

本署檔號
OUR REF: EP2/N9/M/177 Pt. 3
來函檔號
YOUR REF:
電話
TEL. NO.: 2835 1105
圖文傳真
FAX NO.: 2591 0558
電子郵件
E-MAIL: qng@epd.gov.hk
網址
HOMEPAGE: <http://www.epd.gov.hk>

Environmental Protection Department
Branch Office
28th Floor, Southorn Centre,
130 Hennessy Road,
Wan Chai, Hong Kong.



環境保護署分處
香港灣仔
軒尼詩道
一百三十號
修頓中心廿八樓

9 May 2023

By Registered Post & Fax

Agriculture, Fisheries and Conservation Department
Fisheries Branch

Environmental Impact Assessment (EIA) Ordinance, Cap. 499
Application for Environmental Permit

Project Title: Establishment of Fish Culture Zone at Po Toi (Southeast)
(Application No. AEP-628/2023)

I refer to your above application received on 17 April 2023 for an environmental permit under Section 10(1) of the EIA Ordinance.

Pursuant to Section 10(5) of the EIA Ordinance, I now issue the attached Environmental Permit (No. EP-628/2023) for your use.

Under Section 15 of the EIA Ordinance, the Environmental Permit will be placed on the EIA Ordinance Register. It will also be placed on the EIA Ordinance website (<http://www.epd.gov.hk/eia/>).

Please note that if you are aggrieved by any of the conditions imposed in this Permit, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this Permit.

Should you have any queries on the above application, please contact my colleague Mr. Alex Tang at 2835 1140.

Yours sincerely,

(Queenie Y. C. NG)

Acting Principal Environmental Protection Officer
for Director of Environmental Protection

Encl.

c.c. (w/o encl.)

ACE EIA Subcommittee Secretariat

(Attn. : Ms. Sally SHEK)

Fax:

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
SECTION 10
環境影響評估條例
(第 499 章)
第 10 條

ENVIRONMENTAL PERMIT TO CONSTRUCT AND OPERATE
A DESIGNATED PROJECT
建造及營辦指定工程項目的環境許可證

PART A (MAIN PERMIT)
A 部 (許可證主要部分)

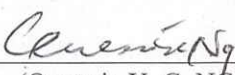
Pursuant to Section 10 of the Environmental Impact Assessment Ordinance (EIAO), the Director of Environmental Protection (the Director) grants this environmental permit to the **Agriculture, Fisheries and Conservation Department** (hereinafter referred to as the “Permit Holder”) to construct and operate the designated project described in **Part B** subject to the conditions specified in **Part C**. The issue of this environmental permit is based on the documents, approvals or permissions described below:

根據《環境影響評估條例》(環評條例) 第 10 條的規定，環境保護署署長(署長)將本環境許可證批予**漁農自然護理署**(下稱“許可證持有人”)以建造及營辦**B 部**所說明的指定工程項目，但須遵守**C 部**所列明的條件。本環境許可證的發出，乃以下表所列的文件、批准或許可作為根據：

Application No. 申請書編號	AEP-628/2023
Document in the Register: 登記冊上的文件：	<p>(1) Establishment of Fish Culture Zone at Po Toi (Southeast) (Register No. AEIAR-248/2023):</p> <ul style="list-style-type: none">- Environmental Impact Assessment (EIA) Report [Hereafter referred to as “the EIA Report”]- Environmental Monitoring and Audit (EM&A) Manual [Hereafter referred to as “the EM&A Manual”]- Executive Summary <p>在蒲台(東南)設立魚類養殖區(登記冊編號：AEIAR-248/2023):</p> <ul style="list-style-type: none">- 環境影響評估報告 [下稱“環評報告”]- 環境監察及審核手冊 [下稱“環監手冊”]- 行政摘要 <p>(2) The Director’s letter of approval of the EIA Report dated 31 March 2023 (Reference: (24) in EP2/N9/M/177) 署長於 2023 年 3 月 31 日發出批准環評報告的信件 (檔案編號：(24) in EP2/N9/M/177)</p> <p>(3) Application for Environmental Permit submitted on 17 April 2023 (Application No. AEP-628/2023) 於 2023 年 4 月 17 日提交的环境許可證申請文件 (申請書編號：AEP-628/2023)</p>

9 May 2023
2023 年 5 月 9 日

Date
日期


(Queenie Y. C. NG)
Acting Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(署理首席環境保護主任 吳沅清 代行)



PART B (DESCRIPTION OF DESIGNATED PROJECT)

B 部 (指定工程項目的說明)

Hereunder is the description of the designated project mentioned in Part A of this environmental permit (hereinafter referred to as the “Permit”):

下列為本環境許可證 (下稱“許可證”) A 部 所提述的指定工程項目的說明:

Title of Designated Project 指定工程項目的名稱	Establishment of Fish Culture Zone at Po Toi (Southeast) [This designated project is hereafter referred to as “the Project”] 在蒲台(東南)設立魚類養殖區 [本指定工程項目下稱 “工程項目”]
Nature of Designated Project 指定工程項目的性質	A fish culture zone more than 5 ha in size (Item M.1 of Part I of Schedule 2 of the EIAO) 面積超過 5 公頃的魚類養殖區 (環評條例附表 2 第 I 部的 M.1 項)
Location of Designated Project 指定工程項目的地點	The Project is located at waters off southeast of Po Toi Island. The location of the Project is shown in <u>Figure 1</u> of this Permit 工程項目位於蒲台島東南面海域。工程項目的位置載於本許可證圖 1
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The Project involves construction and operation of a new fish culture zone of about 100 hectares in size with the maximum standing stock of about 1,765.4 tons at any given time, which comprises the scope of:- <ul style="list-style-type: none">- Assembly and anchorage of fish farm structures which are manufactured off-site, including fish rafts/ cages, auxiliary facilities and mooring system; and- Operation of marine fish culture activities. 工程項目涉及建造及營辦一個面積約 100 公頃及在任何時間最高養殖量約 1,765.4 噸的魚類養殖區，其範圍包括： <ul style="list-style-type: none">- 組裝和錨固在場外預製的魚排結構，包括魚排／網箱、輔助設施和繫泊系統；及- 營辦海魚養殖活動。



PART C (PERMIT CONDITIONS)

C 部 (許可證條件)

1. General Conditions

一般條件

- 1.1 The Permit Holder and any person constructing or operating the Project shall comply with all conditions set out in this Permit. Any non-compliance by any person may constitute a contravention of the Environmental Impact Assessment Ordinance (EIAO) (Cap. 499) and may become the subject of appropriate action being taken under the EIAO.

許可證持有人及任何建造或營辦工程項目的人士必須完全符合本許可證載列的全部條件。任何人士如有不符合本許可證的情況，可能違反《環境影響評估條例》(環評條例)(第 499 章)的規定，而當局可根據環評條例採取適當行動。

- 1.2 The Permit Holder and any person constructing or operating the Project shall ensure full compliance with all legislation from time to time in force including, without limitation to, the Noise Control Ordinance (Cap. 400), Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358), Dumping at Sea Ordinance (Cap. 466) and Waste Disposal Ordinance (Cap. 354). This Permit does not of itself constitute any ground of defence against any proceedings instituted under any legislation or imply any approval under any legislation.

許可證持有人及任何建造或營辦工程項目的人士須確保完全符合現行法例的規定，包括但不限於《噪音管制條例》(第 400 章)、《空氣污染管制條例》(第 311 章)、《水污染管制條例》(第 358 章)、《海上傾倒物料條例》(第 466 章)及《廢物處置條例》(第 354 章)。本許可證本身不會就根據任何法例提出的法律程序構成任何抗辯理由，或根據任何法例默示任何批准。

- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit and the documents referred to in Part A of this Permit readily available at all times for inspection by the Director or his authorised officers at all sites covered by this Permit. Any reference to this Permit shall include all documents referred to in this Permit and also the relevant documents in the Register.

許可證持有人須印製本許可證的複本，連同本許可證所述的所有文件及本許可證 A 部 所述文件，以供署長或獲授權人員任何時間內在本許可證所涵蓋的所有工地查閱。凡提述本許可證，須包括本許可證所述的所有文件及登記冊內的相關文件。

- 1.4 The Permit Holder shall give a copy of this Permit to the person(s) in charge of the site(s) and ensure that such person(s) fully understands all conditions and all requirements incorporated in this Permit. The site(s) refers to site(s) of construction and operation of the Project and shall mean the same hereafter.

許可證持有人須把本許可證的一份複本交予有關工地的負責人，並確保這些人士完全明白本許可證的所有條件與規定。工地是指建造及營辦工程項目的工地，下文所提及的工地亦屬同一意思。

- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the construction site(s) at a convenient location for public's information at all times. The Permit Holder shall ensure that the most updated information about this Permit, including any amended Permit, is displayed at such locations. If the Permit Holder surrenders a part or the whole of this Permit, the notice he sends to the Director shall



also be displayed at the same locations as the original Permit. The suspended, varied or cancelled Permit shall be removed from display at the construction site(s).

許可證持有人須在建造工地一處方便地點，顯眼地展示本許可證的複本，以供公眾在任何時間內閱覽。許可證持有人須確保在這些地點展示關於本許可證（包括任何經修訂的許可證）的最新資料。許可證持有人如交回本許可證的部分或全部，必須把其送交署長的通知書，在備有原有許可證的各處相同地點展示。遭暫時吊銷、更改或取消的許可證必須從建造工地除下，不再展示。

- 1.6 The Permit Holder and any person constructing or operating the Project shall construct and operate the Project in accordance with the project description in Part B of this Permit.

許可證持有人及任何建造或營辦工程項目的人士須依據本許可證 B 部的工程項目說明，建造及營辦工程項目。

- 1.7 The Permit Holder and any person constructing or operating the Project shall ensure that the Project is designed, constructed and operated in accordance with the information and recommendations described in the approved EIA Report (Register No. AEIAR-248/2023); the application documents for environmental permits; other relevant document in the Register; the information and mitigation measures described in this Permit; mitigation measures to be recommended in submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded in this Permit or otherwise agreed by the Director.

許可證持有人及任何建造或營辦工程項目的人士須確保工程項目按照下述資料設計、建造及營辦：核准環評報告（登記冊編號：AEIAR-248/2023）所說明的資料及相關建議；環境許可證的申請文件；登記冊內的其他相關文件；本許可證所說明的資料及緩解措施；根據本許可證所載的條件須提交予署長存放或獲署長批准的文件所建議的緩解措施；以及在工程項目各階段進行的持續監察及監測工作所建議的緩解措施。登記冊文件所述建議如沒有在本許可證明確表示，則仍須實施這些建議，除非獲本許可證明確豁除或另獲署長同意。

- 1.8 All submissions, as required under this Permit, shall be rectified and resubmitted in accordance with the comments, if any, made by the Director within one month of the receipt of the Director's comments or otherwise as specified by the Director.

所有按本許可證規定提交的文件，須在接獲署長的意見（如有者）後 1 個月內或署長另行指定的期限內，根據署長的意見加以修正及重新提交。

- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, or all submissions rectified in accordance with comments by the Director under this Permit shall be construed as part of the permit conditions described in Part C of this Permit. Any variation of the submissions shall be approved by the Director in writing or as prescribed in the relevant permit conditions. Any non-compliance with the submissions may constitute a contravention of the EIAO (Cap. 499). All submissions or any variation of submissions shall be certified by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) referred to



in Conditions 2.1 and 2.4 below before submitting to the Director under this Permit.

所有提交署長並獲批准的文件、所有提交署長存放而沒有收到署長意見的文件或根據本許可證提交並已依照署長的意見作出修訂的所有文件，將詮釋為本許可證 C 部 所說明的許可證條件的一部分。對提交文件所作的任何修訂，均須獲得署長的書面批准，或符合有關許可證條件所述。凡與所提交的文件有不合的情況，均可能構成違反環評條例 (第 499 章)。所有提交文件或提交文件的任何修訂本，均須按下文條件第 2.1 及 2.4 項所述的環境小組組長核證及獨立環境查核人核實，然後才按本許可證規定向署長提交。

- 1.10 The Permit Holder shall release all finalised submissions as required under this Permit to the public by depositing copies in the Environmental Impact Assessment Ordinance Register Office, or in any other places, or any internet websites as specified by the Director, or by any means as specified by the Director, for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.

許可證持有人須把所有按本許可證規定提交的文件定稿公開給公眾人士知道，方法是把有關文件複本存放於環境影響評估條例登記冊辦事處，或署長指定的任何其他地方，或署長指定的任何互聯網網站，或署長指定的任何方法，以供公眾查閱。為此，許可證持有人須提供足夠數量的複本。

- 1.11 The Permit Holder shall submit and/or deposit all submissions within the time as specified in the Conditions of this Permit. All submissions to the Director required under this Permit shall be delivered either in person or by registered mail to the Environmental Impact Assessment Ordinance Register Office (currently at 27/F, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong). Electronic copies of all finalised submissions required under this Permit shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.

許可證持有人須在本許可證條件所列明的時間內，提交及/或存放所有文件。本許可證規定向署長提交的所有文件，須親身送交或以掛號方式郵寄至環境影響評估條例登記冊辦事處（現址為：香港灣仔軒尼詩道 130 號修頓中心 27 樓）。所有按本許可證規定提交的文件定稿的電子複本，均須以超文本標示語言(HTML)(第 4.0 或較後版本)和便攜式文件格式(PDF)(第 1.3 或較後版本)製作，除非另獲署長同意，電子複本須與硬複本同時提交。

- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project no later than 3 months prior to the commencement of construction of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of the construction.

許可證持有人須在工程項目建造工程展開前最少 3 個月，以書面方式把工程項目建造工程的展開日期通知署長。建造工程的展開日期如有任何更改，許可證持有人必須立即以書面方式通知署長。

- 1.13 For the purpose of this Permit, “commencement of construction” does not include works related to site clearance and preparation, or other works as agreed by the Director.

為執行本許可證，「建造工程的展開」不包括有關工地清理和預備的工程，或署長同意的其他工程。



- 1.14 The Permit Holder shall notify the Director in writing the commencement date of operation of the Project no later than 1 month prior to the commencement of operation of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of operation.
許可證持有人須在工程項目開始營辦前最少 1 個月，以書面方式把工程項目開始營辦的日期通知署長。開始營辦的日期如有任何更改，許可證持有人須立即以書面方式通知署長。

2. **Specific Conditions**
特定條件

Employment or Submission before Construction of the Project

工程項目施工前須聘用的人員或提交的文件

Employment of Environmental Team (ET)

聘用環境小組

- 2.1 An ET shall be established by the Permit Holder no later than 3 months before the commencement of construction of the Project. The ET shall not be in any way an associated body of the Marine Fish Culture Licensee(s), the Contractor(s) or the Independent Environmental Checker (IEC) for the Project. The ET shall be headed by an ET Leader. The ET Leader shall be a person who has at least 7 years of experience in environmental monitoring and auditing (EM&A) or environmental management.
許可證持有人須在工程項目建造工程展開前最少 3 個月成立一個環境小組。環境小組不得與工程項目的海魚養殖牌照持有人、承辦商或獨立環境查核人有任何關聯。環境小組須由一名環境小組組長帶領。該名環境小組組長須在環境監察及審核（「環監」）或環境管理方面至少有 7 年經驗。
- 2.2 The ET and the ET Leader shall be responsible for duties defined in the EM&A Manual and this Permit, including implementation of the EM&A programme in accordance with the EM&A requirements as contained in the EM&A Manual of the Project; and site inspections to audit the site practice and work methodologies of the Marine Fish Culture Licensee(s) and/or the Contractor(s) with respect to environmental mitigation measures contained in the EM&A Manual of the Project and/or as required under this Permit and to take pro-active actions to pre-empt environmental problems. The ET Leader shall be responsible for:
環境小組及環境小組組長須負責執行環監手冊及本許可證所列明的職務，包括按工程項目的環監手冊所載的環監規定執行環監計劃；以及進行實地視察，以便就工程項目的環監手冊所載及／或按本許可證規定的環境緩解措施，審核海魚養殖牌照持有人及／或承辦商的工地作業方式及工作方法，並採取積極行動，防止環境問題出現。環境小組組長須負責：
- (i) certifying the environmental acceptability of permanent and temporary works, relevant plans and submissions required in the EM&A Manual and/or under this Permit. Certification(s) shall be documented in the upcoming EM&A monthly report;
核證永久及臨時工程在環境上的可接受程度、相關的設計圖則和根據環監手冊及／或本許可證規定提交的文件。核證須記錄於每月環監報告；
- (ii) notifying the IEC within 1 working day of the occurrence of each and every instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the approved EIA Report (Register No



AEIAR-248/2023) and/or this Permit. Notification(s) shall be documented in the upcoming EM&A monthly report; and
在發生可能會影響符合核准環評報告（登記冊編號：AEIAR-248/2023）的建議及／或本許可證的每宗事件、每種情況或每次情況變化後 1 個工作天內通知獨立環境查核人。通知須記錄於每月環監報告；以及

- (iii) keeping a contemporaneous log-book of any such instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the approved EIA Report (Register No. AEIAR-248/2023) and/or this Permit. The format of the log-book shall be certified and approved by the IEC. The log-book shall be kept readily available for inspection by all persons assisting in supervision of the implementation of the recommendations of the approved EIA Report (Register No. AEIAR-248/2023) and this Permit or by the Director or his authorized officers.

保存一本記錄冊，即時記載可能會影響符合核准環評報告（登記冊編號：AEIAR-248/2023）的建議及／或本許可證的任何類似事件、情況或情況變化。記錄冊的格式須得到獨立環境查核人的核證和批准。記錄冊須加以保存，以供協助督導執行核准環評報告（登記冊編號：AEIAR-248/2023）及本許可證的建議的所有人士、署長或獲授權人員隨時查閱。

- 2.3 Failure to maintain records in the log-book, failure to discharge the duties of the ET Leader as defined in the EM&A Manual or failure to comply with Condition 2.2 above would entitle the Director to require the Permit Holder by notice in writing to replace the ET Leader. Failure by the Permit Holder to make replacement or further failure to keep contemporaneous records in the log-book despite the employment of a new ET Leader may render this Permit liable to suspension, cancellation or variation. 環境小組組長如未能在記錄冊保存記錄、未能執行環監手冊所列明的環境小組組長職務或未能符合上文條件第 2.2 項的規定，署長有權以書面通知要求許可證持有人撤換環境小組組長。許可證持有人如未能安排人選替補，或在聘用新環境小組組長後仍未能在記錄冊保存即時記錄，或會導致本許可證遭暫時吊銷、取消或更改。

Employment of Independent Environmental Checker (IEC)

聘用獨立環境查核人

- 2.4 An IEC shall be employed by the Permit Holder no later than 3 months before the commencement of construction of the Project. The IEC shall not be in any way an associated body of the Marine Fish Culture Licensee(s), the Contractor(s) or the ET for the Project. The IEC shall be a person who has at least 7 years of experience in EM&A or environmental management.

許可證持有人須在工程項目建造工程展開前最少 3 個月聘用一名獨立環境查核人。獨立環境查核人不得與工程項目的海魚養殖牌照持有人、承辦商或環境小組有任何關聯，而該名獨立環境查核人須在環監或環境管理方面至少有 7 年經驗。

- 2.5 The IEC shall be responsible for duties defined in the EM&A Manual and this Permit, including the following:

獨立環境查核人須執行環監手冊及本許可證所列明的職務，包括以下：

- (i) auditing the overall EM&A performance, including the implementation of all environmental mitigation measures and monitoring activities on site.



submissions required in the EM&A Manual, and/or under this Permit. Finding(s) of the audit(s) shall be documented in the upcoming EM&A monthly report;
審核整體環監工作的表現，包括實施所有環境緩解措施和執行現場的監察工作、提交環監手冊及／或本許可證所規定的文件。審核結果須記錄於每月環監報告；

- (ii) verifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions required in the EM&A Manual and under this Permit. Verification(s) shall be documented in the upcoming EM&A monthly report;
核實永久及臨時工程在環境上的可接受程度、相關的設計圖則和根據環監手冊及本許可證規定提交的文件。核實結果須記錄於每月環監報告；
- (iii) verifying the log-book(s) mentioned in Condition 2.2(iii). The IEC shall sign off with a date on the log-book after verification;
核實條件第 2.2 (iii) 項所述的記錄冊。核實後獨立環境查核人須於記錄冊上簽署並填上日期；
- (iv) notifying the Director by fax or email, within 1 working day of receipt of notification from the ET Leader, or identification by the IEC and his team, of each and every change of circumstances or suspected and/or potential non-compliance with the recommendations (such as construction methods, mitigation measures, and environmental standards) of the approved EIA Report (Register No. AEIAR-248/2023), the EM&A Manual and this Permit, which might affect the monitoring or control of adverse environmental impacts arising from the Project. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition;
在每次出現情況變化或懷疑及／或可能不符合核准環評報告（登記冊編號：AEIAR-248/2023）的建議（例如：施工方法、緩解措施及環境標準）、環監手冊及本許可證的情況，而可能會妨礙對工程項目所造成的不良環境影響作出監察或控制時，獨立環境查核人須在接獲環境小組組長通知或獨立環境查核人及其支援小組確定情況後 1 個工作天內以傳真或電郵方式通知署長。為執行本條件，許可證持有人的通知等同獨立環境查核人的通知；
- (v) liaising closely with the Director;
與署長密切聯繫；
- (vi) accompanying the Director in carrying out site inspections and attending meetings when requested;
按要求陪同署長進行實地視察及出席會議；
- (vii) offering objective and professional advice on environmental issues, when requested, and to respond to questions and enquiries from the Director on the Project, the EM&A programme and duties discharged by the IEC, with the support of relevant information, documents and records as appropriate; and
按要求就環境問題提供客觀及專業意見，並提供合適的相關資料、文件和記錄，以回應署長就工程項目、環監計劃及獨立環境查核人所執行之職務提出的問題及查詢；以及
- (viii) allocating adequate resources, including any necessary specialist support, for discharging the duties required in the EM&A Manual and/or this Permit.



分配足夠資源，包括所需的專業支援，以執行環監手冊及／或本許可證規定的各項職務。

- 2.6 If the Director considers the IEC fails to discharge the duties of the IEC as defined in the EM&A Manual or in this Permit, the Director may require the Permit Holder by notice in writing to replace the IEC. Failure to replace the IEC as directed or further failure to so notify the Director despite employment of a new IEC may render this Permit liable to suspension, cancellation or variation.
如署長認為獨立環境查核人未能執行環監手冊或本許可證所列明的獨立環境查核人職務，署長可藉書面通知要求許可證持有人撤換獨立環境查核人。如未能按指示撤換獨立環境查核人，或在聘用新獨立環境查核人後仍未能通知署長有關情況，則或會導致本許可證遭暫時吊銷、取消或更改。

Submission of Sediment Monitoring Plan
提交沉積物監察計劃書

- 2.7 The Permit Holder shall no later than 3 months before the commencement of construction of the Project submit 2 hard copies and 1 electronic copy of the Sediment Monitoring Plan to the Director for approval. The Plan shall identify appropriate locations for sediment monitoring by grab samples based on modelling simulations for tracking the particles flow, and propose monitoring parameters and frequency with a view to monitoring any potential impacts on sediment quality of the seabed due to sediment deposits caused by the Project.
在工程項目的建造工程展開前最少 3 個月，許可證持有人須把 2 份硬複本及 1 份電子複本的沉積物監察計劃書提交署長批准。計劃書須根據模擬數據模型追蹤微粒流動的結果，確認以爪斗取樣方式進行沉積物監察的合適位置，及建議相關參數及頻率，以監察工程項目所產生的沉積物對海床沉積物質素的潛在影響。

Measures to be Implemented during Construction and Operation of the Project
工程項目建造及營辦期間須採取的措施

- 2.8 No dredging operations shall be permitted during construction and operation of the Project.
在工程項目建造及營辦期間，嚴禁進行挖泥作業。
- 2.9 To avoid potential cultural heritage impacts, no anchoring activities of marine vessels and fish farm structures shall be permitted within the 20m radius buffer area set for each sonar contact with archaeological potential as shown in Figure 2 of this Permit during construction and operation of the Project.
為避免潛在的文化遺產影響，在工程項目建造及營辦期間，嚴禁在本許可證圖 2 所示的就每個考古潛藏的聲納接觸點所設置的半徑 20 米的緩衝區內進行船隻錨泊及魚排結構錨固。

3 Environmental Monitoring and Audit (EM&A) Requirements
環境監察及審核規定

- 3.1 The Permit Holder shall implement the EM&A programme in accordance with the procedures and requirements as set out in the EM&A Manual. Any changes to the EM&A requirements or programme or termination of the programme shall be justified by the ET Leader and verified by the IEC as conforming to the information



and requirements contained in the EM&A Manual before submission to the Director for approval.

許可證持有人須按照環監手冊所載的程序及規定執行環監計劃。環監的規定或計劃如有更改或計劃如終止，須由環境小組組長提出理據並由獨立環境查核人核實，證明其符合環監手冊所載的資料及規定，然後才提交署長批准。

3.2 The Permit Holder shall take samples, measurements and necessary remedial actions in accordance with the requirements of the EM&A Manual by:

許可證持有人須按照環監手冊所載的規定，透過以下方法進行取樣、測量及所需的補救行動：

- (i) conducting baseline environmental monitoring;
進行環境基線監測；
- (ii) conducting impact monitoring;
進行影響監測；
- (iii) carrying out remedial actions described in the Event/Action Plans of the EM&A Manual in accordance with the time frame set out in the Event/Action Plans, or as agreed by the Director, in case where specified criteria in the EM&A Manual are exceeded; and
如超逾環監手冊內指定的標準，則按照環監手冊內的事件／行動計劃所訂明的時限或署長所同意的時限，執行事件／行動計劃所說明的補救行動；以及
- (iv) logging and keeping records of the details of (i) to (iii) above for all parameters within 3 working days of the collection of data or completion of remedial action(s), for the purpose of preparing and submitting the monthly EM&A Reports and to make available the information for inspection on site.
在收集數據或完成補救行動 3 個工作天內，須記錄及備存上文(i)至(iii)段所有參數的詳情，用作擬備及提交每月環監報告，並備妥有關資料以供在工地查閱。

3.3 The Permit Holder shall submit 1 hard copy and 1 electronic copy of Baseline Monitoring Reports to the Director at least 2 weeks before the commencement of construction of the Project. The submissions shall be certified by the ET Leader and verified by the IEC as having complied with the requirements as set out in the EM&A Manual before submission to the Director. Additional copies of the Baseline Monitoring Reports shall be provided upon request by the Director.

許可證持有人須在展開工程項目的建造工程前最少 2 個星期向署長提交基線監測報告的 1 份硬複本及 1 份電子版本。提交文件須由環境小組組長核證及獨立環境查核人核實，證明其符合環監手冊所載的規定，然後才提交署長。如署長要求，則須提交基線監測報告的額外複本。

3.4 The Permit Holder shall submit 1 hard copy and 1 electronic copy of Monthly EM&A Reports to the Director, within 10 working days after the end of the reporting month. The monthly EM&A Reports shall include an executive summary of all environmental audit results, together with actions taken in the event of non-compliance (exceedances) of the environmental quality performance limits (Action and Limit Levels), complaints received and emergency events relating to violation of environmental legislation. The submissions shall be certified by the ET Leader and verified by the IEC as having complied with the requirements as set out in the EM&A



Manual before submission to the Director. Additional copies of the Monthly EM&A Reports shall be provided upon request by the Director.

在每個提交報告的月份結束後 10 個工作天內，許可證持有人須向署長提交每月環監報告的 1 份硬複本及 1 份電子版本。每月環監報告須包括各項環境審核結果，以及在發生不符合（超出）環境質素表現規限（行動及極限水平）情況時所採取的行動、接獲有關違反環境法例的投訴及發生相關緊急事件的行政摘要。提交的報告須由環境小組組長核證及獨立環境查核人核實，證明其符合環監手冊所載的規定，然後才提交署長。如署長要求，則須向署長提交每月環監報告的額外複本。

- 3.5 All environmental monitoring and audit data submitted under this Permit shall be true, valid and correct.

根據本許可證提交的所有環監數據，均須有效及真實無誤。

4. **Electronic Reporting of EM&A Information**
環監資料的電子匯報

- 4.1 To facilitate public inspection of the Baseline Monitoring Report and Monthly EM&A Reports via the EIAO Internet Website and at the EIAO Register Office, electronic copies of these Reports shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies as described in Conditions 3.3 and 3.4 above. For the HTML version, a content page capable of providing hyperlink to each section and sub-section of these Reports shall be included in the beginning of the document. Hyperlinks to all figures, drawings and tables in these Reports shall be provided in the main text from where the respective references are made. All graphics in these Reports shall be in interlaced GIF, JPEG or PDF format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.

為方便公眾透過環評條例互聯網網站及在環評條例登記冊辦事處查閱基線監測報告及每月環監報告，除非另獲署長同意，否則該等報告的電子複本須以超文本標示語言(HTML)(第 4.0 或較後版本)及便攜式文件格式(PDF)(第 1.3 或較後版本)擬備，並須與上文條件第 3.3 及 3.4 項所說明的硬複本同時提交。關於 HTML 的版本方面，須在文件開端加入可與報告各節及小節作出超文本連結的目錄。報告內的正文如有任何相關的參考資料，須建立超連結以連結至報告所載的相關數據和圖表。除非另獲署長同意，否則報告內所有圖像均須以交錯存取的 GIF、JPEG 或 PDF 格式制定。報告的電子複本內容，必須與硬複本的內容一致。

Notes:
註：

1. This Permit consists of three parts, namely, **Part A** (Main Permit), **Part B** (Description of Designated Project) and **Part C** (Permit Conditions). Any person relying on this Permit should obtain independent legal advice on the legal implications under the EIAO, and the following notes are for general information only.

本許可證共有 3 部，即 **A 部**（許可證主要部分）；**B 部**（指定工程項目的說明）及 **C 部**（許可證條件）。任何援引本許可證的人士須就環評條例的法律含意徵詢獨立法律意見，下述註解只供一般參考用。



2. If there is a breach of any condition of this Permit, the Director or his authorized officer may, with the consent of the Secretary for Environment and Ecology, order the cessation of associated work until the remedial action is taken in respect of the resultant environmental damage, and in that case the Permit Holder shall not carry out any associated works without the permission of the Director or his authorized officer.
如違反本許可證的任何條件，署長或獲授權人員徵得環境及生態局局長的同意後可勒令停止相關工程，直至許可證持有人為所造成的環境損害採取補救行動為止。在此情況下，許可證持有人未經署長或獲授權人員同意，不得進行任何相關工程。
3. The Permit Holder may apply under Section 13 of the EIAO to the Director for a variation of the conditions of this Permit. The Permit Holder shall replace the original permit displayed on the Project site by the amended permit.
許可證持有人可根據環評條例第 13 條的規定向署長申請更改本環境許可證的條件。許可證持有人須以經修改的許可證替換在工程項目工地內展示的原有許可證。
4. A person who assumes the responsibility for the whole or a part of the Project may, before he assumes responsibility of the Project, apply under Section 12 of the EIAO to the Director for a further environmental permit.
承擔工程項目整項或部分工程的責任的人，在承擔責任之前，可根據環評條例第 12 條的規定向署長申請新的環境許可證。
5. Under Section 14 of the EIAO, the Director may with the consent of the Secretary for Environment and Ecology, suspend, vary or cancel this Permit. The suspended, varied or cancelled Permit shall be removed from display at the Project site.
根據環評條例第 14 條的規定，署長可在取得環境及生態局局長的同意下暫時吊銷、更改或取消本許可證。遭暫時吊銷、更改或取消的許可證必須從工程項目工地除下，不再展示。
6. If this Permit is cancelled or surrendered during construction or operation of the Project, another environmental permit must be obtained under the EIAO before the Project could be continued. It is an offence under Section 26(1) of the EIAO to construct or operate a designated project listed in Part I of Schedule 2 of the EIAO without a valid environmental permit.
如果本許可證在工程項目建造或營辦期間取消或交回，則在繼續進行工程項目之前，必須先根據環評條例規定取得另一份環境許可證。根據環評條例第 26(1) 條的規定，任何人在沒有有效環境許可證的情況下建造或營辦環評條例附表 2 第 1 部所列明的指定工程項目，即屬犯罪。
7. Any person who constructs or operates the Project contrary to the conditions in this Permit, and is convicted of an offence under the EIAO, is liable:
 - (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;
 - (ii) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for 2 years;
 - (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
 - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and



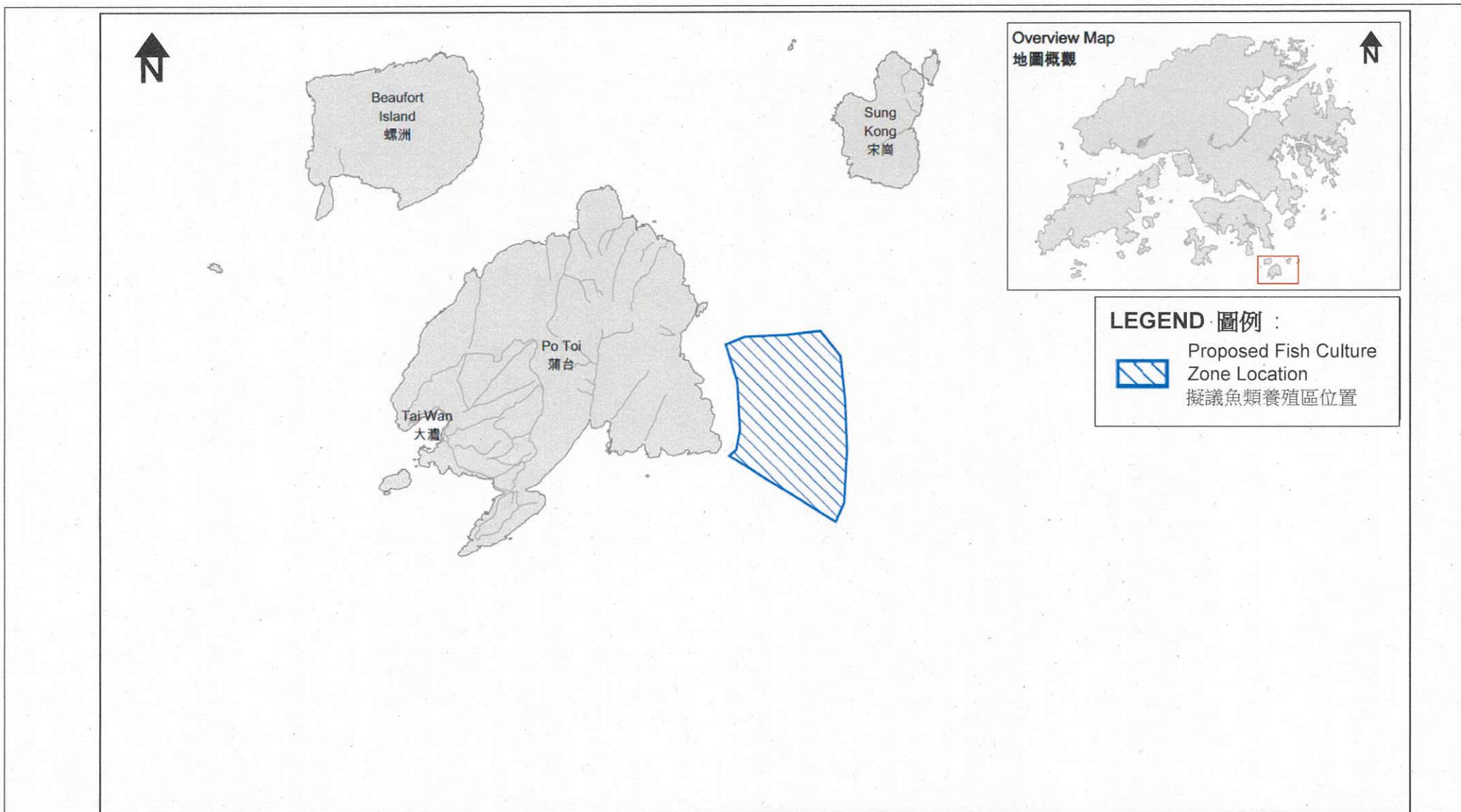
- (v) in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$10,000 for each day on which he is satisfied the offence continued.

如任何人在違反本許可證的條件下建造或營辦工程項目，且被裁定觸犯環評條例所訂明的罪行，即屬犯罪：

- (i) 一經循公訴程序首次定罪，可處罰款 200 萬元及監禁 6 個月；
 - (ii) 一經循公訴程序第二次或其後每次定罪，可處罰款 500 萬元及監禁 2 年；
 - (iii) 一經循簡易程序首次定罪，可處第 6 級罰款及監禁 6 個月；
 - (iv) 一經循簡易程序第二次或其後每次定罪，可處罰款 100 萬元及監禁 1 年；以及
 - (v) 在任何情況下如該罪行屬持續性質，法院或裁判官可就其信納該罪行持續的每天另處罰款 10,000 元。
8. The Permit Holder may appeal against any condition of this Permit under Section 17 of the EIAO within 30 days of receipt of this Permit.
許可證持有人可在接獲本許可證後 30 天內，根據環評條例第 17 條就本許可證的任何條件提出上訴。
9. The Notes are for general reference only and that the Permit Holder should refer to the EIAO for details and seek independent legal advice.
上述註解只供一般參考用，欲知有關詳情，許可證持有人須參閱環評條例及徵詢獨立法律意見。

Environmental Permit No. EP-628/2023
環境許可證編號 EP-628/2023





Project Title: Establishment of Fish Culture Zone at Po Toi (Southeast)

工程項目名稱: 在蒲台 (東南) 設立魚類養殖區

Environmental Permit No. EP-628/2023

環境許可證編號: EP-628/2023

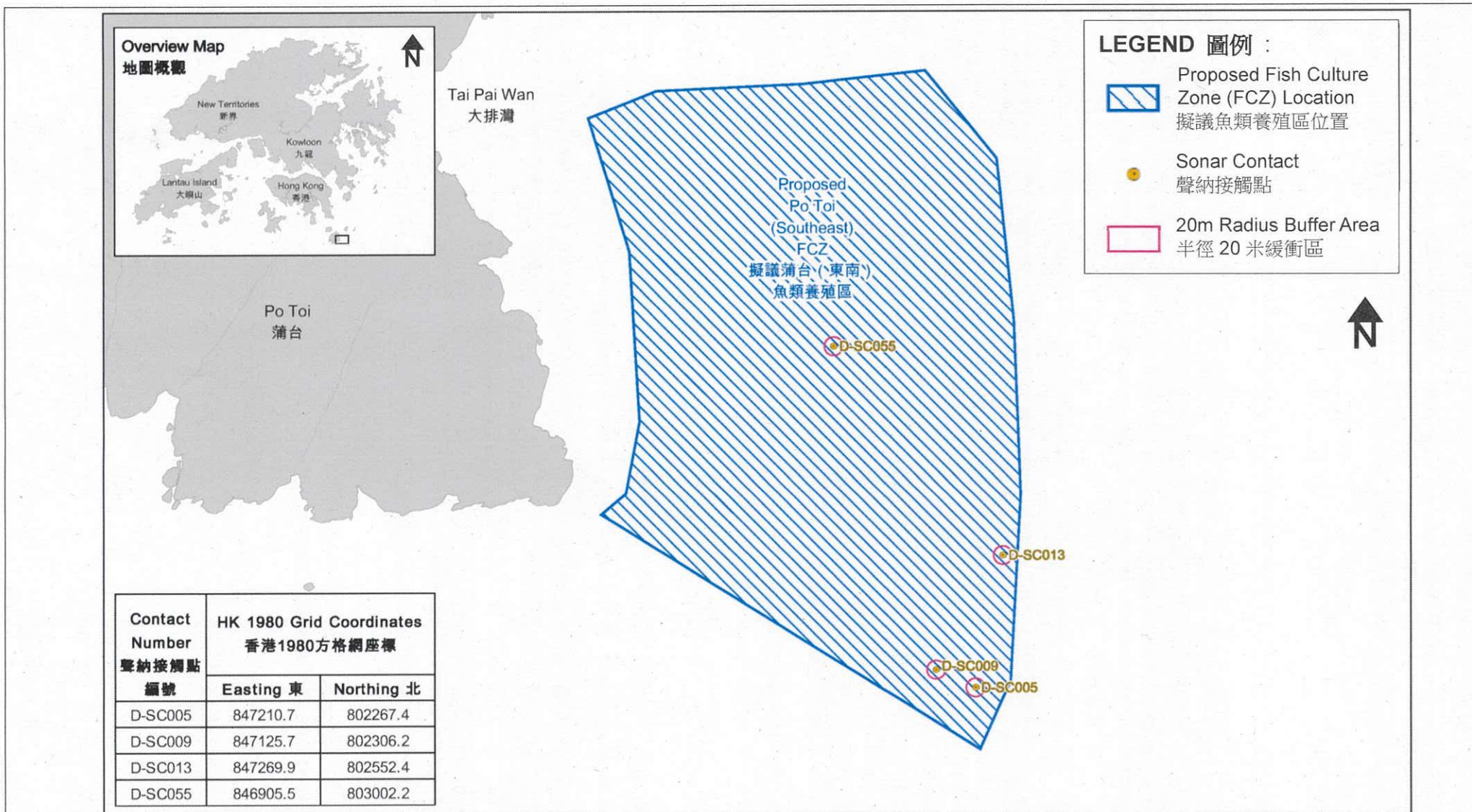
Figure 1: Project Location Plan

圖 1: 工程項目位置圖

This figure was prepared based on Figure 1.1 of the approved EIA Report (Register No. AEIAR-248/2023)

本圖是根據核准環評報告 (登記冊編號 : AEIAR-248/2023) 內的圖 1.1 編製





Project Title: Establishment of Fish Culture Zone at Po Toi (Southeast)

工程項目名稱: 在蒲台(東南)設立魚類養殖區

Environmental Permit No. EP-628/2023

環境許可證編號: EP-628/2023

Figure 2: Buffer Area of Sonar Contacts within the Proposed Fish Culture Zone (FCZ) at Po Toi (Southeast)

圖 2: 擬議蒲台(東南)魚類養殖區內的聲納接觸點緩衝區

This figure was prepared based on Figure 8.1 of the approved EIA Report (Register No. AEIAR-248/2023)

本圖是根據核准環評報告(登記冊編號: AEIAR-248/2023)內的圖 8.1 編製

