Confirmed Minutes of the 53rd Meeting of the Environmental Impact Assessment Subcommittee of the Advisory Council on the Environment held on 8 May 2000 at 4:00 pm

Present:

Professor LAM Kin-che (Chairman)
Mr LIN Chaan-ming
Dr NG Cho-nam
Mr Plato YIP
Miss Alex YAU
Mr Otto POON
Professor Peter HILLS
Mr Barrie COOK
Miss Agnes KWAN (Secretary)

Absent with Apologies:

Dr HO Kin-chung
Mr Howard CHAN

In Attendance:

Mr Elvis AU	Assistant Director (Environmental Assessment & Noise), Environmental Protection Department (EPD) (AD(EA)/EPD)
Mr S P LAU	Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department (AFCD)

In Attendance for Agenda Item 3 :

Mr K B TO	Ag. Chief Engineer/Project Management (Head of Team), Drainage Services Department (DSD) (Ag. CE(PM)/DSD)
Mr T YU	Senior Engineer, DSD (SE/DSD)
Mr K M CHAU	Senior Engineer, DSD
Mr Helen COCHRANE	Mouchel Asia Ltd (Con/MAL)
Mr H M WONG	Acting Principal Environmental Protection Officer, EPD (Ag. PEPO/EPD)

Mr King TO	Senior Environmental Protection Officer, EPD

In Attendance for Agenda Item 4 :

Mr YAN Kwok Wong	Chief Engineer, DSD (CE/DSD)
Mr CHEONG Siu Yau	Senior Engineer, DSD (SE1/DSD)
Mr LAU Wing Kam	Senior Engineer, DSD (SE2/DSD)
Mr LAM Yu Chau	Engineer, DSD
Mr Tony L S LAM	Director, Binnie Black & Veatch Hong Kong Ltd (BBV)
Mr Angus PROCTOR	Ecologist, BBv
Mr WONG Fu Nam	Chemist, BBV
Mr CHEUNG Kwok Wai	Senior Nature Conservation Officer, AFCD (SNCO/AFCD)
Dr Lam Kin San	Nature Conservation Officer, AFCD
Mr Richard DEACON	Technical Director, BBV (TD/BBV)
Mr XIONG Huawu	Director, Senior Engineer, Shenzhen River Regulation Office of Shenzhen Municipal Government (D/SMG)
Mr ZHUO Jianmin	Senior Engineer, Shenzhen River Regulation Office of Shenzhen Municipal Government
Ms LIU Huijuan	Senior Engineer, Shenzhen River Regulation Office of Shenzhen Municipal Government
Mr ZHAO Liang	Officer, Foreign Affairs Office of Shenzhen Municipal Government

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Mr LEI Alin	Director Assistant, Doctor, Senior Engineer, Research Institute for Protection of the Yangtze Water Resources
Mr LEI Shaoping	Senior Engineer, Research Institute for Protection of the Yangtze Water Resources (SE/RIPYWR)
Mr PEI Zhongping	Senior Engineer, Research Institute for Protection of the Yangtze Water Resources
Mr WANG Chehua	Senior Engineer, Research Institute for Protection of the Yangtze Water Resources
Mr CHEN Aizhong	Engineer, Shenzhen Institute Environment of Science
Mr DAI Zhiquang	Engineer, Shenzhen Institute Environment of Science
Mr H M WONG	Acting Principal Environmental Protection Officer, EPD
Mr King TO	Senior Environmental Protection Officer, EPD

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Agenda Item 1 : Confirmation of Minutes of 52nd Meeting held on 5 April and 10 April 2000

The Chairman requested Members to forward their comments on the draft minutes of the 52nd meeting to the Secretariat after the meeting. The minutes would be confirmed in the next meeting. (Post-meeting note: No comments on the draft minutes of the 52nd meeting were received by the Secretariat.)

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Agenda Item 2 : Matters Arising

2. There were no matters arising from the last meeting.

Agenda Item 3 : Tuen Mun Sewerage – Eastern Coastal Sewerage Extension
(ACE EIA Paper 5/2000)

3. The Chairman welcomed the presentation team and invited Members to raise their concerns on the report.

Noise Impact

4. In response to a Member, Con/MAL stated that based upon the implementation of only basic mitigation measures, the residual impact of 1-19 dB(A) exceedance of the statutory noise standards at a limited number of the closest sensitive receivers was predicted in the report. However, she stated that the proponent would try every effort to reduce the impact during the implementation period as far as practicable. She drew Members' attention to Section 5.9.6 and Table 5.13 of the report, where the feasibility of implementing additional mitigation measures, such as manual working for concrete breaking, use of alternative pavement removal methods/equipment in place of the breaker, use of acoustic enclosure and scheduling the operating times of equipment as well as various options for the working method had been examined in detail. Con/MAL was confident that in most cases the actual construction noise level would be below 75dB(A), with the additional measures implemented, except for those sensitive receivers in the villages which were as close as 1-2 meters away from the project site who would unavoidably be subject to short-term residual impact despite the above measures. However, she stressed that as the construction activities would be conducted in different locations in accordance with the progress of the work, it was expected that the sensitive receivers would be exposed to the residual noise impact for only a total duration of 2-4 hours arising from concrete breaking and compaction for the whole project.

5. Upon the enquiry of the Chairman, Con/MAL confirmed that the worst case scenario, i.e. concrete breaking by mechanical equipment, had already been assessed in the report when making estimation of the residual construction noise impact.

6. A Member enquired that whether it was possible for the proponent to make an accurate estimation on the thickness of the concrete to be removed and thus the most suitable mitigation measure could be determined at that stage. SE/DSD pointed out that due to the time gap of 4-5 years between the EIA study and the actual implementation period of the project caused by the long lead time for completing the planning/design work and the statutory procedures, the thickness of the concrete to be removed would be subject to changes caused by various factors including other public utility works during that period. It was therefore impractical for the proponent to undertake at that stage an assessment on whatever working methods and mitigation measures should be adopted for reducing the noise impact.

7. Ag. CE(PM)/DSD however supplemented that a method statement would be provided by the contractor of the project for the endorsement by the proponent when the most appropriate working methods and additional mitigation measures had been identified for works along narrow alleys, after conducting on-site inspection. Such requirement would be built in as a contract condition and the proponent would carry out regular monitoring activities to ensure the proper implementation of the method statement. Close liaison with the affected residents would also be maintained to keep them informed, in advance, of the potential impact of the project.

8. Upon the request of AD(EA)/EPD, the proponent agreed that the method statement would be submitted to the Director of Environmental Protection(DEP) for endorsement as a condition of the Environmental Permit, if any, to be issued for the project. Two Members concurred that such arrangement could further safeguard the sensitive receivers from exposing to unnecessary noise impact.

9. The Chairman proposed and Members agreed to recommend to the Council that the report be endorsed with the condition that the proponent would submit the method statement to DEP for endorsement before the commencement of the works along the narrow alleys.

Agenda Item 4: Shenzhen River Regulation Project Stage III
(ACE EIA Paper 6/2000)

10. The Chairman welcomed the presentation team and invited CE/DSD to present the paper.

Use of the Regulated Channel

11. In response to the Chairman, CE/DSD confirmed that the sole purpose of the project was to alleviate the flooding problem of Shenzhen River. He stated that the Administration had no intention to increase the navigation potential of the River through the channel widening work. D/SMG supplemented that there was no foreseeable increase in marine transport upon the completion of the Stage III work.

12. To address a Member's concerns on the potential impact arising from the increased capacity of Shenzhen River in handling larger amount of bigger ships after the implementation of the project, D/SMG explained that the marine transport would only increase by the necessary work programmes of the project such as disposal of 1,100,000 m^3 of spoil to East Sha Chau and NeiLingDing Marine Dumping Ground and the regular maintenance work of the regulated channel during and after the implementation stage.

13. Upon the enquiry of a Member, SE2/DSD confirmed that the resulting navigation capacity of Shenzhen River was never taken into account when determining the scale of the channel widening work. The designed width of Shenzhen River was only required for flood control purpose.

Cultural Heritage

14. In response to the Chairman, SE2/DSD explained that every effort had been made to preserve the Lo Wu Railway Bridge in-situ, but this option was confirmed to be infeasible due to physical constraints. It was then recommended that the Bridge be demolished and re-erected at an appropriate location to be jointly decided by the Hong Kong SAR Government and the Mainland authority.

15. Upon the further query of a Member, SE2/DSD stated that the proponent would employ a heritage expert to plan and implement the whole process to safeguard the heritage value of the Lo Wu Railway Bridge as recommended in the EIA report. He also confirmed that the demolition and re-erection programme of the Bridge was regarded as part of the whole project and would be borne by the project's own budget instead of the Antiquities and Monuments Office's funding. He stated that pending the discussion between the authorities of both Hong Kong and Mainland sides, the initial intention was to share the relating expense equally between the two sides. A detailed working manual would be devised for the demolishing process, specifying the location of re-erection which the proponent aimed to reach an agreement with the Shenzhen authority before the demolishing work took place.

16. Regarding the Lo Wu Old Pedestrian Bridge, SE2/DSD pointed out that as recommended in the EIA report and agreed by the Antiquities and Monuments Office, it would be kept in a record format rather than preserved in its actual size.

Disposal of Spoil

17. Upon the query of the Chairman, TD/BBV explained that the option of disposing most of the uncontaminated spoil at NeiLingDing Marine Dumping Ground and the remaining at Nam Hang Middle Valley as appropriate (Scheme 6) was preferred mainly due to its limited environmental impacts and the efficient work schedule. The project would be lengthened by 17 months, apart from the potential adverse marine ecological impact to be caused if all uncontaminated spoils were disposed of at NeiLingDing (Scheme 5) instead.

18. To address the concerns of a Member on turning Nam Hang from a green area to a dumping ground, TD/BBV clarified that most of the excavated uncontaminated materials (900,000 m^3) were in fact recommended to be disposed of at NeiLingDing under the preferred option. For the remaining amount (500,000 m^3) to be disposed of at Nam Hang, TD/BBV explained that part of them were only stored there temporarily and would be reused in the project in place of the fill materials from outside sources. He stated that about 1/3 of the sediment to be disposed of at Nam Heng, which amounted to 500,000 m^3 in total, would remain there in the long run.

19. A Member drew reference to a proposal about turning a valley in Shem Tseng to a filling place put up by the proponent of Route 3 few years ago which was eventually rejected by the Council, and requested the proponent to re-examine the recommended disposal option. She also expressed that the proposed fill-in of Nam Hang Middle Valley which would increase the height of the Valley by 12 to 18 mPD was unacceptable to her in terms of the significant visual as well as ecological impacts.

20. A Member further enquired that where would the storage basin be if NeiLingDing was selected as the sole disposal site for the project. TD/BBV responded that in that case, the basin would have to be either to the east or to the west of the Lo Wu Crossing.

21. In response to a Member, TD/BBV clarified that the Nam Hang Middle Valley was not regarded as just a handling facility for temporary storage of excavated spoils. Part of the spoil disposed there which was of no re-cycling value would have to be dumped at Nam Hang permanently.

22. CE/DSD supplemented that according to the current practice, suitable land base dumping site would be explored for disposal of uncontaminated spoil before marine disposal site was considered. Ag. PEPO/EPD also confirmed that the recommended proposal was in line with the approach adopted in the previous EIA studies for Stage I and II of the project, in which land base disposal was adopted prior to marine base disposal. Similar practice was therefore recommended for that project, in which wet spoil excavated from the river bed would be disposed of at NeiLingDing marine site while dry excavated material would be disposed of at Nam Heng, a land base site.

23. A Member enquired the potential ecological loss to Nam Hang Middle Valley if it was used as a filling site. TD/BBV stated that no significant loss was expected as the affected wetland area in the Valley was all along assessed as not having high ecological value. There were no species of conservation concern identified in the Valley too. He further pointed out that despite the Middle Valley offered a lesser filling capacity as compared to the two larger outer valleys, it was recommended as the disposal site due to the least ecological impact resulted from that option. SE2/DSD undertook that the part of the cemetery site which was agreed by relevant departments to be used temporarily as disposal area for the project next to the Middle Valley would be restored as grass land/woodland with species carefully chosen afterwards.

24. Upon the enquiry of a Member, TD/BBV confirmed that fire-resistant vegetation would be adopted to build up a buffer distance between the re-planting area of the project and the cemetery site to protect the plantation from fire damage frequently occurred in the slope-side of the Valley.

25. In response to the Chairman, SE/RIPYWR stated that as compared to the preferred option, adoption of Scheme 5 would cause a 17 month delay to the project and thus allowed the flooding problem of the Shenzhen River existed for two more rainy seasons. He also stated that though Nam Hang would be used for the disposal of 500,000 m^3 spoil, most of the excavated material which amounted to 900,000 m^3 was already planned to be disposed of at NeiLingDing. Any further increase in the portion would result in potential marine ecological impacts. CE/DSD reiterated that a thorough study on the potential disposal sites not only in Hong Kong but also in Mainland China had been carried out as a basis for the recommendation made in the report. The proposal of using Nam Heng Middle Valley as the disposal site and the amount of material to be disposed there was carefully assessed as the best available option under the current circumstances.

26. Upon the Chairman's request, the proponent agreed to re-examine the recommended disposal option with a view to reducing the amount of material to be filled in Nam Heng by exploring other suitable local disposal sites. The findings would be available before the Council meeting scheduled on 29 May 2000 to facilitate further discussion at the meeting.

Sedimentation Rate

27. In response to a Member, SE1/DSD clarified that the sedimentation rate in the estuary was monitored during the working period of the Stage I and II of the project. According to the latest findings reported by the monitoring team, the sedimentation rate was not significantly different from that before Stage I and II works started. The EIA study for Stage III works also foresaw that no significant impact in that aspect would be resulted from the Stage III regulating work since the essential working area would be as far as 9 km away from the month of the Shenzhen River.

28. SE1/DSD further stated that although the proponent still owed the World Wide Fund a detailed reply on its enquiries in respect of the monitoring results due to the pending detailed explanation from the monitoring team, they had kept close contact with the organization and conducted site visits/meetings for the concerned parties to facilitate their understanding of the latest situation. He also expressed that interested Members were welcomed to approach him for organizing similar on-site briefings in future.

29. Upon the further enquiry of a Member, SE1/DSD confirmed that the latest monitoring reports of the Stage II regulating works up to mid 1999 were sent to the Secretariat late last week for distributing to Members.
(Post-meeting notes: The reports were distributed to Members by the Secretariat on 20 May 2000.)

30. SE1/DSD further explained that the Stage II regulating work was scheduled to be finished in around November this year, while the Stage III regulating work would commerce in 2001. The proponent intended to put the whole project into operation by 2005.

31. The proponent agreed upon the request of a Member that a 2-year monitoring programme would be conducted for the operation stage of the project on its impact on the sedimentation rate in the estuary of the Shenzhen River. D/SMG also agreed to undertake such monitoring work.

32. To address a Member's enquiry on the Ramsar site monitoring programme, SNCO/AFCD confirmed that the technical manual for the ecological monitoring of the Ramsar site was yet to be finalized. Further advice of the Wetland Advisory Committee would need to be sought. He undertook to convey to the relevant working group of that Member's views on monitoring of sedimentation rate in Deep Bay in finalizing the manual for Ramsar site monitoring.

Ecological Impact

33. Upon the enquiry of a Member, TD/BBV confirmed that the necessary working area for the implementation of the project and the habitat affected in Nam Hang were already taken into account when making the ecological assessment and the corresponding compensatory plan in the EIA report.

34. A Member commented that given the high ecological value of the area affected by the project, a four-season ecological survey instead of a survey for just a dry and a wet season as illustrated in the report should be adopted for ascertaining the project's ecological impact. She also suggested that as the use of loudhailer was restricted for Stage I and II regulating work, the same practice should be adopted for the project. CE/DSD agreed to consider adopting the practice.

35. As suggested by a Member, the proponent agreed to consider the feasibility of selling parts of the demolished Lo Wu Old Pedestrian Bridge for charity purpose.

36. In response to the request of a Member, CE/DSD also agreed to produce a map showing the locations of the affected ecological habitats and the proposed mitigation measures for Members' reference before the next Council's meeting scheduled on 29 May 2000.

37. The Chairman proposed and Members agreed to recommend to the Council to further discuss the disposal arrangement of spoil at Nam Hang based on the information to be provided by the proponent at the Council's next meeting to be held on 29 May 2000. Subject to the discussion, the report would be recommended for the Council's endorsement with the following conditions:

- A 2-year monitoring exercise would be conducted for the operation stage of the project on its impact on the sedimentation rate in the estuary of the Shenzhen River.

- A study on the 'Dismantle of Lo Wu Railway Bridge' should be conducted within at least 6 months before commencement of the project, which should include detailed rules on information recording and dismantle programme, guidelines for preserving the dismantled materials, location of re-erection, restoration programme and detailed rules for restoration. The Bridge should only be demolished after the dismantle proposal was approved by the Hong Kong Antiquities and Monuments Office and other relevant authorities.

Agenda Item 5 : Monthly Update of Applications under the EIA Ordinance

38. Members noted the monthly update of applications under the EIAO, the tentative schedule for submission to ACE EIA Subcommittee, and the lists for designated/non-designated projects not selected for submission (as at 25 April 2000).

Agenda Item 6 : Any Other Business

39. The Chairman briefed Members that upon the request of the project proponent, an informal briefing would be conducted after the next meeting of the Subcommittee on the preliminary findings of the EIA study for the proposed Lantau North-South Road Link between Tai Ho and Mui Wo, without any prejudice to the further discussion and decision of the Council and the authority under the EIA Ordinance. Members agreed to the arrangement.

40. A Member stated that the information he requested from the proponent of the Construction of an International Theme Park in Penny's Bay of North Lantau and its Essential Infrastructures on the timing for the upgrading work of the sewerage connection between Tai Ho Wan and Discovery Bay during the discussion of that EIA report in the last meeting of the Council on 17 April 2000 was still outstanding. He would put up a written request to Drainage Services Department, the project proponent, directly and copy to the Chairman and the Secretariat for information.

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Agenda Item 7 : Date of Next Meeting

41. The Chairman informed Members that the next meeting was scheduled on 5 June 2000. The following reports were tentatively scheduled for submission should they meet the TM's requirements:

- Tai O Sheltered Boat Anchorage

- Widening of Tolo Highways/Fanling Highway between Island House Interchange and Fanling

(Post-meeting note: The meeting was re-scheduled to 12 June 2000.)

42. The meeting was adjourned at 8:00 pm

EIA Subcommittee Secretariat
May 2000