

Ms. CHENG Mei Sze, Maisie
Director of Environmental Protection
(E-mail: eiaocomment@epd.gov.hk)

By email only

14 July 2021

Dear Ms. Cheng,

Comments on the Project Profile for Northern Link (ESB-346/2021)

As the proposed alignment of the Northern Link (project area) will pass through the wetland and farmland habitats, and is close to the egretty and Wetland Buffer Area (WBA), the Hong Kong Bird Watching Society (HKBWS) is highly concerned about the proposed development, and its direct, off-site and cumulative adverse impacts on the ecologically sensitive areas and wildlife in the vicinity. Our comments are as follows:

1 Concerns on the Egretty

- 1.1 Part of the project area is very close to an egretty in Kam Po Road which is found active in 2021¹. A total of **over sixty nests** were recorded at the egretty, 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. Given that **the closest distance is only about 50 meters**, the potential impacts on these ecologically important egrettries should not be overlooked.
- 1.2 Moreover, the maximum foraging range of ardeids can be up to 2 to 4 km while the two concerned egretty 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: Egretty 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 unavoidably deteriorate the habitat quality of the egretty and adversely affect the breeding birds and their breeding success.

- 1.3 Even though the project proponent did not clarify which sections of the alignment would be aboveground and underground, it has high potential that the section near the egretty would be aboveground due to the construction constraints. We are highly concerned that the egretty would be seriously impacted during the construction and operational phase.
- 1.4 Even if the alignment of this section could be adjusted/ went underground to avoid the impacts on the egretty, sufficient surveys on the egretty and their flight line should be conducted to properly assess whether the proposed development node would have adverse impacts on the breeding ardeids. Stringent phasing of construction program should be adopted to avoid disturbance impacts during the breeding season of ardeids, which is between March and August inclusively.

2 Concerns on the ardeids night roost

In Section 3.7.7 regarding the “Egret Night Roosting Site near Kam Tin River” of the PP, it is mentioned that “a few egrettries were observed near Kam Tin River”. The project proponent should clarify if they are egrettries or night roosts. The night roost in Kam Tin River as one of the ecological sensitive receivers, we consider 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 direct and off-site impacts of the proposed development on them.

3 Direct habitat loss and off-site impacts

- 3.1 There are direct loss in habitats within the project area, including West Rail Mitigation Wetland, Sha Po Marsh, wet agricultural lands in Shek Wu Wai etc. These wetlands provide habitats for different species. We consider all **the potential impacts on them due to the direct loss in habitats such as wetlands and agricultural lands should be avoided.** Under this condition,

aboveground railway should not be considered while the locations of the station should carefully selected to avoid any unnecessary habitat loss.

- 3.2 Moreover, as most of the project area is situated closely at the south/east of the wetlands of conservation importance, including WCA, WBA and the Mai Po Inner Deep Bay Ramsar Site. **The introduction of development along the alignment that would have adverse off-site impacts** (i.e. noise and water quality impacts) on the surrounding fishponds and wetlands **should be avoided**.
- 3.3 More importantly, the current PP would probably not be able to cover the **off-site impacts** related to the trashing of wetlands and environmental degradation caused by development hopes of landowners due to the construction and provision of transportation infrastructure. From the experience of other completed projects (e.g. Liantang/Heung Yuen Wai Boundary Control Point and associated works), the Google Earth aerial photographs show that the eco-vandalism not only during the construction phase, but appeared when there is increased accessibility and development hopes (Figure 1).

4 Adverse ecological impacts in New Territories North would be underestimated

- 4.1 We consider that the current project particularly has a close connection with two development projects, which are the San Tin / Lok Ma Chau Development Node (ESB-340/2021) and the Remaining Phase Development of the New Territories North – NTN New Town and Man Kam To (ESB-341/2021), are submitted for applications for EIA Study Briefs under the Environmental Impact Assessment Ordinance recently.
- 4.2 It is stated in the Project Profile (PP) of the San Tin / Lok Ma Chau Development Node that *“the development of the STL MC DN will tie in with the implementation programme on commissioning of the planned Northern Link”*³. In the PP of the Remaining Phase Development of the New Territories North (NTN) – NTN New Town and Man Kam To, the current proposed Northern Link is regarded as *“concurrent project”*⁴.

³ <https://www.epd.gov.hk/eia/register/profile/latest/esb340/esb340.pdf>

⁴ <https://www.epd.gov.hk/eia/register/profile/latest/esb341/esb341.pdf>

- 4.3 However, in the current PP, only the San Tin / Lok Ma Chau Development Node was identified as a concurrent project, while “enabling works for potential extension to Ping Che Areas” was listed as one of the key construction elements. We are concerned the current Northern Link is related to the NTN New Town and Man Kam To development. If so, we consider that it should be identified as one of the concurrent projects in Section 2.3, so as to adequately assess and avoid/minimize the cumulative impacts on the environment.
- 4.4 Comparing the proposed alignment and the proposed stations of the Northern Link, it is clear that the current project is actually within the San Tin / Lok Ma Chau Development Node. We consider the currently adopted piecemeal approach for environmental impact assessment would significantly underestimate the overall impacts on the environments.
- 4.5 In general, the introduction of transportation infrastructure and the linking urbanization in these rural areas would lead to irreversible direct loss in large areas of farmlands, wetlands and natural streams. The associated high-density developments would cause enormous increase in population and human disturbance to the surroundings. They are also close to the Deep Bay area and would greatly increase the development pressure in the locality, leading to significant adverse impacts on the ecological integrity of the Deep Bay area and the reduction of buffering capacity of the Wetland Buffer Area.
- 4.6 Therefore, without a holistic environmental impact assessment for the three proposed projects in New Territories North as a whole, the limited scope covered by the current PP would probably underestimate the unaffordable adverse environmental impacts in the Deep Bay area and New Territories North area.

5 Cumulative impacts on Deep Bay area

- 5.1 Cumulative ecological impacts on the fishponds of the 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 the Environmental Impact Assessment Ordinance and the Town Planning Ordinance.

- 5.2 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). The residential developments applied to Town Planning Board include planning application no. Y/YL-NTM/4, A/YL-NSW/241, Y/YL-NSW/3, A/YL-NSW/274, A/YL-NSW/275, which are in the vicinity of the current project area.
- 5.3 **Most of them are close to the ardeids' breeding sites, ardeids and wetlands of conservation importance.** We are concerned that the disturbances (i.e. human activities, off-site unauthorized land filling due to the increase in land value, spill-out of brownfields, etc) 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 and the ardeids' night roosts.**

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

Yours sincerely,



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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. The Google Earth aerial photographs show that the eco-vandalism appeared when there is increased accessibility and development hopes after the completion of the Liantang/Heung Yuen Wai Boundary Control Point and associated road works.

