



香港觀鳥會
THE HONG KONG BIRD WATCHING SOCIETY

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Dear Ms. Wong,

**Comments on EIA report: Development of the Integrated Waste Management
Facilities Phase 1 (EIA-201/2011)**

The Hong Kong Bird Watching Society (HKBWS) would like to raise the following comments and concerns regarding the Environmental Impact Assessment (EIA) report of “Development of the Integrated Waste Management (IWMF) Facilities Phase 1” (EIA-201/2011).

1. Site Selection of the IWMF

- 1.1. According to the EIA report, the ecological value and ecological impact of the SKC site is higher than the TTAL site. HKBWS is disappointed that the Environment Bureau has indicated SKC as the preferred site for the first IWMF in Hong Kong without a comprehensive, objective and transparent comparison of each scenario (in terms of cost, ecological impacts, etc.)
- 1.2. The Technical Memorandum (EIAO-TM) states that “adverse environmental effects should be avoided to the maximum practicable extent”¹. HKBWS remained concerned that the IWMF in Shek Kwu Chau is not in line with the EIAO-TM and the basic principles of the EIA² given that impacts should be avoided at first place. Under scenario (b), the principle of avoidance has been disregarded given that a practical option / mitigation measure (i.e. selecting the

¹ 4.4.2 (f) of the EIAO-TM

² EIA-Guidance Note 1

TTAL site) is available to avoid ecological impacts. Although the EIA report concludes that environmental impacts with mitigation is acceptable for all 3 scenarios, Scenario (b) is not in line with the EIA-Guidance Note, which states that “The primary purpose of mitigation measures is to prevent/pre-empt environmental problems, and not just to rectify problems after their occurrence”³.

2. Impacts on breeding White-bellied Sea Eagle and mitigation (SKC site)

- 2.1. The EIA report has only indentified the presence of a breeding White-bellied Sea Eagle (WBSE) but failed to assess the impact on the species with regard to its breeding ecology. The EIA report has not included important information (e.g. foraging ground especially during breeding period, flight path during foraging, impact on prey species) on the breeding ecology of WBSE. HKBWS is concerned that the EIA report has not adequately filled in these information gaps which are crucial information in avoiding impacts and determining possible mitigation measures.
- 2.2. Examples of mitigation measures includes changing layouts of reclamation, adjusting the travel routes of boats, and “minimizing human activities within the main foraging areas during the main foraging times during their breeding season, especially during the chick rearing period”⁴. However, these mitigation measures have not been employed in the EIA report. HKBWS is therefore unconvinced that environmental effects have been “avoided to the maximum practicable extent”¹, as mitigation measures have not been “fully investigated in the EIA study and exhausted”⁵.
- 2.3. HKBWS suggests that as a condition of approval of EIA report, additional information on the breeding ecology of WBSE at SKC should be collected (by additional in-depth studies, intensive pre-construction ecological monitoring or other researches before construction commences). Mitigation measures and the Environmental Monitoring & Audit (EM&A) programme should be reviewed and enhanced according to the information collected.
- 2.4. While the EIA report suggests that nesting WBSE would tolerate certain level of human disturbance⁶, observations at the pair at Yeung Chau has showed low breeding success possibly related to human disturbance⁷. No successful breeding has been observed for the Pa Tau Kwu Pair in recent years⁸, which

³ EIA-Guidance Note 3, 3.1.1

⁴ AFCD, 2003, Hong Kong Biodiversity – AFCD Newsletter Issue no.5

⁵ 3.1 (d) of the EIAO-TM ANNEX 16

⁶ Table 7b.63 of the EIA report,

⁷ AFCD, 2010, Hong Kong Biodiversity – AFCD Newsletter Issue no.18

⁸ Observation of the HKBWS White-bellied Sea Eagle Research Group

may be related to the reclamation and operation of the theme park at Penny's Bay. It should be noted that the SKC pair is located at a largely natural coastal habitat relatively free from human disturbance.

- 2.5. It should be noted that the SKC pair is located at a largely natural coastal habitat relatively free from human disturbance. On the other hand, the disturbance tolerance levels may vary between pairs. Thus, a "precautionary principle" should be adopted.
- 2.6. HKBWS appreciates the increase in monitoring frequency in breeding period in order to provide additional information and allow prompt mitigation measures on site. However, it should be coupled with effective and concrete action plans.
- 2.7. The EIA report has stated that the possibility of WBSE nest abandonment still remains even if all mitigation measures are implemented⁹. We are concerned that no concrete mitigation/compensation are being suggested in the EIA report and the monitoring programme alone would not mitigate the impact of nest abandonment.
- 2.8. The EIA report claims that "nest abandonment could also be caused by the innate behavioural pattern"¹⁰. However, it only quoted the fluctuation of breeding success (instead of cases of "natural nest abandonment") which is inappropriate for supporting this claim. The impact of the IWMF on WBSE is being underplayed.
- 2.9. The EIA report should not be approved unless important information gaps are filled and with concrete mitigation plans

3. Ecological Impacts in the TTAL site

- 3.1. The middle lagoon is of higher species diversity among the 3 lagoons especially for avifanua¹¹ of conservation value, according to the EIA report. "The proposed Project would divide the pool into 2 halves and cause habitat fragmentation"¹². Ecological impacts should be avoided in the first place, such as by relocating the IWMF to other ash lagoons or changing the layouts.
- 3.2. The compensatory/retained ash lagoon would be susceptible to increased habitat fragmentation, edge effect and operational disturbance of the IWMF. Increased traffic to the area may also intensify disturbance to the breeding birds. The effectiveness in conserving breeding Little Grebe and habitats for other avifauna is therefore doubtful.

⁹ 7b.9.1.6 of the EIA report.

¹⁰ 7b.9.1.7 of the EIA report.

¹¹ 7a.5.1.3 of the EIA report

¹² 7a.6.2.11 of the EIA report

4. Public Consultation

- 4.1. HKBWS appreciates the effort of the proponent in making a formal response to public comments received in the previous EIA report.
- 4.2. We look forward to a review in the EIA system to enhance public engagement, such as allowing “comments on comments” and hearing sessions. HKBWS’s opinions in reviewing the EIA system (submitted to the Legislative Council Panel on Environmental Affairs on 24 June) 2011 is attached as part of this submission.
- 4.3. HKBWS appreciates further public engagement in formulating the EM&A programme and WBSE monitoring plan, where exchange of information would facilitates better conservation of WBSE in SKC as well as other parts of Hong Kong.

Yours sincerely,

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