

Ms. WONG Sean Yee, Anissa, JP  
Director of Environmental Protection  
16/F, East Wing, Central Government Offices,  
2 Tim Mei Avenue, Tamar, Hong Kong  
(E-mail: eiaocomment@epd.gov.hk)



香港觀鳥會  
THE  
HONG  
KONG  
BIRD  
WATCHING  
SOCIETY  
Since 1957 成立

By email only

6 May 2016

Dear Ms. Wong,

**Comments on the Environmental Impact Assessment Report for the Site Formation and Associated Infrastructural Works for Development of Columbarium, Crematorium and Related Facilities at Sandy Ridge Cemetery (EIA-236/2016)**

The Hong Kong Bird Watching Society (HKBWS) would like to raise our objection to the approval of the Environmental Impact Assessment (EIA) for the proposed project at Sandy Ridge Cemetery. The project site is within the Inner Deep Bay and Shenzhen River catchment area, which is an Important Bird and Biodiversity Area (IBA) recognized by BirdLife International<sup>1</sup>. However, we consider that the EIA report failed to identify and assess all negative impacts caused by the proposed project, and to provide corresponding effective measures to avoid or mitigate these impacts, as required in the Study Brief of the proposed project<sup>2</sup>, the Technical Memorandum on Environmental Impact Assessment Process (TM) and the EIA Ordinance (EIAO). Therefore, the EIA report should be rejected. Our views are stated below.



**1. Bird species of conservation importance were neglected**

In appendix 9.5, only bird species with conservation status by Fellowes *et al.*<sup>3</sup>, IUCN<sup>4</sup> and China Red Data Book<sup>5</sup> were considered. According to Annex 16 of the TM<sup>6</sup>, species of conservation importance also include wild flora and fauna species that are listed in international conventions for conservation of wildlife and are protected by

<sup>1</sup> BirdLife International (2016) Important Bird and Biodiversity Area factsheet: Inner Deep Bay and Shenzhen River catchment area. <http://www.birdlife.org/datazone/sitefactsheet.php?id=16078>

<sup>2</sup> Environmental Impact Assessment Study Brief No. ESB-271/2014

<sup>3</sup> Fellowes, J.R., Lau, M.W.N., Dudgeon, D., Reels, G.T., Ades, G.W.J., Carey, G.J., Chan, B.P.L., Kendrick, R.C., Lee, K.S., Leven, M.R., Wilson, K.D.P. and Yu, Y.T. (2002). Wild animals to watch: Terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of the Hong Kong Natural History Society* No. 25, 123-160.

<sup>4</sup> IUCN 2014. IUCN Red List of Threatened Species. Version 2014.2. <[www.iucnredlist.org](http://www.iucnredlist.org)>.

<sup>5</sup> Zheng, G. M. and Wang, Q. S. (1998). *China Red Data Book of Endangered Animals: Aves*. Beijing, Hong Kong. New York: Science Press. [In Chinese]

<sup>6</sup> Note 3 of Appendix A in Annex 16 of the TM

legislation in China. We consider that species listed in Appendix I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITIES)<sup>7</sup> and those in the List of endangered and protected species of China<sup>8</sup> should be included in the assessment. The bird species of conservation importance not presented and assessed in the current EIA report is listed in the table below.

**Table 1.** Bird species of conservation importance not assessed in the EIA report

Species (Scientific Name)	China Protection Status <sup>8</sup>	CITIES Appendix <sup>7</sup>
Eastern Buzzard ( <i>Buteo japonicas</i> )	Class II	II
Common Kestrel ( <i>Falco tinnunculus</i> )	Class II	II
Amur Falcon ( <i>Falco amurensis</i> )	Class II	II
Asian Barred Owlet ( <i>Glaucidium cuculoides</i> )*	Class II	II
Silver-backed Needletail ( <i>Hirundapus cochinchinensis</i> )	Class II	-
Chinese Hwamei ( <i>Garrulax canorus</i> )	-	II

\*Asian Barred Owlet was not recorded within the Project Site

Including the species mentioned in Table 1, there should be 47 species of conservation concern recorded within the assessment area (accounting for over one-third of the total bird species recorded in the assessment area) and 19 species of conservation concern within the project site (accounting for over one-fifth of the total bird species recorded in the project site). It is unacceptable to leave out species of conservation importance in the EIA and thus the report should be rejected.

## 2. Adverse impacts on raptors were underestimated

Of the six bird species not assessed in the EIA, four species are raptors, which accounts for over half of the raptor species recorded in the assessment area. We consider that the adverse impacts of the proposed project on raptor species were underestimated. The Frontier Closed Area (FCA) including Sandy Ridge has been largely undisturbed for the past several decades due to the restriction in access, and little ecological information is available. It is likely that the raptors have been using the FCA as an ecological corridor to access the wetlands in the Deep Bay area for foraging. We are concerned the construction and operation of the proposed project would have negative impacts on these raptors and their flight paths.

<sup>7</sup> <https://www.cites.org/eng/app/appendices.php>

<sup>8</sup> List of Wild Animals under State Protection (promulgated by State Forestry Administration and Ministry of Agriculture on 14 January, 1989).

### **3. Ecological value and adverse impacts on the nesting site of Golden-headed Cisticola and upland grassland were underestimated**

Even though Golden-headed Cisticola has extended in Hong Kong in recent years and is now regarded a locally common winter visitor to grassland especially in higher ground in New Territories and Lantau<sup>9</sup>, breeding evidence are rarely found. As such, the HKBWS considers that the breeding record of Golden-headed Cisticola within the project site is a significant finding. In section 9.4.3.35, it mentioned “*it is known from fewer than 10 breeding sites and the area of suitable habitat is declining due to vegetation succession*”. This indicates that breeding sites of this bird species in Hong Kong is limited and its breeding habitat is currently threatened by vegetation succession. Hence, we consider that the permanent and irreversible loss of the nesting site of the Golden-headed Cisticola is significant in a Hong Kong context.

Furthermore, bird species of conservation concern which utilizes the upland grassland habitat were not highlighted, such as the Chestnut-eared Bunting of Local Concern<sup>3</sup> and the globally endangered Yellow-breasted Bunting. Together with the significance of the breeding record of Golden-headed Cisticola, the ecological value of the upland grassland should not just be “Moderate”.

According to section 9.7.2.1, a significant area of about 10.4 hectares of upland grassland will be lost, but the area of reinstatement is only 0.9 hectares, giving a net direct loss of 9.5 hectares of upland grassland habitat. Moreover, the proposed project is situated in the middle of an upland grassland habitat, thus creating habitat dissection. The light, noise and human disturbances from the proposed project during construction and operational phase would degrade the habitat quality of the surrounding remaining upland grassland habitat. Thus, the adverse ecological impact on upland grassland is significant.

Therefore, we consider that the direct and indirect impacts of the proposed project on Golden-headed Cisticola and upland grassland habitat should not just be of “Low to Moderate” significance.

### **4. Adverse impacts on a seasonal stream were not identified and assessed**

According to section 2.5.1.6 of the EIA, “*the access road alongside of existing Sha Ling Road would need to be slightly shifted to the east by a maximum of 15m*”. From Figure 2.2b, the new alignment of the Sha Ling Road (Option B) overlaps with the entire course of an existing seasonal stream. However, in the ecological impact assessment, impacts of the new road network (Option B) were not identified and assessed (Figure 1).

---

<sup>9</sup> HKBWS Hong Kong Bird Report 2013

It is also unclear if the new access road would be *at-grade* or a viaduct. If the road will be at-grade, there will be a direct loss of the stream and its riparian vegetation, increase in habitat fragmentation and increase in road kill of wildlife. If the road will be a viaduct, it will have a shading effect on the stream, reduce the rainfall received by the catchment of the stream, reduce the amount of litter received by the stream, and thus changes the micro-habitat of the seasonal stream. We consider that it is unacceptable to neglect the impacts brought about by the changes in the layout of the road network, and thus the EIA report should be rejected.

#### **5. Habitat Fragmentation caused by the proposed project was not assessed**

In Section 2(vi) of Appendix F in the EIA Study Brief for the proposed project<sup>2</sup>, it stated “*using suitable methodology...identification and quantification as far as possible of any direct, indirect, on-site, off-site, primary, secondary and cumulative ecological impacts...habitat fragmentation...*”. However, the habitat fragmentation caused by the proposed road networks (including both *at-grade* and viaduct) were not assessed. Besides habitat dissection and isolation of wildlife population, the road network together with the increase in traffic would also bring additional noise and light disturbances, and increase in road kill. We consider that these impacts should also be comprehensively addressed in the EIA report.

#### **6. Inadequate baseline ecological surveys and impact assessment**

According to Table 9.1a, the surveys for avifauna (other than egrettries) were conducted from August to April. Even though the Study Brief of the proposed project only required field surveys of at least nine months covering the dry and wet season<sup>10</sup>, we are concerned the current survey period (i.e. excluding May, June and July) may have excluded some summer migrants and breeding species. As such, the current avifauna list provided in the EIA is not representative of the bird community and population in the project site and the assessment area. Similarly, the current surveys only cover the start and the end of the active periods of most amphibians, reptiles, freshwater fish, butterflies and odonates<sup>11</sup>. According to the habitat map, watercourses, ponds, marsh, agricultural land, woodland and wet woodland are found within the Assessment Area<sup>12</sup>. These habitat types are primary habitats for the aforementioned faunal groups. We are concerned the current survey duration would led to an underrepresented species composition for these faunal groups.

We are concerned the impacts to the unidentified species (those not recorded in the current survey period) were not assessed; hence the impacts of the proposed project on the above faunal groups would be underestimated.

---

<sup>10</sup> Section 2(iii) of Appendix F in EIA Study Brief No. ESB-271/2014

<sup>11</sup> EIAO Guidance Note No. 7/2010 Ecological Baseline Survey for Ecological Assessment

<sup>12</sup> Figure 9.3 of the EIA

## **7. Negative impacts of viaduct were not fully assessed**

According to section 9.6.3.5 of the EIA, *“This seasonal watercourse is not proposed to be lost, but would be spanned in part by a viaduct connecting the eastern platforms with the eastern connection road, and there would be associated shading effects. This seasonal watercourse supports a population of the endemic crab *Somanniathelphusa zanklon*. It should be noted that this seasonal watercourse is currently heavily shaded by the adjacent woodland”*. The report seemed to deliver the message that the impact of the viaduct on the stream is insignificant as it is already shaded by large trees. We consider that the shading effect of a concrete structure and that of trees are different. Trees would provide litter (i.e. dead leaves and branches) to the streams and thus creating a different micro-habitat for various wildlife. The impact on wildlife utilizing the seasonal stream, including the endemic crab *Somanniathelphusa zanklon*, may be underestimated.

## **8. Bird collision**

The risks of bird collision at the built-up areas of the proposed projects were not assessed. Given that the project site is within an IBA recognized by BirdLife International and the bird community present in Sandy Ridge, we consider that not only the noise barriers but the columbarium, crematorium and associated facilities should also be designed in a bird friendly way to avoid bird collision. Such impacts and corresponding mitigation measures should also be included in the EIA.

## **9. Justification for widening the Lin Ma Hang Road is uncertain**

According to 5.2.2.6, the proposed pick-up and drop-off points are at: 1) MTR Kwu Tung Station; 2) Sheung Shui Landmark North Public Transport Interchange; 3) MTR Fanling Station; and 4) Layby at Pak Wo Road near Flora Plaza. Given the locations of the proposed pick-up/drop-off points (i.e. south to southwest of Sandy Ridge), it seems that it is unlikely that the Lin Ma Hang Road (i.e. northeast of Sandy Ridge) would be used for visitors to travel to/from Sandy Ridge. It is uncertain how much of the traffic brought about by the proposed project would lead to a significant usage of the Lin Ma Hang Road, thus a widening of the road is required.

The EIA report under-estimated the adverse impacts on wildlife (including birds) and natural habitats within the project site and the assessment area. The HKBWS considers the report failed to comply with the requirements as stated in the study brief, the EIAO and the TM. We therefore respectfully request you, as the Director of Environment Protection, to reject this EIA report. Thank you for your kind attention.

Yours sincerely,



Woo Ming Chuan  
Conservation Officer  
The Hong Kong Bird Watching Society

cc.  
The Conservancy Association  
Designing Hong Kong  
Kadoorie Farm and Botanic Garden  
WWF – Hong Kong

=====

**Figure 1.** The seasonal stream affected by the re-alignment of the Sha Ling Road as indicated by the purple circle (extracted from Figure 9.5 of the EIA report).

