



世界自然(香港)基金會  
World Wide Fund For Nature Hong Kong

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**CB(1) 566/01-02(05)**

**LEGCO PANEL ON ENVIRONMENTAL AFFAIRS**

**MEETINGS ON 13 DECEMBER 2001**

**II. WWF Hong Kong's Comments on "Mechanisms of Environmental Impact Assessment"**

WWF Hong Kong fully supports the Environmental Impact Assessment (EIA) Ordinance since its implementation in April 1998. We consider that the EIAO has been an effective and efficient planning tool to avoid, minimize and control the adverse impacts on the environment from designated projects through the EIA process and the environmental permit system. If a comprehensive conservation policy could be put in place as soon as possible, this would certainly help a lot in the EIA process, especially in terms of impact avoidance. Meanwhile we believe that there is no need to amend the EIA Ordinance; but we would suggest the following measures be favourably considered so as to further improve the EIA process.

1. WWF Hong Kong recommends expansion of scope of Designated Projects as contained in Schedules 2 and 3 of the Ordinance, so as to cover small scale projects, such as ones under the Rural Project Improvement Scheme (RPIS), that could impose significant ecological impacts on sensitive and vulnerable areas with high conservation interest.
2. Noting that the EIA cannot address the issue of need for the project, WWF Hong Kong recommends expedient institution and implementation of sustainability assessment of development plans at the inception stage. In the interim, careful scrutiny by the Legislative Council in approving public works project should help ensure the use of EIA as a planning tool, and help avoid reducing the EIA process as a mere means of identifying measures to address environmental impacts.
3. It should be also useful to clarify who is the authority to determine the nature of alternatives to be studied in the EIA process, and how to ensure if the project proponent has fulfilled its obligation to consider all possible alternatives.

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4. Many of the criteria for ecological assessment are qualitative in nature rather than quantitative and the evaluation of ecological impacts would involve value judgement which usually is subjective. This, coupled with the complexity of the ecosystems and our lack of full understanding of their functioning, makes it even more difficult to assess the ecological impacts with certainty. We therefore strongly recommend that additional resources should be invested in local tertiary institutions to support more ecology-related research projects, and to educate and train local ecological/conservation planning and management personnel. Meanwhile, we believe that a system/ mechanism should be set up to assess the professional standards of environmental consultants and only competent and qualified consultants would be eligible to conduct environmental impact assessment.
5. We suggest that Agriculture, Fisheries and Conservation Department (AFCD) should be vested with the responsibilities to monitor the implementation of the ecological mitigation measures, especially the management and monitoring of mitigation habitats. It is thus necessary that the AFCD be given sufficient financial and human resources to ensure effective discharge of its responsibilities in ecological conservation and management.
6. We also recommend the following guidelines to be incorporated and/or adopted in the Technical Memorandum (TM) for the EIA Process:
  - Clear guidelines for evaluation of the appropriateness and effectiveness of the proposed ecological mitigation measures should be formulated so that the risk of failure of the proposed mitigation measures would be minimized.
  - Mitigation proposals should have clear and quantifiable objectives for management performance criteria, and in the case of compensation for ecologically-valuable habitats, the objectives should adhere to the goal of “no net loss” in habitat size **AND** function.
  - Sufficient information on the function of the habitat, from a comprehensive literature review and detailed assessment, should be provided in the EIA, and demonstration of the feasibility of the proposed ecological mitigation measures should be required.
  - A higher mitigation ratio (e.g., 3:1, 5:1 or 10:1) for valuable habitat mitigation should be required, depending on the functional value of habitat loss.

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