

Ms. CHENG Mei Sze, Maisie
Director of Environmental Protection
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By email only

3 June 2021

Dear Ms. Cheng,

Comments on the Project Profile for San Tin / Lok Ma Chau Development Node
(ESB-340/2021)

As the proposed San Tin/ Lok Ma Chau Development Node (project area) is close to and even intrudes into the Wetland Buffer Area (WBA), the Hong Kong Bird Watching Society (HKBWS) is highly concerned about the proposed development, and its direct and off-site adverse impacts (e.g. ecological impacts, the trashing of wetlands and environmental degradation caused by development hopes of landowners) on the surrounding Wetland Conservation Area (WCA), fishponds and ecologically sensitive areas. Our comments are as follows:

1 Direct impacts on ecological sensitive habitats within/adjacent to the proposed Development Node

- 1.1 There are a variety of habitats within the project area, including active agricultural land, ponds, semi-natural watercourse, channelised watercourse, grassland, shrubland, woodland, plantation, etc. These provides habitats for different species. According to the bird records from HKBWS, 142 species of birds were recorded in the project area and **over one-third** of the total species are **of conservation concern**.
- 1.2 The project area particularly provides foraging and roosting habitats for a range of open country and shrubland species, including Golden-headed Cisticola (*Cisticola exilis*) of local concern, Red-billed Starling (*Spodiopsar sericeus*) of regional concern, White-cheeked Starling (*Spodiopsar cineraceus*) of potential regional concern, Chinese Grosbeak (*Eophona*

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migratoria) of local concern and the “Critically Endangered” Yellow-breasted Bunting (*Emberiza aureola*). As there are active farmlands within the project area (Figure 1), **the potential impacts on them due to the direct loss in open country habitats such as agricultural land should be avoided.**

- 1.3 Most of the project area is situated immediately at the south of the wetlands of conservation importance, including WCA, WBA and the connecting Mai Po Inner Deep Bay Ramsar Site. Meanwhile, Lok Ma Chau Control Point (LMCCP), which is the northern part of the project area, falls within the WBA (Figure 2), where is “to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds”. **The introduction of development at LMCCP that would have adverse off-site impacts on the surrounding fishponds should be avoided.**

2 Concerns on the flight paths of birds

- 2.1 The proponent stated in the PP that there will be “potential obstruction of avifauna flight paths by proposed developments at the proposed Enterprise and Technology Park, and at the area to be released at LMCCP”. As part of the project area, especially the LMCCP, **is cutting through the connecting fishponds in San Tin and Lok Ma Chau.** Together with the upcoming development in Lok Ma Chau Loop, we are concerned the tall building height within LMCCP would cause **irreversible adverse impacts on the flight paths of avifauna** including the breeding ardeids, roosting ardeids and Great Cormorants, and also overwintering birds, leading to **fragmentation of wetland habitats** and threatening the integrity of wetland ecosystem in Deep Bay as a whole.
- 2.2 Among the 142 species of birds recorded in the project area, there were over **20 species of raptors** recorded including many large-sized raptors, which were **exceptionally diverse**. The raptor species include the globally near threatened Cinereous Vulture (*Aegypius monachus*) which is also a national first-class protected species, the globally vulnerable Greater Spotted Eagle (*Clanga clanga*) within Class I protection under national legislation, the globally vulnerable Eastern Imperial Eagle (*Aquila heliaca*)

and Bonelli's Eagle (*Aquila fasciata*)**Error! Bookmark not defined.** with Class II national protection.

- 2.3 The high number of raptor species found in the project area is likely due to its special geographical location – to the south are hills with woodlands and shrublands which are suitable roosting sites for the birds, whereas to the west and north are continuous strips of fishponds and wetlands which are suitable foraging grounds. The San Tin area (including the project area) not only provides foraging and roosting sites for these raptor species, but is also **an ecological corridor and flight path linking the well-wooded habitats in the south and the Deep Bay area in the north and northwest.** In Section 3.9.1.5 of the project profile (PP), the proponent only recognized the “*proposed Enterprise and Technology Park, and at the area to be released at LMCCP*” as the potential obstruction of avifauna flight paths. We consider the adverse impacts aroused from the proposed residential and mixed developments within the project area should also be avoided or minimized by restricting the development intensity and height.

3 Concerns on the Egrettry

- 3.1 The project area is close to the Mai Po Village Egrettry and Mai Po Lung Village Egrettry, which are the **third and fourth largest egrettry** in Hong Kong respectively in 2019¹. A total of 268 nests were recorded at the two egrettries, which comprise of Little Egret (*Egretta garzetta*) and Chinese Pond Heron (*Ardeola bacchus*), in which their nesting and roosting sites are regarded as of “*Regional Concern*” due to their restrictedness². The potential impacts on these ecologically important egrettries should not be overlooked.
- 3.2 Moreover, the maximum foraging range of ardeids can be up to 2 to 4 km while the two concerned egrettry are located only 100m to 300m away from the project area. With this distance, the environmental impacts including noise and light during the construction and operation phase of the proposed

¹ Anon, 2020. Summer 2019 Report: Egrettry Counts in Hong Kong with particular reference to the Mai Po Inner Deep Bay Ramsar Site. Report by The Hong Kong Bird Watching Society to the Agriculture, Fisheries and Conservation Department, Hong Kong Special Administrative Region Government.

² Fellowes et al.: Fauna of Conservation Concern (2002)

development would potentially deteriorate the habitat quality of the egret and adversely affect the breeding birds and their breeding success.

- 3.3 Egret flight line surveys should be conducted to properly assess whether the proposed development node would have adverse impacts on the flight paths of the ardeids. Careful phasing of construction program should be considered to avoid/minimize disturbance impacts during the breeding season of ardeids, which is between March and August inclusively.

4 Concerns on the ardeids night roost

The night roost in Lok Ma Chau and Mai Po should be included as ecological sensitive receivers so that any potential impacts arising from the project can be adequately assessed in the Environmental Impact Assessment report. The project proponent should conduct sufficient surveys to understand the usage of the nearby habitats by these roosting ardeids and their flight paths, so as to properly identify, assess, minimize and mitigate the potential impacts of the proposed development node on them.

5 Cumulative ecological impacts and undesirable precedent set in Deep Bay area

- 5.1 Cumulative ecological impacts to the fishponds of Deep Bay area need to be carefully assessed given that a number of other residential developments have already been proposed and even approved in close proximity of the project area, under Environmental Impact Assessment Ordinance and Town Planning Ordinance.
- 5.2 The residential developments applied to Town Planning Board include planning application no. Y/YL-NTM/4, which is within the current project area, and the planning application no. A/YL-ST/172 which is adjacent to the project area. The approved Environmental Impact Assessment projects are the Development of Lok Ma Chau Loop (AEIAR-176/2013) and the Comprehensive Development at Wo Shang Wai (AEIAR-120/2008). **All of them are in San Tin area, and are close to the ardeids' breeding sites, ardeids and wetlands of conservation importance.**
- 5.3 We are concerned that the disturbances arising from all of these residential and commercial developments would **cumulatively create a significant**

amount of disturbances resulting in wetland habitat fragmentation, and the abandonment of ardeids' breeding site, ardeids' night roosts and Great Cormorant night roosts.

6 Contradict with the general planning intention of the approved Ngau Tam Mei Outline Zoning Plan (OZP)

According to the approved Ngau Tam Mei OZP No. S/YL-NTM/12, the general planning intention of the OZP is *"to direct suburban type low-density development to appropriate areas. These types of suburban developments include private residential development and village housing"*. Moreover, under the various approved OZPs in the Deep Bay area, most residential developments are restricted to a maximum plot ratio of 0.4. Currently, the Deep Bay area is of a rural setting with built-up areas usually of not more than 3-storey high. We consider that the proposed development is not in line with the general planning intention of the approved OZP and is not compatible with the surrounding rural setting. We are concerned the introduction of high-rise developments in and close to Deep Bay area would lead to adverse cumulative impacts on the ecological integrity of the Deep Bay area and the reduction of buffering capacity of the Wetland Buffer Area.

The HKBWS hopes that our comments would be taken into consideration. Thank you for your kind attention.

Yours sincerely,



Wong Suet Mei
Conservation Officer
The Hong Kong Bird Watching Society

cc.

The Conservancy Association

Designing Hong Kong

Kadoorie Farm and Botanic Garden

WWF – Hong Kong

Green Power

TrailWatch

Figure 1. From the Google Earth aerial photograph in 2021, there are active farmlands within the project area. **The potential impacts on them due to the direct loss in open country habitats such as agricultural land should be avoided.**



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Figure 2. From the Google Earth aerial photograph in 2021, Lok Ma Chau Control Point (LMCCP), which is the northern part of the project area (marked with red line), falls within the Wetland Buffer Area (indicated with yellow line). **The introduction of development at LMCCP that would have adverse off-site impacts on the surrounding fishponds should be avoided.**

