Confirmed Minutes of the 85th Meeting of the Environmental Impact Assessment Subcommittee of the Advisory Council on the Environment held on 17 May 2004 at 4:00pm

Present:

Mr. Otto POON, BBS (Chairman)
Prof. HO Kin-chung (Deputy Chairman)
Dr. NG Cho-nam
Mrs. Mei NG, BBS
Prof. POON Chi-sun
Prof. WONG Tze-wai
Miss Petula POON (Secretary)

Absent with Apology:
Mr. Peter Y C LEE

In Attendance:

Mr. Elvis AU	Assistant Director (Environmental Assessment & Noise), Environmental Protection Department (EPD)
Mr. J K CHAN	Acting Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department (AFCD)
Mr. Eddie CHENG	Executive Officer (E), Environment, Transport and Works Bureau (ETWB)

In Attendance for Agenda Item 3:

Mr. C. M. CHUNG	Senior Engineer, Project Management Division, Drainage Services Department (DSD)
Mr. W. C. SIU	Engineer, Project Management Division, DSD
Mr. Sam TSOI	Associate Director/ Project Manager, Ove Arup & Partners HK Ltd.
Mr. Laurent CHEUNG	Senior Consultant/ Project Coordinator, Ove Arup & Partners HK Ltd.
Mr. David MORKEL	Associate Director/ Landscape Architect, Urbis Ltd.
Ms. M. L. YAU	Senior Ecologist/ Ecology, Ecosystems Ltd.
Mr. Y. K. CHAN	Senior Nature Conservation Officer (North), AFCD
Mr. H M WONG	Principal Environmental Protection Officer (Territory Assessment), EPD
Mr. Tom TAM	Senior Environmental Protection Officer (Territory Assessment), EPD

In Attendance for Agenda Item 4:

Mr. Simon HUI	Principal Environmental Protection Officer (Assessment & Audit), EPD
Mr. Stanley LAU	Senior Environmental Protection Officer (Assessment & Audit), EPD
Mr. P S NG	Senior Environmental Protection Officer (Noise Management & Planning), EPD

****

Action

Agenda Item 1: Confirmation of Minutes of the 84th Meeting held on 23 February 2004

Members confirmed the draft minutes without amendments.

Agenda Item 2: Matters Arising

2. The Chairman reported that there was no matter arising from the minutes of the last meeting.

Agenda Item 3 : Yuen Long and Kam Tin Sewerage and Sewage Disposal Stage 2
(ACE-EIA Paper 4/2004)

3. The Chairman declared interest that his company was a wastewater treatment contractor but it was not involved in the current project. The Subcommittee agreed that the Chairman should continue to chair the meeting having regard to the following-

(a) that the EIA report was already in the public domain;
(b) that his presence would neither prejudice the decision of the Subcommittee nor give him advantage in any way; and
(c) that the minutes of the meeting would be uploaded onto the Internet for public information.

4. The Chairman welcomed the project proponent team to the meeting. Mr. C M Chung introduced the scope of the project. He also pointed out that in table 2.1 of the EIA report, the figure for the dry weather flow of Yuen Long Effluent Pumping Station should be 147,600 m^3/day instead of 14,760 m^3/day. However, the assessments in the report were done on the basis of the correct figure. Mr. Sam Tsoi then briefed Members on the findings of the EIA study.

Alternative design

5. In response to the Chairman's question on alternative designs for the sewerage system, Mr. C M Chung said that they had considered two alignment options for the Yuen Long effluent pipeline, i.e. the alignment proposed in the 1999 "Review of Yuen Long and Kam Tin Sewerage and Sewage Treatment Requirements" and the currently selected alignment. The present alignment was selected on the basis of the ecological impacts, the requirements for land/building resumption, engineering requirements and landscape characters. As for the Yuen Long Effluent Pumping Station, two other options (option 2 and option3) had been considered as the original design (option 1) would occupy part of a conservation area. Both option 2 and option 3 had serious engineering constraint that would affect the efficient operation of the Yuen Long Sewage Treatment Works. In addition, the Industrial Estate Corporation opposed to locating the pumping station in the Yuen Long Industrial Estate (option 2 and option3). On the other hand, option 1 was on government land. It had less engineering constraint and would involve less building cost as well as recurrent cost. Option 1 was hence selected after considering engineering, land and environmental factors.

Designated elements and non-designated elements

6. In reply to a Member's question, Mr. C M Chung clarified that the EIA report covered areas/elements defined as designated project under the EIA Ordinance as well as those not defined as designated project. Mr. H M Wong pointed out that the terms served to illustrate that only parts of the project were caught under the EIA Ordinance. Only the designated elements would require an Environmental Permit under the EIA Ordinance, and conditions would be imposed if necessary. Recommendations on non-designated elements would be implemented through administrative means. Nonetheless, Members' comments on any part of the project were welcome.

Compensatory tree planting at the bund of Shan Pui Ponds

7. Noting that trees would be planted at the bund of Shan Pui Ponds near the mouth of Shan Pui River as compensatory planting, a Member pointed out that the proposal might not be appropriate because the area was adjacent to well preserved, isolated fish ponds frequented by water birds. Trees might not be compatible with the habitat and had to be trimmed down for the benefit of the habitat as in the case of Mai Po. Planting trees there might in fact decrease the ecological value of the area. In response, Ms. M L Yau explained that the replanting area, which would be 0.35 ha in size, was to compensate for the loss of mitigation planting for the Main Drainage Channels for Ngau Tam Mei, Yuen Long and Kam

Action

Tin project on a like-to-like basis using suitable native species. The new replanting area was actually close to the original mitigation planting area and would serve similar functions as the original design. Mr. C M Chung said that in comparison with the large area of the wetland, the replanting area was a small one and the overall adverse screening effect to the fish ponds, if any, should be insignificant. Mr. H M Wong informed the meeting that mangrove and trees were planted along Shan Pui River from the sewage treatment works down to the mouth of the river as recommended in the EIA report of the Main Drainage Channel project. The current project would only affect the southern end of the plantation and it was proposed that the loss should be compensated by a replanting area on the other side of the river.

8. A Member said that the original site was near the sewage treatment works and far away from the fishponds while the new planting area was close to the fishponds. Water birds there might not welcome tree plantation, as observed in the case of Mai Po. In response, Ms. M L Yau said that the consultant had set up a trial planting area for another project near Shan Pui River and erected a screen there to reduce disturbances caused by a pier nearby. It was observed that the screen was beneficial to the birds there. The Member said that the fishponds were far away from human disturbance and no screen was needed. He further pointed out that while a screen had fixed height, trees would grow and trimming would be needed in future. He suggested either looking for alternative replanting sites or species compatible with the habitat. Ms. Yau informed Members that a number of places had been considered but the current site was considered the most appropriate. From past experience and the result of the trial project mentioned above, no adverse impact on water birds was anticipated. She suggested that the area would be monitored closely in the EM&A process so as to study the effect on water birds. Mr. Y K Chan said that it would be difficult to find other planting sites near Shan Pui River and he suggested the planting of shrubs instead of trees. Mr. H M Wong said that the impact of losing the mitigation plantation area could be reassessed if the trees there were not beneficial to the wetland. The original purpose of the mitigation planting might be for improving landscape and he suggested landscape planting in other areas as compensation. The Chairman hoped that the project proponent would re-consider the matter and see whether another site could be identified or species compatible with the wetland environment could be planted. Mr. C M Chung noted and agreed to consider the Chairman's suggestions.

Project proponent

Land contamination and exposed soil

9. A Member pointed out that some sections of the sewers

would be adjacent to car repair workshops which might have land contamination problem. She also said that exposed soil might have impact on water quality during rainy season and if the exposed sites were near contaminated area, land contamination might occur. In response, Mr. Sam Tsoi said that they were aware of the industrial activities there. Since the sewers would be laid under the roads instead of the pedestrian pavements adjacent to the workshops, the chance of contamination migrating to the sewers would be minimal. Confirmatory soil tests would be conducted and any land contamination would be dealt with properly before sewerage construction. As for the impact of exposed soil during rainy seasons, Mr. C M Chung pointed out that they would control the scale of exposed soil by opening trench at not more than 50 metres' length at any one time. In response to the Chairman's enquiry, Mr. Laurent Cheung confirmed that appropriate measures, for example, the provision of cut-off drains at suitable places to prevent overflowing of mud water in exposed soil areas, had been included in the Environmental Monitoring and Auditing Manual.

Footprint of the sewerage system and projected population

10. In response to a Member's question on reducing the footprint of the sewerage system, Mr. C M Chung explained that the scale of the system would depend on the sewage to be collected within the planned catchment areas. They would closely monitor changes in the population estimates in Northeast New Territories and would make corresponding adjustments during the detailed design stage. In reply to another Member's question, Mr. Chung said that the estimated population for the planned catchment areas of the project in San Tin, Kam Tin, Yuen Long Industrial Estate and the northern part of Yuen Long Town Centre was 270,000.

Water quality impact

11. In view of the policy of zero discharge to Deep Bay, a Member asked where the treated effluent would be discharged and what would be the impact to the water quality in Deep Bay. In response, Mr. C M Chung explained that at present, effluent would receive secondary treatment at the Yuen Long Sewage Treatment Works and would be discharged to Shan Pui River leading to Deep Bay. After implementation of the project, the treated effluent would be conveyed to the San Wai Sewage Treatment Works for disinfection and discharged into the Urmston Road Outfall. Another Member said that the project would improve the water quality of Deep Bay but the water quality at Urmston Road Outfall might be affected due to increased nutrient level. Mr. Chung clarified that the water quality in the Northwest Water Control Zone would also be

greatly improved upon the completion of the project for the upgrading and expansion of the San Wai Sewage Treatment Works. In addition, the project would include the construction of public sewers in villages where there were no sewers and the sewage was mostly discharged without proper treatment. The project would bring overall improvement to water quality in Northwest New Territories. In addition, the water quality assessment at Urmston Road Outfall was included in the EIA Report for the upgrading and expansion of the San Wai Sewage Treatment Works, which was endorsed by the ACE last year.

Reinstating fishponds

12. In response to a Member's question on reinstating the affected fishponds, Mr. C M Chung said that two types of fishponds would be affected. One was Grade A fishponds but the project would only affect the earth bund of the fishponds. The contractor would be prohibited from dewatering the fishponds and the earth bunds would be reinstated after the completion of the project. The other fishpond was ranked Grade C and only 0.05 ha of the fishpond would be affected and would not be reinstated.

Trenchless excavation

13. In reply to a Member's question on adopting the trenchless excavation method in constructing tunnel sewers, Mr. C M Chung said that the trenchless excavation method would be adopted for sewer sections crossing streams and busy road junctions. While he agreed that the technology would cause fewer disturbances and create less dust, it would not be applicable in areas where the sewers were not deep enough for such operation or the ground was congested with utilities. Also, trenchless excavation would still involve a driving pit and a receiving pit which would virtually occupy the road if the sewer section were along the road. Since the trenchless method would be more environmentally friendly, Mr. Chung agreed to consider during the detailed design stage greater use of that method.

Excavated soil

14. Noting that around 100,000 m^3 of excavated soil had to be disposed of, a Member asked whether the amount could be reduced. In response, Mr. Sam Tsoi said that 79% of the excavated soil would be reused in the project. DSD would work out with Civil Engineering Department at the detailed design stage to see whether other sites would be able to use the remaining 100,000 m^3 of excavated soil. Mr. C M Chung supplemented that they would pay attention to the generation of

Action

construction and demolition waste and would address the issue by means of a waste management plan.

Construction works near Mai Po Loong Egretry and Mai Po Village Egretry

15. In view of the possible impact on egrets due to the construction works near Mai Po Loong Egretry and Mai Po Village Egretry, a Member suggested and Mr. C M Chung agreed to consider that in addition to prohibiting construction works during the breeding season, noisy construction activities in other periods with the exception of essential and occasional works should be avoided as far as practically possible after 4:00 p.m. in the afternoon. Project proponent

Landscaping

16. A Member commended the green roof design adopted for the Yuen Long Effluent Pumping Station and asked whether similar design would be adopted for the Mong Tseng Effluent Pumping Station and other projects. In response, Mr. C M Chung said that since the Yuen Long Effluent Pumping Station was within the conservation area, they would want to reduce its visual impact as far as possible. They had no similar plan for other projects for the time being. Mr. Chung noted the Member's suggestion to consult local people on the landscape work of the pumping stations.

Renewable energy and effluent reuse

17. A Member suggested using renewable energy as far as possible. She also considered that the treated effluent should be reused and a trial scheme should be undertaken for the project. In response, Mr. C M Chung said that effluent reuse was a long-term objective and DSD was currently conducting a pilot scheme in Ngong Ping. There were various constraints for effluent reuse such as health hazards. The Administration would wait for the outcome of the pilot scheme before deciding whether and how similar schemes would be implemented for other projects. Another Member agreed that effluent reuse was a long-term goal but he hoped that DSD could extend the pilot scheme to future sewage projects.

18. Mr. H M Wong informed the Subcommittee that one public comment which supported the selected alignment for effluent pipeline that avoided the Conservation Area was received during the public inspection period.

Conclusion

19. The Chairman concluded that the project would bring about improvement to water quality, and the Subcommittee would recommend the endorsement of the EIA report to the Council without condition. He hoped that the project proponent would take into account the concerns and suggestions raised by Members in paragraphs above.

Agenda Item 4 : The Concept of Continuous Public Involvement in Hong Kong's Environmental Impact Assessment Process and 3-Dimensional Tools

20. The Chairman welcomed the presentation team to the meeting. Mr. Simon Hui briefed Members on the Concept of Continuous Public Involvement and Mr. P S Ng demonstrated the use of 3-Dimensional (3-D) tools. Members commended EPD's efforts in exploring and adopting innovative ideas to enhance public involvement in the EIA process and improve public access to information on the environmental performance of major projects. Members also considered that the use of 3-dimensional tools would facilitate the general public to better understand the findings of EIA reports and related issues.

21. The Chairman said that it would be difficult to present noise impact in 3-D tools, as the effect would depend on the setting of the users' computer. In response, Mr. P S Ng said that the relative noise level could be presented as a comparison to demonstrate say the effect of noise barriers. A Member pointed out that 3-D tools would help assess the visual impact because 2-D plans could not show clearly information such as the height of a structure.

22. A Member pointed out that under the EIA Ordinance, there were two stages whereby the public could formally be involved in the EIA process. He wondered whether public involvement could be strengthened formally in the context of the EIA Ordinance. In response, Mr. Elvis Au explained that the EIA Ordinance only prescribed the minimum requirements. In fact the recent circular issued by ETWB on EIA process encouraged project proponents to go beyond the two formal stages and engage the public in the EIA process including the EM&A stage as early and as much as possible. In response to the Member's enquiry, Mr. Au said that the circular could be viewed on ETWB's website.

23. A Member suggested that the project websites, in addition to providing information, should facilitate the public to give comments online. Mr. Elvis Au said that their idea was to have an interactive

website for each project and that discussions could be carried out online. The Member said that the public might detect problems in the implementation of a project and hence public involvement in the EM&A process would also be important. Mr. Simon Hui confirmed that they did receive e-mail of that nature from time to time and the websites had achieved the purpose well.

24. A Member pointed out that 3-D models might dilute certain adverse impact of a project and hence a standard should be set to ensure accuracy. She also considered that such tools should be adopted to illustrate impacts in the construction, completion and mitigation stages. Mr. Simon Hui agreed that the models must be scientifically correct and EPD had to make sure that the information so presented correctly reflected the actual situation.

25. A Member suggested that ACE and District Council meetings on topical and controversial issues/EIA reports could be uploaded onto the websites so that the public could participate. Mr. Simon Hui said that they were exploring technologies such as multi-party video conferencing which could involve the public in meetings. Such technologies could also enable overseas experts to give advice at meetings. The Member agreed that it would be a good idea to involve overseas experts through such technology. The Chairman cautioned over the involvement of experts, as it was common that project proponents would involve only those experts that would give favorable comments on their projects.

26. A Member said that while information technology could help the public to understand the projects, some members of the public might not have access to computers. Hence, it would be more important to open more channels of communication to the public. Mr. Simon Hui agreed and said that EPD would maintain the existing conventional channels while looking for ways to improve public consultation.

27. A Member remarked that the recent protest against the incineration of dioxin in Tsing Yi illustrated that the public generally did not understand EIAs and more should be done in that respect. Another Member said that project proponents should improve consultation with the public. Mr. Simon Hui said that EPD played a facilitating role by providing tools and advice to project proponents. Public consultation process should aim at helping the public to understand the problem and make informed decisions but it would not be practical to try to achieve complete consensus. The Chairman supplemented that the Sustainable Development Council had also discussed the issue and it was agreed that more effective public consultation process was needed.

Action

28. The Chairman thanked the presentation team for attending the meeting.

Agenda Item 5 : Monthly Updates of Applications under Environmental Impact Assessment Ordinance

29. Members noted the updates.

Agenda Item 6 : Any Other Business

Visit to the Lok Ma Chau Ecological Compensation Area

30. The visit to the Lok Ma Chau Ecological Compensation Area scheduled for February 2004 was cancelled due to the avian flu. A Member suggested arranging another visit to the area. EIA Secretariat

Agenda Item 6: Date of Next Meeting

31. The next meeting would be held on 21 June 2004.

EIA Subcommittee Secretariat
May 2004