

本署檔號
OUR REF: EP2/N6/C/179

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HOME PAGE: <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

21 January 2022

By Registered Post & Fax

Chief Engineer / Project Management
Drainage Services Department

Environmental Impact Assessment (EIA) Ordinance, Cap. 499
Application for Environmental Permit
Project Title: Yuen Long Barrage Scheme
(Application No. AEP-604/2021)

I refer to your above application received on 28 December 2021 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-604/2022) 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. Vincent LAU at 2835 1115.

Yours sincerely,

(Stanley C.F. LAU)

Principal Environmental Protection Officer
for Director of Environmental Protection

Encl.

c.c. (w/o encl.)

ACE EIA Subcommittee Secretariat (Attn. : Ms. Becky LAM)

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 **Drainage Services 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渠務署(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-604/2021
Document in the Register: 登記冊上的文件：	(1) Yuen Long Barrage Scheme (Register No. AEIAR-228/2021) : - 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 元朗防洪壩計劃(登記冊編號：AEIAR-228/2021): - 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 (2) The Director’s letter of approval of the EIA Report dated 24 May 2021 (Reference : (26) to EP2/N6/C/179 Pt. 3) 署長於 2021 年 5 月 24 日發出批准環評報告的信件(檔案編號：(26) to EP2/N6/C/179 Pt. 3) (3) Application for Environmental Permit submitted on 28 December 2021 (Application No. AEP-604/2021) 於 2021 年 12 月 28 日提交的环境許可證申請文件(申請書編號：AEP-604/2021)

21 January 2022
2022 年 1 月 21 日

Date
日期


(LAU Chi Fai, Stanley)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任 劉志輝 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	Yuen Long Barrage Scheme [This designated project is hereafter referred to as “the Project”] 元朗防洪壩計劃 [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	(1) A dredging operation which is less than 500m from the nearest boundary of an existing conservation area. (2) A drainage channel or river training and diversion works which discharges or discharge into an area which is less than 300m from the nearest boundary of site of special scientific interest and conservation area. (3) All projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in an existing conservation area. (1) 挖泥作業距離自然保育區的最近界線少於 500 米。 (2) 排水道或河流治理與導流工程，而該工程排水入一個地區，該地區距離具有特別科學價值的地點和自然保育區的最近界線少於 300 米。 (3) 包括下述項目在內的全部工程項目：新通路、鐵路、下水道、污水處理設施、土木工程、挖泥工程及其他建築工程，而該等項目部分或全部位於現有的自然保育區。
Location of Designated Project 指定工程項目的地點	The Project is located at Yuen Long Nullah, Sham Chung River and Kam Tin River, Yuen Long. The location of the Project is shown in <u>Figure 1</u> of this Permit 工程項目位於元朗明渠、深涌河及錦田河。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 includes: <ul style="list-style-type: none"> - Construction and operation of the barrage scheme, including pumping stations, a tidal barrier, an E&M control room and a link bridge; - Local widening and deepening of Yuen Long Nullah;



- Construction and modification of parapet walls along Yuen Long Nullah, Sham Chung River and Kam Tin River;
- Refinements to the existing intersection of Yuen Long Nullah and Yuen Long Bypass Floodway;
- Revitalisation works of Yuen Long Nullah; and
- Decommissioning of the existing low flow pumping station and inflatable dam.

工程項目包括:

- 建造及營辦防洪壩計劃，包括抽水泵房、防潮屏障、機電控制室及連接橋；
- 局部拓寬及加深元朗明渠；
- 興建及改造位於元朗明渠、深涌河及錦田河的防洪牆；
- 細化元朗明渠與元朗排水繞道的分水處；
- 元朗明渠的活化工程；及
- 停用現有低流量泵站和充氣堤壩。



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 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 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的所有車輛進出口或一處方便地點，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-228/2021); 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-228/2021）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 to 2.6 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 至 2.6 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，均須以超文本標式語言(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 2 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 2 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 3 months 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 3 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

Employment or Submissions before Construction of the Project

Employment of Environmental Team (ET)

- 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 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.
- 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 Contractor's site practice and work methodologies 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 proactive actions to pre-empt environmental problems. The ET Leader shall be responsible for:
- (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;
 - (ii) notifying the IEC within one 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-228/2021) and/or this Permit. Notification(s) shall be documented in the upcoming EM&A monthly report; and
 - (iii) keeping a contemporaneous log-book of any such instance or circumstance or change of circumstances, which may affect the compliance with the EIA Report (Register No. AEIAR-228/2021) 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-228/2021) and this Permit or by the Director or his authorized officers.
- 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.

Employment of Independent Environmental Checker (IEC)

- 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 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.
- 2.5 The IEC shall be responsible for duties defined in the EM&A Manual and this Permit, including the following:
- (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;
 - (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;
 - (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.
 - (iv) notifying the Director by fax or email, within one 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-228/2021), 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;
 - (v) liaising closely with the Director;
 - (vi) accompanying the Director in carrying out site inspections and attending meetings when requested;
 - (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
 - (viii) allocating adequate resources, including any necessary specialist support, for discharging the duties required in the EM&A Manual and/or this Permit.
- 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.

Employment of Qualified Ecologist(s)

- 2.7 The Permit Holder shall, no later than 3 months before the commencement of the construction of the Project, appoint Qualified Ecologist(s) to form part of the ET to carry out works relating to ecological aspects of the Project, preparation of the submissions of Translocation Plan of Aquatic Species of Conservation Importance and Pre-construction Survey Report of Ardeid Night Roost as required under Conditions 2.14 and 2.15 of this Permit, and auditing of the implementation of mitigation measures to ensure compliance with the recommendations of the submissions and the EIA Report (Register No. AEIAR-228/2021). Each Qualified Ecologist shall be a person who has at least 5 years of relevant experience. The qualification and experience of the Qualified Ecologist(s) shall be certified by the ET Leader and verified by the IEC.

Employment of Registered Landscape Architect

- 2.8 The Permit Holder shall, no later than 3 months before the commencement of the construction of the Project, appoint a Registered Landscape Architect to form part of the ET to carry out work relating to landscape aspects including but not limited to preparing submissions of the Landscape & Visual Mitigation Plan(s) for the Project as required under Condition 2.13 of this Permit, and to audit the implementation of landscape mitigation measures to ensure compliance with the recommendations of the approved submissions under Condition 2.13 of this Permit and the approved EIA Report (Register No. AEIAR-228/2021). The qualification and experience of the Registered Landscape Architect shall be certified by the ET Leader and verified by the IEC.

Submission of Environmental Permit (EP) Submission Schedule

- 2.9 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project, submit an EP Submission Schedule to set out a timeline for EP submissions in this Permit and shall report the progress in fulfilling the submission requirements in the monthly Environmental Monitoring and Audit (EM&A) reports submitted under Condition 4.4 of this Permit. The Permit Holder shall inform the Director no later than 2 weeks before the scheduled submission date of the EP submission in writing in case of any subsequent change(s) to the submitted EP Submission Schedule. The EP Submission Schedule or any subsequent change(s) to the EP Submission Schedule shall be certified by the ET Leader and verified by the IEC before submitting to the Director under this Permit.

Submission of Management Organisation

- 2.10 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project, inform the Director in writing the management organisation of the main construction companies and / or any form of joint ventures appointed for the Project. The information shall include at least an organisation chart, names of responsible persons and their contact details.

Submission of Updated Environmental Monitoring and Audit (EM&A) Manual

- 2.11 The Permit Holder shall update the EM&A Manual to include the latest EM&A requirements in accordance with the information and recommendations described in the EIA Report (Register No. AEIAR-228/2021) and by taking into account any



specific site conditions that may be changed before construction of the Project. The Permit Holder shall, no later than 2 months before the commencement of construction of the Project, submit 4 hard copies and 1 electronic copy of an updated EM&A Manual to the Director for approval. The updated EM&A Manual shall include but not limited to :

- (i) a construction dust monitoring plan (CDMP) to monitor dust emission during construction of the Project. The CDMP shall include details of the monitoring locations, monitoring frequency, and parameters to be monitored;
- (ii) an Event/Action Plan for construction dust monitoring.

2.12 The updated EM&A Manual shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations of the EIA Report (Register No. AEIAR-228/2021), and taking into account any specific requirements with respect to the latest site conditions of the Project. All measures recommended in the updated EM&A Manual approved under this Condition shall be fully and properly implemented in accordance with the requirements and time schedule(s) set out in the updated EM&A Manual. The EM&A Manual approved under this Condition shall hereinafter be referred to as the “updated EM&A Manual”.

Submission of Landscape and Visual Mitigation Plan

2.13 The Permit Holder shall, no later than 1 month before the commencement of the construction of the Project or otherwise approved by the Director, deposit with the Director 4 hard copies and 1 electronic copy of Landscape and Visual Mitigation Plan (LVMP). The LVMP shall include design details, recommendations of landscape and visual mitigation measures, implementation programme, maintenance and management schedules, and drawings in the scale of 1:1000 or other appropriate scale, as agreed with the Director, of the landscape and visual mitigation measures of the Project. The LVMP shall include an implementation schedule in table form to clearly list out the mitigation measures to be implemented, and the implementation party, location, timing, and environmental performance required for implementation of the mitigation measures. If there are any change(s) to the landscape and visual mitigation measures as recommended in the deposited LVMP, the Permit Holder shall, no later than 1 month before the implementation of such change(s), deposit with the Director 4 hard copies and 1 electronic copy of the Updated LVMP with clear indication of the proposed change(s). Before submission to the Director, the LVMP or any Updated LVMP shall be certified by the Registered Landscape Architect employed and the ET Leader under Condition 2.8 and 2.1 respectively, and verified by the IEC as conforming to the relevant information and recommendations on landscape and visual mitigation measures contained in the approved EIA report (Register No. AEIAR-228/2021), or supported with adequate and relevant justifications. All mitigation measures recommended and requirements specified in the LVMP or any Updated LVMP shall be fully implemented and maintained for the Project.

Submission of Translocation Plan of Aquatic Species of Conservation Importance

2.14 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project or otherwise approved by the Director, submit to the Director for approval 4 hard copies and 1 electronic copy of Translocation Plan of Aquatic Species of Conservation Importance (TPASCI), certified by the ET Leader and the Qualified Ecologist(s) referred to in Condition 2.1 and 2.7



respectively, and verified by the IEC. The TPASCI shall include details of the pre-construction survey methodology and results at the Project site, identification of potential receptor site(s), translocation methodology, post-translocation monitoring programme and methodology, measures to prevent recolonization of aquatic fauna in the works area of the tidal barrier, as well as a contingency plan in case of failure of the translocation. Any aquatic species of conservation importance, including but not limited to *Gobiopterus macrolepis*, identified during the pre-construction survey at the Project site and during the course of translocation should be translocated. All mitigation measures recommended and requirements specified in the TPASCI shall be fully implemented. The Permit Holder shall consult the Agriculture, Fisheries and Conservation Department (AFCD) on the TPASCI prior to submission to the Director. The Permit Holder shall also, no later than 2 weeks after the completion of translocation, deposit with the Director 4 hard copies and 1 electronic copy of a translocation report, certified by the ET Leader and the Qualified Ecologist(s) referred to in Condition 2.1 and 2.7 respectively, and verified by the IEC, showing the numbers and types of translocated species, and location(s) of the receptor site(s).

Submission of Pre-construction Survey Report of Ardeid Night Roost

- 2.15 The Permit Holder shall, in consultation with the AFCD, conduct a pre-construction survey for areas within 100m from the Project boundary to confirm the location(s) and status of ardeid night roost(s); and, no later than one month before the commencement of construction of the Project, submit a Pre-construction Survey Report (PCSR) for approval by the Director. Construction noise monitoring location(s) close to the night roost(s) shall also be suggested in the PCSR. The PCSR shall be certified by the ET Leader and the Qualified Ecologist(s) referred to in Conditions 2.1 and 2.7 respectively and verified by the IEC. All measure(s) as recommended in the approved PCSR shall be fully implemented.

Measures during Construction of the Project

Measures to Minimise Impacts to the Night Roosting Ardeids

- 3.1 To minimize the potential impact on the night roosting ardeids, the Permit Holder or any person constructing the Project shall not undertake any construction works within 100m from the ardeid night roost site confirmed by the pre-construction survey conducted under Condition 2.15 between 17:00 and 07:00 of the following day from February to September and between 16:30 and 07:30 of the following day from October to January of the next year to avoid disturbance. Noise barriers with absorptive materials of about 2-3m high shall be erected along the side close to the night roost sites within 100m of the construction works to screen human and noise disturbance to the night roost sites.

Measures to Mitigate Ecological Impacts

- 3.2 To minimize the disturbance on nearby wetland habitats and the associated disturbance-sensitive overwintering/migratory waterbirds, noisy construction activities including but not limited to percussive piling and demolition using breakers mounted on excavators shall not be carried out from November to March of the next year, unless otherwise agreed by the Director.



- 3.3 To avoid the potential disturbance impact on firefly, any outdoor lighting associated with the construction works of the barrage between 18:00 and 07:00 of the following day shall be avoided during May to September.

4 Environmental Monitoring and Audit (EM&A) Requirements

- 4.1 The Permit Holder shall implement the EM&A programme in accordance with the procedures and requirements as set out in the updated 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 updated EM&A Manual before submission to the Director for approval.
- 4.2 The Permit Holder shall take samples, measurements and necessary remedial actions in accordance with the requirements of the updated EM&A Manual by:
- (i) conducting baseline environmental monitoring;
 - (ii) conducting impact monitoring;
 - (iii) carrying out remedial actions described in the Event/Action Plans of the updated 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 updated EM&A Manual are exceeded; and
 - (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.
- 4.3 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 updated EM&A Manual before submission to the Director. Additional copies of the Baseline Monitoring Reports shall be provided upon request by the Director.
- 4.4 The Permit Holder shall submit 1 hard copy and 1 electronic copy of Monthly EM&A Reports for the construction stage of the Project 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 updated EM&A Manual before submission to the Director. Additional copies of the Monthly EM&A Reports 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 website to be set up by the Permit Holder under Condition 5.2 below, in the shortest practicable time and in no event later than 10 working days after such information is available.

5. **Electronic Reporting of EM&A Information**

5.1 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 4.3 and 4.4 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.

5.2 The Permit Holder shall, within 4 weeks after the commencement of construction of the Project, set up a dedicated Internet website and notify the Director in writing the Internet address where the environmental monitoring data and project information is to be placed. All environmental monitoring data described in Condition 5.1 above shall be made available to the public via the abovementioned dedicated Internet website in the shortest possible time and in any event no later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director. All finalized submissions and plans shall be made available to the public via the dedicated Internet website in the shortest possible time and in any event no later than 2 weeks after the submissions and plans are approved by or deposited with the Director, unless otherwise agreed with the Director. The Permit Holder shall maintain the dedicated website for public access of the environmental monitoring data and reports throughout the entire construction period and during the first year period of operation of the Project, or otherwise as agreed by the Director.

5.3 The Internet website as described in Condition 5.2 above shall enable user-friendly public access to the environmental monitoring data and project information including the Project Profile, EIA Report and Environmental Permit(s). The Internet website shall have features capable of:

- (i) providing access to all environmental monitoring data of this Project collected since the commencement of construction;
- (ii) searching by date;
- (iii) searching by types of monitoring data; and
- (iv) hyperlinking to relevant monitoring data after searching

or otherwise as agreed by the Director.



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 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.
如違反本許可證的任何條件，署長或獲授權人員徵得環境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 the Environment, 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.

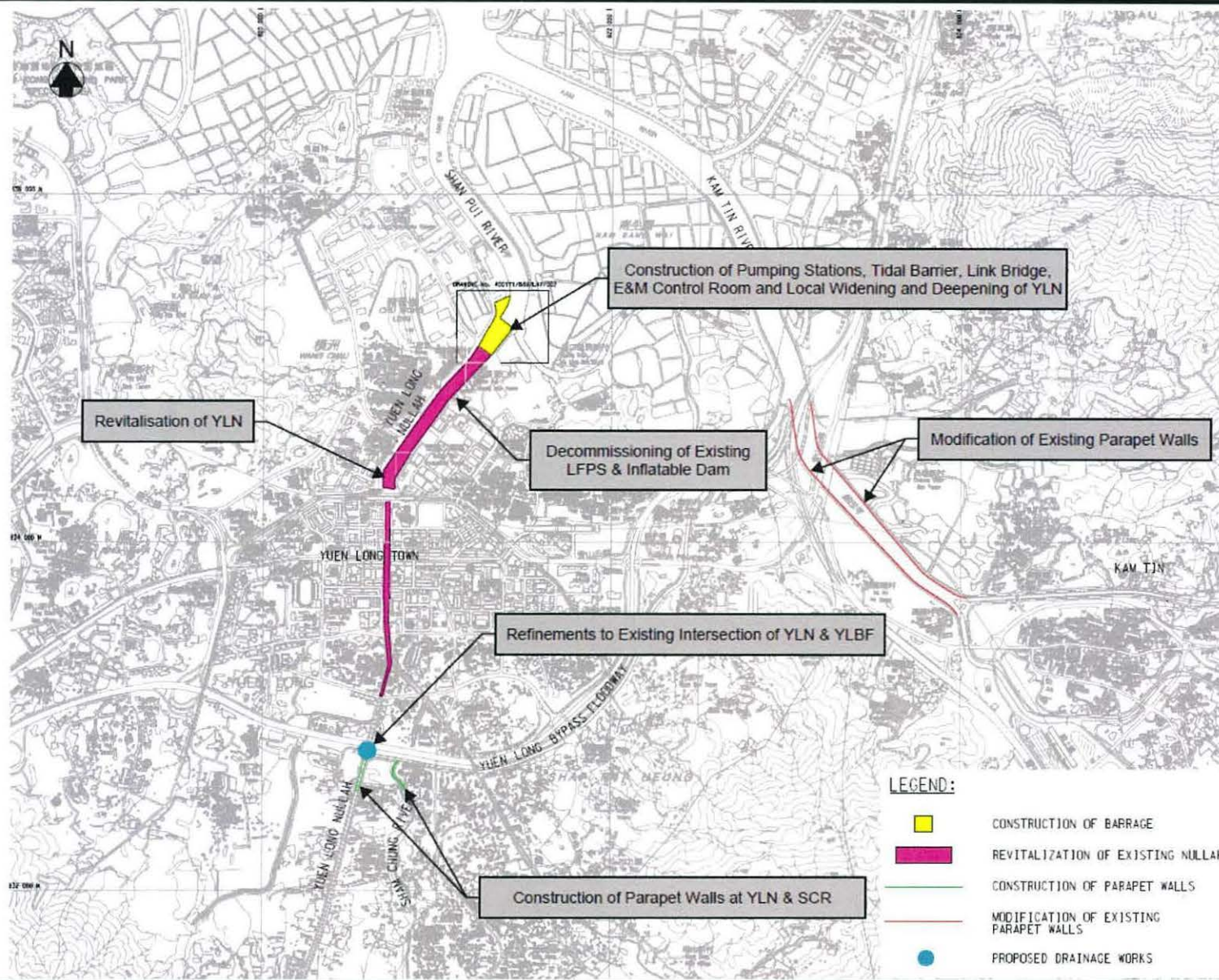
許可證持有人可在接獲本許可證後 30 天內，根據環評條例第 17 條就本許可證的任何條件提出上訴。

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-604/2022
環境許可證編號 EP-604/2022





Project Title: Yuen Long Barrage Scheme
工程項目名稱: 元朗防洪壩計劃

Figure 1: Project Location Plan
圖 1: 工程項目位置圖

Environmental Permit No.:
 環境許可證編號：
 EP-604/2022

