



香港觀鳥會有限公司
THE HONG KONG BIRD WATCHING SOCIETY Limited

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18 March 2011

Dear Ms. Wong,

Comments on EIA report: Development of the Integrated Waste Management Facilities Phase 1 (EIA-193/2011) – Objection to the Shek Kwu Chau Option

The Hong Kong Bird Watching Society (HKBWS) is writing to comment on the Environmental Impact Assessment (EIA) report for Development of the Integrated Waste Management Facilities Phase 1 (EIA-193/2011). We **OBJECT** to the approval of Shek Kwu Chau option for the development of the captioned because: 1. The Ecological value and impact at Shek Kwu Chau is significantly higher than the Tsang Tsui Option; 2. The ecological impact assessment, compensation and mitigation do not fulfill the requirements stated in the Technical Memorandum of the Environmental Impact Assessment Ordinance (EIAO-TM).

1. Environmental Impact of the Shek Kwu Chau option is significantly higher

The Tsang Tsui site is only of low to moderate ecological value, while the Marine waters at Shek Kwu Chau is of high ecological value according to the EIA report. The Tsang Tsui site is an artificial habitat while the coastline and waters of Shek Kwu Chau is largely natural. The environmental impact on Shek Kwu Chau resulted from reclamation of our marine waters is irreversible. It would also have adverse impact on species such as Finless Porpoise and White-bellied Sea Eagle, which are both of high conservation importance. Based on the results of the Environmental Impact Assessment, There is no reason why the Shek Kwu Chau is considered as a feasible site for the captioned development. According to the EIAO-TM 3.1, “Any project that is likely to result in adverse ecological impacts in areas of ecological importance

shall not normally be permitted unless the project is necessary; it has been proven that no other practical and reasonable alternatives are available, and, adequate on-site and/or off-site mitigation measures are to be employed;” The Shek Kwu Chau site, according to the EIAO-TM, should not be permitted as 1) There is adverse ecological impact, particularly to species of conservation interest including Finless Porpoise and White-bellied Sea Eagle; 2) There is at least one other practical alternative (e.g. Tsang Tsui Option) available; 3) No adequate on-site or offsite mitigation were suggested in the report (refer to the below comments).

2. Ecological impact assessment, compensation and mitigation is not acceptable under EIAO-TM

2.1 Quality of Avifauna Survey

2.1.1) The wildlife survey in the EIA report was carried out during January 2009 to June 2009¹. This is considered inadequate as it do not cover autumn migration period in Hong Kong (August-November)².

2.1.2) There are limited information provided in the EIA report on details of Avifauna survey, such as survey frequency, time in the survey day and number of surveyors. We are concerned that the survey effort is limited and may be insufficient.

2.1.3) No seabird survey and impact assessment, particularly for breeding terns, were included in the EIA report although a pair of Black-naped Tern were recorded by the consultant at Shek Kwu Chau².

Thus, based on the above reasons, we are concerned that the EIA report is largely under-estimating species diversity and abundance occurring at or near the site.

2.2 Impacts on breeding White-bellied Sea Eagle and mitigation

The White-bellied Sea Eagle (WBSE) is a coastal raptor species with high conservation interest. The population of the species in Hong Kong is considered important regionally³, as there are only scarce records in the southeast China coast. Given the significant impact on the breeding pair of WBSE, more attention and effort should be put on the conservation of the species in Hong Kong. The HKBWS would like to raise the following opinions regarding the issue:

2.2.1) The development would cause significant impact to the White-bellied Sea Eagle. Little mitigation and no solid compensation measures have been suggested by

¹ Refer to Section 7b.3.3.2 of the EIA report

² Refer to Section 7b.4.3.10 and Figure 7b.1 of the EIA report

³ Fellowes *et al*, 2002. Wild animals to watch: Terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of Hong Kong Natural History Society*, 25: 123-159.

the EIA report, even residual impact of nest abandonment was identified by the consultant. According to the EIAO-TM Section 5.4.1, *“The loss of important species (e.g. trees) and habitats (e.g. woodland) may be provided elsewhere (on-site or off-site) as a compensation. Enhancement and other conservation measures shall always be considered, whenever possible”*. Most compensation measures such as setting-up of marine parks were targeting on finless porpoise but not WBSE. Thus, **the current EIA does NOT fulfill the requirements of the EIAO-TM.**

2.2.2) The development may lead to abandonment of nest by the breeding WBSE pair and the pair may not utilize Shek Kwu Chau as a nesting site anymore. Furthermore, impact of loss of feeding ground of WBSE has not been addressed. Quality of feeding ground is crucial to the breeding success of the species but no compensation was made. The residual impact after mitigation would be a significant reduction of breeding success of the species in Hong Kong⁴ but no compensation has been suggested by the EIA report. According to the EIAO-TM Section 5.4.5, *“if the residual ecological impacts require mitigation and all practicable on-site ecological mitigation measures have been exhausted, off-site ecological mitigation measures shall be provided”*. **No off-site ecological mitigation were suggested by the EIA report and this does NOT fulfill the requirements of the EIAO-TM.**

2.2.3) The location of the nest of WBSE were not incorporated in a systematic and a qualitative impact assessment. For example, the nesting location of WBSE was not included as a sensitive receiver for qualitative noise impact assessment, though noise impacts on WBSE were identified in the ecological assessment and mitigation measures.

2.2.4) A WBSE monitoring programme was suggested by the EIA report⁵ but no solid action plan was suggested to mitigate the impact. An effective and feasible action plan needs to be comprehensively studied and formulated BEFORE the project commences, not after impacts being observed⁶. There is no justification provided to prove that such a monitoring programme is effective to the conservation of the species.

2.2.5) We strongly emphasize the need of a long-term conservation programme on the White-bellied Sea Eagle Population in Hong Kong as a compensation measure for the reduction of breeding success of the species in the territory. The conservation

⁴ There are only 9 nests in Hong Kong each year on average, according to *Hong Kong Biodiversity Issue 18*, AFCD Newsletter February 2010

⁵ Refer to Section 6b.5 of the EM&A manual

⁶ As described in Table 6b.1 of the EM&A manual

programme should include the following: i.) an in-depth monitoring and survey to identify important local habitat for WBSE; ii.) Protection of habitat identified with higher important through legislation, habitat enhancement project, monitoring of coastal development and restriction on fishery activities; and iii.) Engagement with local conservation groups for formulating conservation plan. Such conservation plan as an off-site compensation measure is a requirement of the EIAO-TM, but it is not suggested by the EIA report.

Based on the reasons on above, The Shek Kwu Chau option **is not an acceptable choice** for the captioned development due to its **environmental concerns**. As an alternative site is available and the mitigation measures suggested are not sufficient, the Shek Kwu Chau option **should not be accepted as it does not fulfill the requirements of the EIAO**. Therefore, The Hong Kong Bird Watching Society respectfully requests the Environmental Protection Department and Advisory Council on the Environment to **Reject the approval of Environmental Permit for the Shek Kwu Chau Artificial Island option in the EIA report**.

Yours sincerely,



Cheng Nok Ming
Conservation Officer
Hong Kong Bird Watching Society

CC:

Environmental Impact Assessment Subcommittee, Advisory Council on the Environment