

**Report on the 87<sup>th</sup>  
Environmental Impact Assessment Subcommittee Meeting**

**Introduction**

At its meeting held on 19 July 2004, the Environmental Impact Assessment (EIA) Subcommittee examined two sets of guidelines prepared under the Study on Wetland Compensation on the approaches for consideration of on-site and off-site mitigation and implementation of ecological compensation for wetland.

2. The two guidelines are recommended to complement the existing guidelines and statutory or administrative requirements that would have implications on wetland compensation projects. They will form part of the recommendations of the Study and would later be developed into guidance notes for project proponents and EIA practitioners.

**Advice Sought**

3. Members are requested to note the views of Subcommittee Members on the guidelines.

**Views of the EIA Subcommittee**

**Guidelines on approaches for consideration of ecological compensation of wetland (on-site and off-site)**

**Guidelines on approaches for implementation of wetland mitigation/compensation and management plan proposals (implementation approach)**

**Purpose of the guidelines**

4. The purpose of the first set of guidelines is to facilitate the consideration of on-site or off-site approaches of ecological compensation for wetland loss in line with the Technical Memorandum. The second set of guidelines will assist project proponents in implementing wetland compensation packages through a five-stage process.

## Members' views

5. Members' discussion at the Subcommittee meeting focused mainly on whether off-site wetland compensation in the Mainland would be acceptable; the ideal timing of the implementation of off-site mitigation measures; whether the effectiveness/performance of wetland compensation/mitigation measures could be bench-marked and whether the carrying capacity of wetland could be measured; the issue of like-for-like compensation; the potential ecological impact of certain security measures; the benefits of setting up a monitoring working group for large-scale projects; the importance of information feedback and the passing on of experience gained in implementing ecological mitigation measures.

### *Off-site wetland compensation in the Mainland*

6. On the issue of implementing off-site wetland compensation in the Mainland, the AFCD representative indicated that the proposal would involve complicated issues and hence it was neither desirable nor practicable. As a matter of principle, wetland mitigation sites should be as near to the affected sites as possible. The EPD representative also pointed out that since the EIA Ordinance was applicable in Hong Kong only, the stipulation of the implementation of ecological compensation measures outside the territory through the environmental permit would not be acceptable.

### *The timing of the implementation of off-site wetland compensation*

7. Members expressed concerns about the timing of the implementation of off-site mitigations. It was noted that in some past cases, the mitigation sites could not be obtained until the construction works of the project had commenced. Ideally, off-site mitigation programme should be completed before the commencement of the construction works of the designated project so that the mitigation site would provide an alternative habitat for the affected target species. The AFCD representative, however, pointed out that the ideal timing of the implementation of off-site wetland compensation should be considered on a case-by-case basis. In cases where detailed planning and co-ordination were required, the timing of the implementation of the wetland compensation would not be the only consideration. An example was the development of the Wetland Park in Tin Shui Wai which was implemented after the commencement of the construction works of the Tin Shui Wai New Town.

### *The bench marking of mitigation measures*

8. On the bench marking of wetland compensation/mitigation measures, the Study team explained that the loss of wetland usually referred to the net loss of wetland functionality. Hence, the effectiveness and the performance of wetland compensation/mitigation measures should also be assessed in terms of the increase or enhancement in functionality. As regards whether the carrying capacity of wetlands could be measured effectively, the Study team replied in the affirmative but said that there was a limit to which the carrying capacity of mitigation sites could be bench marked by certain parameters, for example, in terms of the number of specific birds utilizing the wetland. The functionality of a wetland compensation/mitigation measure should also be assessed by its security and sustainability in the future, in addition to the carrying capacity.

### *The issue of like-for-like compensation*

9. A Member remarked that while there was no dispute about the principle of like-for like compensation, to avoid controversy on whether sufficient compensation had been made, he suggested according higher priority to the guideline of compensation by area than compensation by function.

### *The potential ecological impacts of certain security measures*

10. A Member pointed out that certain site security measures such as fencing might have potential impact on the ecology and the wetland function of the mitigation site. An example was the possible impact of the 10 ft fencing erected in the West Rail wetland mitigation site at Kam Tin on low flying birds. It was suggested that a balance should be maintained in achieving the site security objective of the measure and avoiding negative impact on the ecology of the mitigation site.

### *Setting up of monitoring working group*

11. Members considered that the setting up of a monitoring working group for large-scale projects could effectively advise on and help monitoring the implementation of mitigation measures. Examples were the monitoring committee set up by the project proponent for the Sheung Shui to Lok Ma Chau Spur Line project and the Specialist Group set up by the Administration to advise on the reinstatement works in Tung Chung Stream. It was suggested that instead of leaving the matter to individual project proponents or to the Director of Environmental Protection to include the

requirement in the Environmental Permit, a point should be inserted in the guideline or guidance note to remind project proponents of the benefits of a monitoring working group for large-scale projects.

#### *Feeding back of information*

12. On the importance of feeding back of information and passing on the experience gained in the implementation of ecological mitigation measures, the AFCD representative indicated that AFCD was conducting a review of the ecological mitigations implemented for designated projects over the years. In fact, the ecological mitigation measures of most designated projects have just begun to take effect. It would be opportune time to assess the effectiveness or otherwise of those measures and share the information with project proponents and EIA practitioners. A report on the review would be prepared and submitted to the EIA Subcommittee for information in due course.

#### Conclusion

13. Members endorsed the two sets of guidelines and hoped that AFCD would continue to produce useful guidelines and guidance notes for the reference of project proponents and stakeholders.

**EIA Subcommittee Secretariat  
July 2004**