiatives to be undertaken, e.g. eco-design of the seawall, deployment of artificial reefs and release of fish fry, conduct of scientific research and studies on CWDs, etc. were to be developed upon approval of the 3RS project. <u>The Chairperson</u> said the general practice was for AAHK to submit details of the MEFEP and the associated MEEF and FEF to EPD for approval prior to commencement of the project.

Coral Translocation Plan & Egretry Survey Plan

29. <u>The Chairperson</u> said that EIASC could adopt a similar approach in proposing the conditions for AAHK to submit the Coral Translocation Plan and the Egretry Survey Plan respectively to the satisfaction of the relevant authorities before commencement of the 3RS project.

Air quality, noise and impact on health

- 30. <u>The Chairperson</u> recapped the concerns of <u>two Members</u> on the need to monitor aircraft noise at sensitive locations in Tung Chung, Ma Wan, Tsing Yi, Tsuen Wan, Ting Kau, Siu Lam and Tuen Mun and the impacts on the affected residents. She suggested that AAHK could be required to set up community liaison groups comprising representatives of affected communities to facilitate communication, enquiry and complaint handling on environmental issues related to the project. A detailed Complaint Management Plan could be formulated including setting up a dedicated complaint hotline and email channel for timely response to complaints.
- 31. <u>A Member</u> was concerned about the aircraft fleet mix data and the aircraft phasing-out programme. He considered it contingent to require AAHK to take effective monitoring and action plans to address aircraft noise at source, and that the aircraft substitution rate of up to 65% by 2030 should be observed in line with the international trend. <u>The Chairperson</u> suggested to include a condition for AAHK to formulate a monitoring plan to review the noise data and to take appropriate actions with reference to the prevailing international standards on aircraft noise mitigation.
- 32. Regarding a Member's comment that AAHK had failed to clarify his concern over the aircraft substitution assumptions, the Chairperson pointed out that

AAHK might only be able to provide the basic information whereas it was for the Civil Aviation Department (CAD) as the regulator to ensure that the assumptions were implementable. A Member added that as some small airlines might order second-hand aircraft, an early replacement report would not necessarily mean that the operational lifespan of a specific aircraft type was short. She considered that in the final analysis, the major concern was on the levels of aircraft noise and emission. As AAHK had already committed to draw up relevant monitoring and action plans, Members should focus on setting conditions to ensure that AAHK would honour implementing the plans rather than dragging on the aircraft substitution rate. Current market operation would not allow AAHK or CAD the authority to direct an airline to replace its aircraft fleet within a particular operational cycle.

- 33. The Chairperson suggested that a requirement should be imposed for AAHK to regularly update the Noise Exposure Forecast (NEF) Contour 25 for the purpose of confirming that the actual aircraft noise performance did meet the situation predicted in the EIA report. A Member considered that there should be an annual review of the operational data instead of once every five years as currently proposed by AAHK. Action plans and follow-up actions should be set out in the EM&A Manual on the handling of exceedance cases. The Chairperson suggested that monitoring of noise levels and the Marine Mammal Watching Plan should form part of the EM&A programme.
- 34. <u>A Member</u> suggested using decibels (dB(A)) instead of NEF as the basis for setting the action and limit levels, having regard that NEF was calculated on an annual basis and that the action and limit levels would only be triggered in a year's time after identification of the exceedance. <u>The Chairperson</u> suggested to handle exceedance cases under the Complaint Management Plan with details to be submitted to EPD for approval. <u>Mr K F Tang</u> explained that the use of NEF on aircraft noise had been stipulated in the EIA-TM, which EPD could not go beyond and required AAHK to use dB(A) instead as the monitoring tool. <u>The Member</u> said that AAHK had committed to use available data, including CAD's monitoring statistics measured in dB(A), for regular analysis of aircraft noise trends. That could be included in the EM&A programme in developing the Aircraft Noise Monitoring Plan.
- 35. <u>A Member</u> echoed that a condition should be imposed with aircraft noise measurement in dB(A) in the EM&A programme, which EPD should vet as was the current practice for other EIA reports. <u>Another Member</u> suggested that ACE should be consulted when EPD was to decide on the action and limit levels in respect of aircraft noise.
- 36. On the aspect of water quality, <u>Members</u> agreed that AAHK should draw up a Silt Curtain Deployment Plan, a Spill Response Plan and detailed technical guidelines for strict compliance of contractors over the operation of barges and construction vessels deployed in the marine works areas. <u>A Member suggested</u> that the respective action and limit levels should be set out clearly in the EM&A programme.

- 37. <u>Members</u> agreed to require AAHK to establish quality criteria on the overall landscape and visual environment of the project with broad-brush targets for greening and planting, to develop a Waste Management Plan and to target for the BEAM Plus Platinum certification taking into account their pledge to develop HKIA as the world's greenest airport.
- 38. <u>A Member</u> suggested that the drawing up of the Relics and Antiques Rescue Plan should be imposed as a condition. <u>Mr K F Tang</u> remarked that AAHK had conducted a full-scale check in the area and confirmed that there were no archaeological finds. The rescue plan as suggested could be included as a recommendation for AAHK.
- In response to a Member's enquiry on the feasibility of connecting the 39. proposed marine park with the two new marine parks to be designated in Fan Lau and Soku Islands, Mr Joseph Sham said that there were a gap of a few kilometres between the northern tip of Southwest Lantau Marine Park to be designated and the southern tip of the proposed marine park under the 3RS project. Strong opposition would be expected in Tai O on the proposed connection as the stretch of water was their only marine frontage. Any speed limit on vessels there would have impacts on their livelihood. The Chairperson reckoned that Tai O was a traditional fishing village and the local residents were dependent on fishing and related activities for their living. The community had to strike a balance between human activities and ecological conservation concerns. Further, as the designation work in Fan Lau was independent of the 3RS project, ACE had no authority to bind AAHK to embark on the proposed connection. According to AAHK's proposal, they would encourage scientific studies and closer cooperation with the Mainland authority on conserving dolphins in the PRE waters and in coming up with enhancement measures for the betterment of fishermen and dolphins in the region. A Member suggested AAHK to consider providing monetary compensation to fishermen to stop fishing in the dolphin core areas.
- 40. The Chairperson summarized Members' views that a condition should be imposed on the requirement for a Marine Traffic Routes and Management Plan for the SkyPier HSFs with a recommendation on imposing speed restrictions for HSFsnavigating in the PRE waters. A Marine Mammal Watching Plan should be in place for approval by EPD and AFCD prior to commencement of the marine works, and that relevant action and limit levels would form part of the EM&A programme. The MEEF and FEF had to be sustainable for conservation of marine ecology and fisheries respectively during the construction and operation phase of the 3RS project. AAHK had to inform ACE on the set up of the two funds and to apply for approval with EPD and AFCD before implementation.
- 41. <u>A Member</u> suggested putting in a condition on the 15-knot speed limit for HSFs moving in sensitive dolphin habitats including Urmston Road. <u>Another Member</u> suggested to study the implementation details when AAHK formulated the overall management plan and submitted it to ACE for comment.
- 42. <u>A Member</u> suggested that AAHK should submit both the MEFEP and the

Marine Traffic Routes and Management Plan of the SkyPier HSFs for approval by EPD and AFCD, having regard that HSF activities were the major cause of disturbance and conservation concerns on CWDs.

- 43. The Chairperson sought Members' views on whether they would endorse the EIA report with or without conditions, reject the report or defer the decision to the full Council. A Member expressed his reservation to endorse the EIA report. He said that AAHK had provided new information on the MEFEP and proposed an additional mitigation measure of the Dolphin Protection Areas after the EIASC meetings. However, these substantial measures had not been included in the EIA report and were also not accessible to the public for comment. He asked for more details on the management of the MEFEP for Members to consider whether AAHK had established adequate measures to mitigate the construction impacts on CWDs.
- 44. <u>A Member</u> said that the MEFEP was still at a conceptual stage without much implementation details that AAHK could provide to ACE/EIASC at this stage. She suggested that ACE should be consulted in the process. <u>The Chairperson</u> and <u>a Member</u> added that as with other EIA reports, AAHK had to obtain approval of the relevant authorities, e.g. EPD and AFCD before they could commence the project.
- 45. Mr K F Tang informed that in general, an EIA study was carried out well before the detailed design stage. The project proponent would come up with details on the mitigation measures only after the detailed design was available. It was a standard practice that the EP condition would not define the scope but to require the project proponent to submit the relevant plan to EPD for approval at a later stage. EPD would check that the plan would meet the EIA-TM requirements before the project could commence. For the present case, the new detailed information provided by AAHK in response to Members' request, including the MEFEP, had been uploaded on ACE website for public information. The Chairperson added that Members could consider if they would like to give comments on the management plans of the EIA report which they had clear concern before they were submitted to the respective approving authorities for consideration.
- 46. <u>A Member</u> reminded Members that uncertainty of whether the project proponent could fulfil an EP condition should not be a ground for ACE to reject an EIA report. For the present case, he suggested that Members could propose conditions for those measures in the EIA report which they considered were not completely clear or not entirely satisfactory so as to ensure that AAHK would carry out the 3RS project that would fully fulfil the environmental effects as set out in the EIA report. On this basis, it was important that the conditions had to be fair and enforceable on AAHK and be able to address the concerns of ACE/EIASC and the community. <u>Another Member</u> reiterated the need of a condition to require AAHK to provide details of the MEFEP and the associated MEEF and FEF to ACE so that Members would have the opportunity to comment before they were submitted to EPD and AFCD for approval.
- 47. In view of the long list of conditions and recommendations that Members

had proposed, <u>a Member</u> suggested the Secretariat to circulate the updated list to Members for comment after the meeting.

(<u>Post-meeting note</u>: The list of proposed conditions and recommendations were issued to Members for comments on 4 September 2014.)

- 48. A Member said that the AAHK experts acknowledged that they did not have scientific data to support that CWDs would return after completion of the marine works. In fact, a number of submissions from international and local organizations including the University of Hong Kong and WWF-HK had expressed reservation on the scientific method adopted in the study. He pointed out that the proposed 2 400-ha marine park in the EIA report was not the most important habitat for CWDs. Rather, the key one was the water corridor linking up Sha Chau-Lung Kwu Chau and the west of Tai O. Similarly, having regard to the current construction works near the waters of the Brothers Islands, the Member cast doubts if the future BMP could serve the role of conserving CWDs as originally intended. He invited AAHK to explore the feasibility to revise the EIA report and shift the proposed marine park from north of the airport island to the waters off southwestern Lantau for the purpose. The Member reiterated that the public was deprived of the right to give comments on the management plans of the MEEF and FEF as well as the 1 000-ha Dolphin Protection Areas announced by AAHK, which he considered to be substantial mitigation measures that warranted further public debates.
- 49. Two Members said that EIASC had a thorough and detailed study on the different environmental aspects covered in the EIA report. Members had also taken into account comments from relevant stakeholders and the public as well as the supplementary information provided by AAHK. A Member said that ACE should not reject an EIA report merely on the ground that the public did not have access to all the information that Members had. She pointed out that all the meetings with AAHK and the information so provided were open to the public. It was not practicable for ACE/EIASC to consult the public at all stages. This was also not a requirement in the EIA system. An EIA report should be rejected only when there was a fundamental fault which could not be rectified or improved. Otherwise, the EIA report should be accepted with relevant conditions entered in the EP for improvement.
- 50. <u>A Member</u> suggested a condition that the preparatory work for the designation of the proposed marine park should be advanced so that the designation process could be completed before the operation of the project.
- 51. The Chairperson concluded that Members had the general consensus to endorse the 3RS EIA report with a list of conditions. EIASC's recommendations on the various aspects of the report would be submitted to ACE for discussion on 15 September 2014. The meeting agreed that AAHK should be invited to attend the ACE meeting to present detailed information on the design, operation and management of the MEFEP and the associated MEEF and FEF as well as the Marine Traffic Routes and Management Plan for the SkyPier HSFs for the protection of CWDs.

Item 2: Any other business

52. There was no other business for discussion at the meeting.

Item 3: Date of next meeting

53. <u>The Chairperson</u> informed Members that as there was no EIA report submitted for discussion, the meeting reserved on 22 September 2014 would be cancelled. Members would be advised on the agenda of the next meeting in due course.

EIA Subcommittee Secretariat September 2014