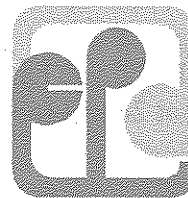


本署檔號
OUR REF: (24) in EP2/N9//97 pt14
來函檔號
YOUR REF:
電話
TEL. NO.: 2835 1105
圖文傳真
FAX NO: 2591 0558
電子郵件
E-MAIL:
網址
HOMEPAGE: <http://www.epd.gov.hk>

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

17 February 2015

Drainage Services Department,

Dear

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

Project Title: Drainage Improvement in Southern Lantau
(Application No. VEP-465/2015)

I refer to your above application received on 20 January 2015 for variation of an environmental permit under Section 13(1) of the EIA Ordinance.

Pursuant to Section 13(5) of the EIA Ordinance, we have amended the Environmental Permit (EP-237/2005/B). I attach the Environmental Permit as amended (No. EP-237/2005/C) for your use.

Under Section 15 of the EIA Ordinance, the amended 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/>).

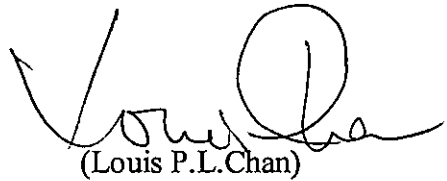
We note from section 1.1.2 of the Environmental Review Report enclosed in your application that the construction works under Contract No. DC/2006/11 was substantially completed in April 2012. Given there has been a lapse of almost three years since that time, you are reminded to observe all relevant conditions under the Environmental Permit (No. EP-237/2005/C) for all new construction works.

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.

/p.2...

Should you have any queries on the above application, please contact my colleague Mr. Simon Ho at 2835 1153.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Louis P.L. Chan', with a large circular flourish at the end.

(Louis P.L.Chan)

Principal Environmental Protection Officer
for Director of Environmental Protection

Encl.

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)

SECTIONS 10 AND 13

環境影響評估條例

(第499章)

第 10 及 13 條

ENVIRONMENTAL PERMIT TO CONSTRUCT A DESIGNATED PROJECT
建造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) granted the environmental permit (No. EP-237/2005) to the Drainage Services Department (hereinafter referred to as the "Permit Holder") on 25 January 2005. Pursuant to Section 13 of the EIAO, the Director amends the Environmental Permit (No. EP-237/2005/B) based on the application No. VEP-465/2015. The amendments, described below, are incorporated into this Environmental Permit (No. EP-237/2005/C). This Environmental Permit as amended is for the construction of the designated projects described in Part B of this Permit subject to the conditions specified in and attached to Part C of this Permit. 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(條例)第10條的規定，環境保護署署長(署長)於2005年1月25日將本環境許可證編號 EP-237/2005批予渠務署(下稱“許可證持有人”)。根據條例第13條的規定，署長因應更改環境許可證的申請編號VEP-465/2015修訂環境許可證編號 EP-237/2005/B。以下修訂已包含在本環境許可證編號 EP-237/2005/C 內。本經修訂的環境許可證，只適用於建造B部所說明的指定工程項目，並須遵守本許可證C部所說明及附載的條件。本環境許可證是依據下列文件、批准或許可而簽發：

Application No. 申請書編號	VEP-465/2015
Document in the Register : 登記冊上的文件：	<ol style="list-style-type: none">1. Drainage Improvement in Southern Lantau<ul style="list-style-type: none">- Final Environmental Impact Assessment Report- Environmental Impact Assessment Report - Executive Summary- Final Environmental Monitoring and Audit Manual- Hereinafter referred to as the "EIA Report" (Register No. : AEIAR-093/2005)- 南大嶼山雨水排放系統改善計劃- 最終環境影響評估報告- 環境影響評估報告 - 行政摘要- 最終環境監察及審核手冊下稱“環評報告”(登記冊編號 AEIAR-093/2005)2. The Director's letter of approval of the EIA Report dated 5 December 2005 referenced EP2/N9/I/97 環境保護署署長於二〇〇五年十二月五日發出批准環評報告的信件檔案編號 EP2/N9/I/973. The Director's letter of approval of the EIA Report dated 5 December 2005 referenced EP2/N9/I/97 環境保護署署長於二〇〇五年十二月五日發出批准環評報告的信件檔案編號 EP2/N9/I/97



Application No. 申請書編號	VEP-465/2015
Document in the Register : 登記冊上的文件:	<p>4. Application for Environmental Permit received on 28 December 2005 (Application No.: AEP-237/2005) 許可證持有人於二〇〇五年十二月二十八日提交的許可証申請文件(申請書編號: AEP-237/2005)</p> <p>5. Environmental Permit issued on 25 January 2006 (Permit No. EP-237/2005) 於二〇〇六年一月二十五日發出的環境許可證(許可證編號 EP-237/2005)</p> <p>6. Application document for Variation of an Environmental Permit submitted by the Permit Holder on 5 February 2007 (Application No. VEP-230/2007) 許可證持有人於二〇〇七年二月五日提交的更改環境許可證申請文件(申請書編號 VEP-230/2007)</p> <p>7. Environmental Permit issued on 5 March 2007 (Permit No. EP-237/2005/A) 於二〇〇七年三月五日發出的環境許可證(許可證編號 EP-237/2005/A)</p> <p>8. Application document for Variation of an Environmental Permit submitted by the Permit Holder on 1 April 2009 (Application No. VEP-283/2009) 許可證持有人於二〇〇九年四月一日提交的更改環境許可證申請文件(申請書編號 VEP-283/2009)</p> <p>9. Environmental Permit issued on 23 April 2009 (Permit No. EP-237/2005/B) 於二〇〇九年四月二十三日發出的環境許可證(許可證編號 EP-237/2005/B)</p> <p>10. Application document for Variation of an Environmental Permit submitted by the Permit Holder on 20 January 2015 (Application No. VEP-465/2015) 許可證持有人於二〇一五年一月二十日提交的更改環境許可證申請文件(申請書編號 VEP-465/2015)</p>



Application No. 申請編號	Date of Application 申請日期	List of Amendments Incorporated into Environmental Permit 已包含在環境許可證內的修訂項目	Date of Amendments 修訂日期
VEP-230/2007	5 February 2007 2007年2月5日	(1) Vary Scale and Scope of Designated Project in Part B (2) Vary Conditions 1.7, 3.3, 3.9 and 3.10 in Part C (3) Vary Figures 1 and 3 (1) 更改 B 部的指定工程項目的規模和範圍 (2) 更改 C 部條件第 1.7、3.3、3.9及3.10 項 (3) 更改附圖 1及 3	5 March 2007 2007年3月5日
VEP-283/2009	1 April 2009 2009年4月1日	(1) Vary Conditions 1.7, 3.7, 3.9 and 3.10 in Part C (1) 更改 C 部條件第 1.7、3.7、3.9及3.10 項	23 April 2009 2009年4月23日
VEP-465/2015	20 January 2015 2015年1月20日	(1) Vary Scale and Scope of Designated Project in Part B (2) Vary Conditions 1.7 in Part C (3) Vary Figures 1 (4) Add Figure 1-A to the Environmental Permit (No.237/2005/B) (1) 更改 B 部的指定工程項目的規模和範圍 (2) 更改 C 部條件第 1.7 項 (3) 更改附圖 1 (4) 加入環境許可證(編號 EP-237/2005/B)圖1-A	17 February 2015 2015年2月17日

17 February 2015

Date

日期



(Louis P.L. CHAN)

Principal Environmental Protection Officer (Regional Assessment)
for Director of Environmental Protection

環境保護署署長

(首席環境保護主任(區域評估) 陳欽林 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	Drainage Improvement in Southern Lantau (This designated project is hereafter referred to as "the Project") 南大嶼山雨水排放系統改善計劃 (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	To carry out drainage improvement works involving dredging and excavation works at Pak Ngan Heung River, Tai Tei Tong River and Luk Tei Tong River, which are located less than 500m from the Silvermine Beach. 在離銀礦灣泳灘不足500米的白銀鄉河、大地塘河和鹿地塘河進行雨水排放系統改善工程，其項目包括疏浚和挖掘工程。
Location of Designated Project 指定工程項目的地點	Pak Ngan Heung River, Tai Tei Tong River, Luk Tei Tong River and Ling Tsui Tau in Mui Wo area, Southern Lantau Island. 位處南大嶼山梅窩的白銀鄉河、大地塘河、鹿地塘河和嶺咀頭。 The location of the Project is shown in Figure 1 of this Permit. 工程項目的地點展示於本許可證圖1內
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The Project mainly consists of the followings : 工程項目主要範圍包括以下： (A) Pak Ngan Heung River 白銀鄉河 i. an open trapezoidal channel of about 80m long and with riverbed of about 8m wide, using gabion walls with rip-rap bases and natural substrates; 以石籠護土牆、拋石和天然物質修建、長約80米、底寬約8米的梯形渠道； ii. a rectangular channel of about 100m long, using rip-rap bedding; and 以拋石為墊層、長約100米的矩形渠道；以及 iii. a 3-cell diversion box culvert of about 180m long. 長約180米的3孔分流箱形暗渠。 (B) Tai Tei Tong River 大地塘河 i. improvement of three bottlenecks, with existing riverbed untouched and the riverbank reinstated by gabion blocks. 改善3個樽頸位置，以石籠修復河堤，而現有河床則不受工程影響。 (C) Luk Tei Tong River 鹿地塘河 i. an open trapezoidal channel of about 240m long and with riverbed of about 10m to 15m wide, using gabion walls with rip-rap bases and natural substrates; 以石籠護土牆、拋石和天然物質修建、長約240米、底寬約10至15米的梯形渠道； ii. a rectangular bypass channel of about 350m long, about 18m wide and about 0.8m deep; and 長約350米、寬約18米、深約0.8米的矩形繞道；以及 iii. about 40m long riverwall at River Silver as shown in Figure 1-A of this Permit. 如本許可證圖1-A所展示於銀河修建長約40米河堤。 (D) Ling Tsui Tau U-Channel 嶺咀頭U形排水道 i. A 750mm wide U-channel of about 250m long; and 長約250米、寬750毫米的U形排水道；以及 ii. Upgrading of existing drains of about 130m long. 提升長約130米的現有排水渠。



PART C (PERMIT CONDITIONS)

1. General Conditions

- 1.1 The Permit Holder and any person working on 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 (Cap.499) and may become the subject of appropriate action being taken under the Ordinance.
- 1.2 The Permit Holder 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) and Waste Disposal Ordinance (Cap. 354). This Permit does not of itself constitute any ground of defense against any proceedings instituted under any legislation or imply any approval under any legislation.
- 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 the Permit readily available at all times for inspection by the Director or his authorized officers at all sites/offices covered by this Permit. Any reference to the Permit shall include all documents referred to in the Permit and also the relevant documents in the Register.
- 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 by the Permit. The site(s) refers to site(s) of construction of the Project and shall mean the same hereafter.
- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the Project site(s) at all vehicular site entrances/exits or at a convenient location for public's information at all times. The Permit Holder shall ensure that the most updated information about the Permit, including any amended Permit, is displayed at such locations. If the Permit Holder surrenders a part or the whole of the 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 Project site(s).
- 1.6 The Permit Holder shall construct the Project in accordance with the project description in Part B of this Permit.
- 1.7 The Permit Holder shall ensure that the Project is designed and constructed in accordance with the information and recommendations described in the approved EIA Report (Register No. AEIAR-093/2005), the application for Environmental Permit (Application No. AEP-237/2005 and AEP-434/2012), the application documents for variation of an environmental permit (Application No. VEP-230/2007, VEP-283/2009, VEP-464/2015 and VEP-465/2015) and other relevant documents 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 or amended in this Permit.
- 1.8 All deposited 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 specified by the Director.



- 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 Environmental Impact Assessment Ordinance (Cap.499). All submissions or any variation of the 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 2.2 below before submitting to the Director under this Permit.
- 1.10 The Permit Holder shall release all finalized 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 other means as specified by the Director for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.
- 1.11 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 finalized 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 4.0 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.
- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project no later than one month 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.
- 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.

2. Submissions or Measures before Commencement of Certain Parts of the Project

Employment of Environmental Monitoring and Audit (EM&A) Personnel

- 2.1 An ET shall be established by the Permit Holder no later than one month before commencement of construction of the Project. The ET shall not be in any way an associated body of the Contractor or the 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. The ET and the ET Leader shall be responsible for the implementation of the EM&A programme in accordance with the requirements as contained in the EM&A Manual (Register No. AEIAR-093/2005) of the Project. The ET Leader shall keep a contemporaneous log-book of each and every instance or circumstance or change of circumstances which may affect the environmental impact assessment and each and every non-compliance with the recommendations of the approved EIA Report (Register No. AEIAR-093/2005) or this Permit. The ET Leader shall notify the IEC within one working day of the occurrence of any such instance or circumstance or change of circumstances. The ET Leader's 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-093/2005) or this Permit or by the Director or his authorized officers. 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 this Condition 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 the Permit liable to suspension, cancellation or variation.

- 2.2 An IEC shall be employed by the Permit Holder no later than one month before commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor 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. The IEC shall be responsible for duties defined in the EM&A Manual (Register No. AEIAR-093/2005) of the Project and shall audit the overall EM&A programme, including the implementation of all environmental mitigation measures, submissions required in the EM&A Manual, and any other submissions required under this Permit. In addition, the IEC shall be responsible for verifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions under this Permit. The IEC shall verify the log-book(s) mentioned in condition 2.1 of this Permit. The IEC shall notify the Director by fax, within one working day of receipt of notification from the ET Leader of each and every occurrence, change of circumstances or non-compliance with the approved EIA Report (Register No. AEIAR-093/2005) or this Permit, which might affect the monitoring or control of adverse environmental impacts from the Project. In the case where the IEC fails to so notify the Director of the same, fails to discharge the duties of the IEC as defined in the EM&A Manual or fails to comply with this Condition, 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 the Permit liable to suspension, cancellation or variation. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition.
- 2.3 A qualified ecologist shall be engaged to carry out the works relating to surveys, faunal translocation and compensatory planting as mentioned in Conditions 2.5 and 3.4 of this Permit. The qualification and experience of the qualified ecologist shall be certified by the ET Leader and verified by the IEC. The qualified ecologist shall form part of the ET.

Design of Drainage Improvement Works

- 2.4 The Project shall be properly designed and constructed to minimize the ecological, water quality, visual and landscape impacts. Environmentally friendly design features shall be incorporated into the design and shall be fully implemented. No riverbed of the Project shall be lined with concrete. Pits and levels shall be provided in the gabion bank to facilitate planting, establishment of riparian vegetation and recolonisation of plants. Ecological enhancement features such as lining of riverbeds with rip-rap bases and natural materials and variation of depth to re-create the pool-riffle sequence shall be designed and implemented. The Permit Holder shall, no later than one month before the commencement of construction of the Project, deposit with the Director four hard copies and one electronic copy of design proposal of the Pak Ngan Heung River, Tai Tei Tong River and Luk Tei Tong River showing detailed design and environmentally friendly features to be incorporated in the Project. Before submission to the Director, the proposal shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the approved EIA Report (Register No. AEIAR-093/2005).

Capture Survey and Translocation

- 2.5 To avoid or mitigate the impact to fauna species of conservation interest due to construction of the Project, faunal surveys shall be carried out. The ecologist as mentioned in Condition 2.3 of this Permit shall carry out detailed capture-surveys to ascertain the presence of any fauna species, including the fish species of conservation interest such as Flagtail (*Kuhlia marginata*) and Predaceous Chub (*Parazacco spilurus*) and amphibian species of conservation interest such as Romer's Tree Frog and Chinese Bullfrog, in the works area of the Project. Fauna species of conservation interest captured during the survey shall be translocated to nearby suitable habitats



outside the works areas of the Project prior to the commencement of construction of the Project. The Permit Holder shall, no later than one month before the commencement of construction of the Project, deposit with the Director four hard copies and one electronic copy of faunal survey and translocation proposal showing methodology and programme of surveys, faunal surveys results, types of fauna to be translocated, locations of the sites for translocation, methodology and implementation programme of translocation and post-translocation monitoring. Before submission to the Director, the proposal shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the approved EIA Report (Register No. AEIAR-093/2005).

3. Submissions or Measures during the Construction of Certain Parts of the Project

Management Organisation of Main Construction Companies

- 3.1 The Permit Holder shall, within one month after the commencement of construction of the Project, inform the Director in writing the management organization of the main construction companies and/or any form of joint ventures associated with the construction of the Project. The submitted information shall include at least an organization chart, names of responsible persons and their contact details.

Measures to Mitigate Ecological Impacts

- 3.2 No construction works or activities associated with the Project shall be carried out outside the works areas as shown in Figure 1 of this Permit.
- 3.3 To avoid or minimize ecological and water quality impacts due to the construction works, no excavation works shall be carried out at the confluence of Pak Ngan Heung River, Tai Tei Tong River and Luk Tei Tong River any time between April to October unless otherwise agreed by the Director. No works except land-based construction works within the confluence of Pak Ngan Heung River, Tai Tei Tong River and Luk Tei Tong River shall be carried out any time between April to October unless otherwise agreed by the Director. No works within Luk Tei Tong Marsh shall be carried out any time between April to October unless otherwise agreed by the Director.
- 3.4 To mitigate the loss of woodland due to the construction works of the Project, compensatory planting shall be implemented. The compensatory planting shall include planting of trees and other vegetation along the riverbanks. Native plant species shall be used. The planting area shall not be less than 0.13 hectare and shall be deposited and implemented as required under Condition 3.17 of this Permit. The compensatory planting shall be carried out in accordance with the recommendations and under the supervision by the qualified ecologist as mentioned in Condition 2.3 of this Permit.
- 3.5 All temporary works area shall be reinstated upon completion of works.

Pak Ngan Heung River

- 3.6 A fish ladder shall be constructed at the upstream end of the Pak Ngan Heung River to facilitate the movement of fish between upstream and downstream sections of the river. The Permit Holder shall, at least one month before commencement of construction of the fish ladder, deposit with the Director four hard copies and one electronic copy of the detailed design of the fish ladder. Before submission to the Director, the proposal shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the approved EIA Report (Register No. AEIAR-093/2005).



Luk Tei Tong River

- 3.7 Construction of the Luk Tei Tong Bypass Channel shall be completed in not more than two consecutive dry seasons. Mitigation measures described in the application document for variation of an environmental permit (Application No. VEP-283/2009) shall be properly implemented to prevent pollution to the nearby rivers due to site runoff and other discharges from the Luk Tei Tong Bypass Channel. No construction works of the Luk Tei Tong Bypass Channel shall be carried out any time between April to October unless otherwise agreed by the Director.
- 3.8 The Bypass Channel bed shall be approximately 800mm below the existing ground level and shall be lined with turf from areas of Luk Tei Tong marsh that fall within the footprint of the Channel. Riverbanks of the Luk Tei Tong Bypass Channel shall be lined with rock-filled gabion. Low earth bunds of about 200mm high shall be constructed along the riverbanks of the Luk Tei Tong Bypass Channel to prevent draining of surface water from the surrounding Luk Tei Tong marsh. Low weir shall be constructed at the downstream of the Luk Tei Tong Bypass Channel to retain surface water.
- 3.9 Turf removal from the Luk Tei Tong marsh due to the construction of the Luk Tei Tong Bypass Channel shall be minimized. Turf from the Luk Tei Tong marsh shall be properly removed, stored, maintained and reused for lining the riverbed of the Luk Tei Tong Bypass Channel in accordance with the information and recommendations described in the application document for variation of an environmental permit (Application No. VEP-230/2007). New marshland plant species same to those recorded in the Luk Tei Tong marsh shall be added to increase the abundance. Planting of marshland plant species within the Luk Tei Tong Bypass Channel shall be carried out in the wet season in accordance with the information and recommendations described in the application document for variation of an environmental permit (Application No. VEP-283/2009).
- 3.10 The Permit Holder shall, at least one month before the commencement of construction of the Luk Tei Tong Bypass Channel, deposit with the Director four hard copies and one electronic copy of the Luk Tei Tong Bypass Channel proposal showing the design, planting proposal and construction details of the Luk Tei Tong Bypass Channel as mentioned in Conditions 3.7, 3.8 and 3.9 of this Permit. Before submission to the Director, the proposal shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations contained in the approved EIA Report (Register No. AEIAR-093/2005) and the application documents for variation of an environmental permit (Application No. VEP-230/2007 and VEP-283/2009).
- 3.11 No footpath shall be constructed along the Luk Tei Tong Bypass Channel.

Measures to Mitigate Water Quality Impact

- 3.12 To minimise water quality impacts to the rivers and the Silvermine Beach due to site runoff and other potential water pollution caused by construction activities, all mitigation measures described in Appendix A shall be implemented throughout the construction period.
- 3.13 Construction works in the rivers shall be carried out in dry condition as indicated in Figure 2 of this Permit. Containment measures such as bunds and barriers shall be provided to restrict the carrying out of the construction works within the enclosed dry area of the rivers.

Measures to Manage Waste

- 3.14 No waste, spoil, excavated materials or materials alike arising from the Project shall be dumped in any environmentally sensitive areas including the Luk Tei Tong marsh, the Butterfly Hill and the Silvermine Beach.
- 3.15 Excavated materials or materials alike arising from the Project shall be reused in the Project site.



No such surplus material shall be disposed of anywhere except the public fill stockpiling area at Mui Wo.

Measures to Mitigate Construction Noise

- 3.16 2.4m high temporary noise barriers shall be installed at locations shown in Figure 3 and Figure 4 of this Permit during the construction of the retaining walls at the riverbanks of installing the temporary noise barriers.

Measures to Mitigate Landscape and Visual Impact

- 3.17 Landscaping measures shall be implemented for the Project. The measures shall include compensatory planting as required under Condition 3.4 of this Permit, reinstatement, amenity and riverbed plantings, natural colonization for gabion, grasscrete linings with hydroseeding and finishing and colour scheme for exposed surfaces. At least one month before commencement of the landscape works of the Project, the Permit Holder shall deposit with the Director four hard copies and one electronic copy of the landscape plan for the Project. The landscape plan shall include the locations, size, number and species of plantings, design details, implementation programme, maintenance and management schedules, and drawings in the scale of 1:1000 or other appropriate scale showing the landscape and visual mitigation measures. Before submission to the Director, the landscape plan shall be certified by the ET Leader and verified by the IEC as conforming to the information, requirements and recommendations set out in the approved EIA Report (Register No. AEIAR-093/2005).

4. Environmental Monitoring and Audit (EM&A) for the Construction of the Project

- 4.1 The EM&A programme shall be implemented in accordance with the procedures and requirements as set out in the EM&A Manual (Register No. AEIAR-093/2005) of the Project. Any changes to the EM&A programme shall be justified by the ET Leader and verified by the IEC as conforming to the requirements set out in the EM&A Manual and shall seek the prior approval from the Director before their implementation.
- 4.2 Samples, measurements and necessary remedial actions shall be taken in accordance with the requirements of the EM&A Manual by:
- (a) conducting baseline environmental monitoring;
 - (b) conducting impact monitoring; carrying out remedial actions described in the Event/Action Plans of the EM&A Manual in accordance with the time frames 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 logging and keeping records of details of 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 for inspection on site; and
 - (c) conducting post-construction ecological monitoring and carrying out actions described in the contingency plan of the EM&A Manual.
- 4.3 Four hard copies and one electronic copy of the Baseline Monitoring Report shall be submitted to the Director at least 2 weeks before commencement of construction of the Project. The submissions shall be certified by the ET Leader and verified by the IEC before submission to the Director. Additional copies of the submission shall be provided upon request by the Director.



- 4.4 Four hard copies and one electronic copy of the monthly EM&A Report shall be submitted to the Director within 2 weeks after the end of the reporting month. The monthly EM&A Report shall include a summary of all non-compliance (exceedances) of the environmental quality performance limits (Action and Limit levels), the status of submission required under this Permit and the types, quantities and disposal locations of all surplus excavated materials and wastes arising from the Project. The submissions shall be certified by the ET Leader and verified by the IEC before submission to the Director. Additional copies of the submission shall be provided upon request by the Director.
- 4.5 All environmental monitoring and audit data submitted under this Permit shall be true, valid and correct.
- 4.6 To ensure a high degree of transparency regarding the monitoring data and results in view of the public concern about the Project, all environmental monitoring and audit data and results and all submissions and all performance test data and results required by this Permit shall be made available by the Permit Holder to the public through a dedicated web site to be set up by the Permit Holder under Condition 5.2 below, in the shortest practicable time and in no event later than 2 weeks after such information is available.

5. Electronic Reporting of EM&A Information

- 5.1 To facilitate public inspection of the EM&A Manual, Baseline Monitoring Report and the monthly EM&A Reports via the EIAO Internet Website and at the EIAO Register Office, electronic copies of these Reports shall be prepared in the Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 4.0 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies as described in Conditions 4.3 and 4.4 of this Permit. 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 format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.
- 5.2 The Permit Holder shall set up a dedicated web site and notify the Director in writing the internet address where the environmental monitoring and project data is to be placed within six weeks after the commencement of the Project. All environmental monitoring results described in Condition 5.1 above and all submissions and all performance test data and results required by this Permit shall be made available to the public via this dedicated web site to be set up by the Permit Holder in the shortest time practicable and in no event later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director.
- 5.3 The internet website as described in Condition 5.2 above shall enable user-friendly public access to the monitoring data and project data including the EIA report and the environmental permit(s) and project profile of the Project. The internet website shall have features capable of : -
- (a) providing access to all environmental monitoring data collected since the commencement of work and all submissions under this permit;
 - (b) searching by date;
 - (c) searching by types of monitoring data; and
 - (d) hyperlinks to relevant monitoring data after searching;
- or otherwise as agreed by the Director.



Notes :

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 Ordinance, and the following notes are for general information only.
2. If there is a breach of any conditions of this Permit, the Director or his authorized officer may, with the consent of the Secretary for the Environment, 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.
3. The Permit Holder may apply under Section 13 of the Environmental Impact Assessment Ordinance (the "Ordinance") 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.
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 Ordinance to the Director for a further environmental permit.
5. Under Section 14 of the Ordinance, the Director may with the consent of the Secretary for the Environment, suspend, vary or cancel this Permit. The suspended, varied or cancelled Permit shall be removed from display at the Project site.
6. If this Permit is cancelled or surrendered during construction of the Project, another environmental permit must be obtained under the Ordinance before the Project could be continued. It is an offence under Section 26 (1) of the Ordinance to construct a designated project listed in Schedule 2 of the Ordinance without a valid environmental permit.
7. Any person who constructs the Project contrary to the conditions in the Permit, and is convicted of an offence under the Ordinance, 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.
8. The Permit Holder may appeal against any condition of this Permit under Section 17 of the Ordinance within 30 days of receipt of this Permit.
9. The Notes are for general reference only and that the Permit Holder should refer to the EIA Ordinance for details and seek independent legal advice.



Appendix A (as referred to in Condition 3.12)

Measures to Mitigate Environmental Impacts due to Site Run-off and Other Potential Water Pollution During Construction

(a) Surface Runoff

- (i) Surface run-off from the construction site shall be directed into adequately designed sand/silt removal facilities such as sand traps, silt traps and sediment basins before discharge into storm drains. Channels, earth bunds or sand bag barriers shall be provided on site to properly direct stormwater to such silt removal facilities. No site run-off shall enter the freshwater marshes at Luk Tei Tong.
- (ii) Prior to commencement of site formation works and earthworks, catchpits and perimeter channels shall be constructed, and all sewer and drainage connection shall be sealed to prevent debris, soil, sand etc. from entering public sewers/drains.
- (iii) Silt removal facilities, channels and manholes shall be maintained with the deposited silt and grit being removed at least once a week, and at the onset of and after each rainstorm to ensure that these facilities are functioning at all times.

(b) General Construction Activities

- (iv) On-site storage of construction materials (e.g. aggregates and sand) shall be covered with tarpaulin or similar fabric during rainstorms. Measures such as providing sand bag barriers shall be taken to prevent the washing away of construction materials, soil, silt or debris into any drainage system.
- (v) At all parts of all works areas and construction sites, and throughout the full duration of the construction contract(s), debris and rubbish on site shall be properly handled and disposed of to avoid entering the water column and causing water quality impacts. Temporary on-site storage of excavated materials shall be covered with tarpaulin or similar fabric during rainstorms. Any washout of construction or excavated materials should be diverted to the drainage system via sediment traps.
- (vi) All excavated or filled surfaces shall be protected from erosion.
- (vii) Excavation works shall be carried out by land-based plants. To minimise leakage and loss of sediments during excavation in narrow channels, tightly sealed closed grab excavators shall be used to handle wet material.

- end -



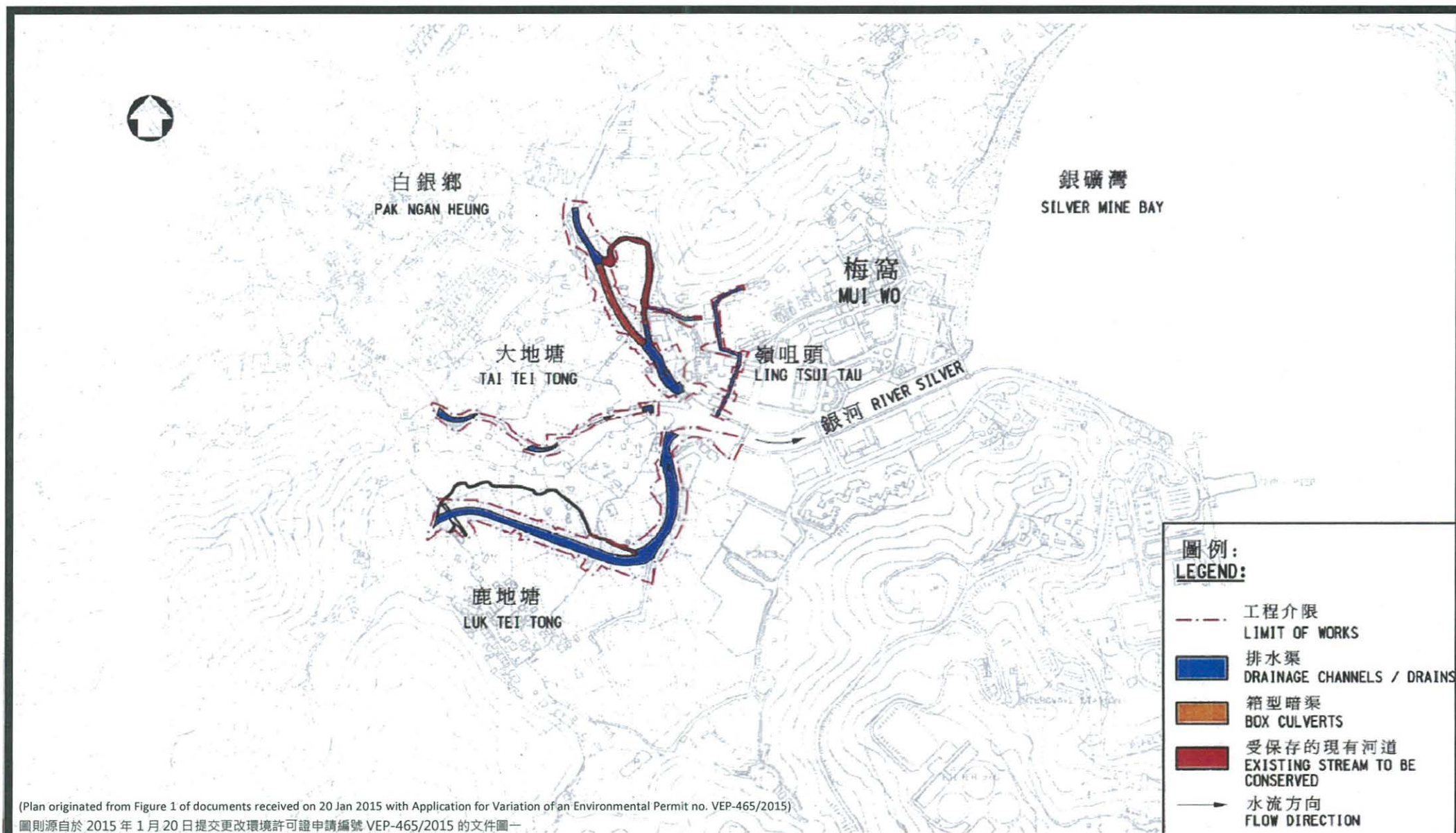
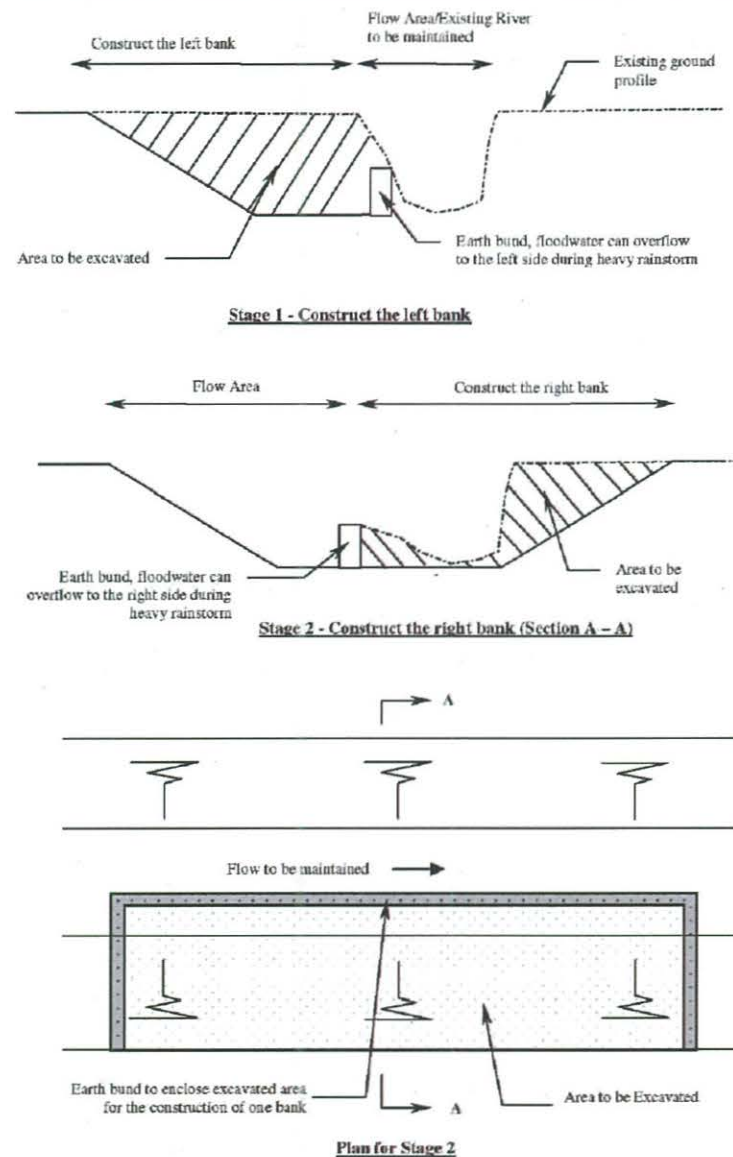


Figure 1: Location of the Project
圖一：項目位置圖



Environmental Permit No.: EP-237/2005/C
環境許可證編號：EP-237/2005/C





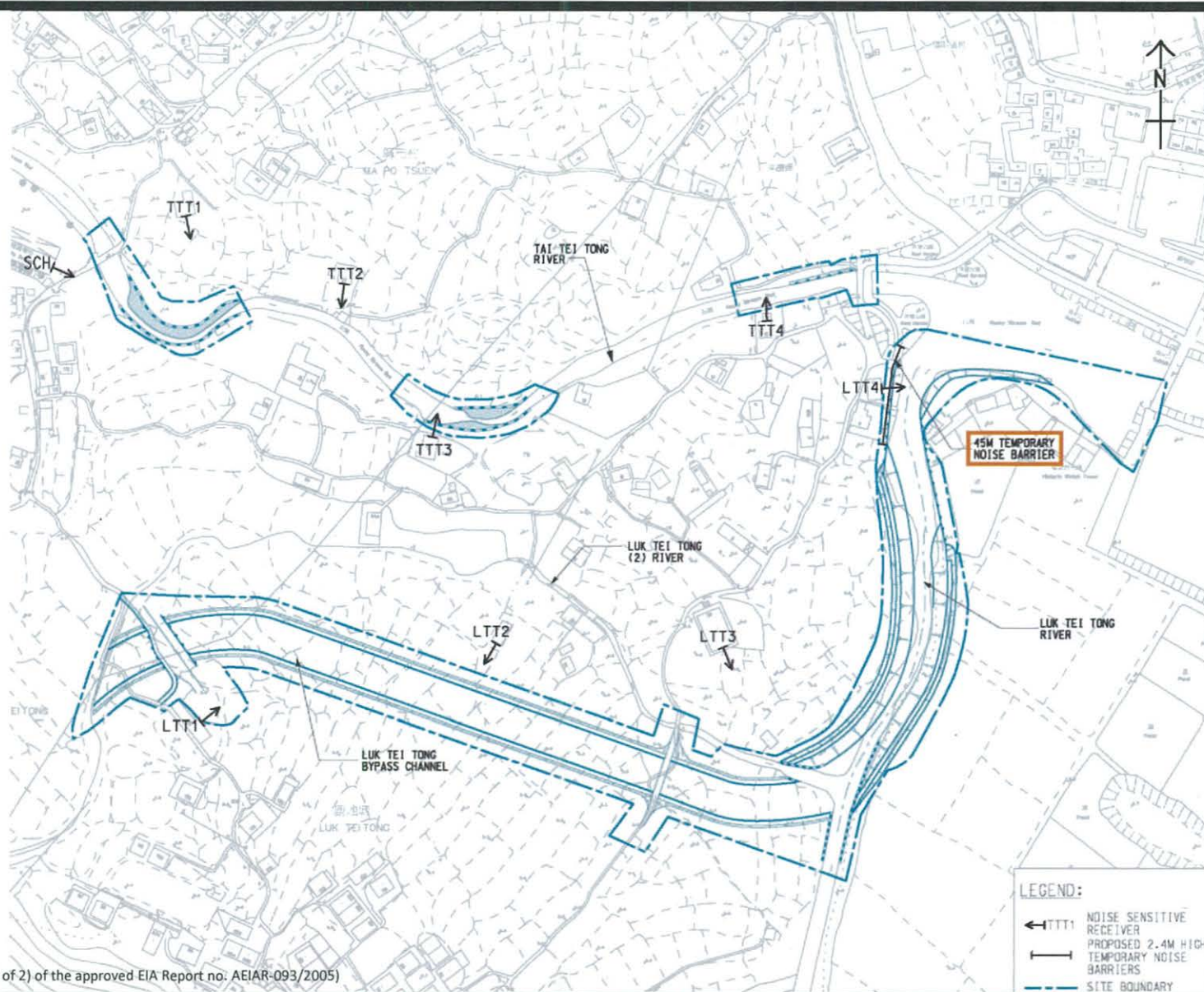
(Plan originated from Drg 5.2 of the approved EIA Report no. AEIAR-093/2005)

Figure 2: Dry Working Method for Excavation in River
圖二：乾旱挖掘河道工程方法



Environmental Permit No.: EP-237/2005/C
環境許可證編號：EP-237/2005/C





(Plan originated from Drg 4.2 (sheet 2 of 2) of the approved EIA Report no. AEIAR-093/2005)

Figure 4: Locations of Temporary Noise Barriers
圖四：臨時隔音屏障位置圖



Environmental Permit No.: EP-237/2005/C
環境許可證編號：EP-237/2005/C

