

For information on  
24 January 2002

**Legislative Council**  
**Panel on Environmental Affairs and Panel on Transport**

**Administration's Response to Views on  
Protection of Wetlands in Long Valley**

**INTRODUCTION**

A number of deputations were invited to attend the last Joint Panel meeting on 13 December 2001 to discuss the protection of wetlands in Long Valley in the light of the latest development of the Sheung Shui to Lok Ma Chau Spur Line Project (Spur Line). The deputations and Members expressed their views on conservation policy including mechanisms for conserving and managing natural habitats on private land, the long-term conservation of Long Valley and the proposed tunnel option for the Spur Line Project. Some also raised questions about the environmental impact of the Spur Line Project on Lok Ma Chau.

2. This paper provides Members with the Administration's response to the comments made.

**NATURE CONSERVATION POLICY REVIEW**

3. We are currently conducting a review of the existing nature conservation policy and mechanisms with the objective of identifying areas for improvement and practicable improvement measures which will enable us to conserve and protect sites of high ecological value more effectively. We, together with other relevant bureaux and departments, will examine matters including landowner rights and the existing land use planning system in detail.

4. We have noted the following suggestions made by the deputations at the last meeting –

- (a) land resumption by Government;
- (b) setting up a trust fund to acquire and manage ecologically important sites; and
- (c) providing subsidies to interest groups to establish partnership with the local community for maintaining existing farming practices that are conducive to maintaining the ecology of the sites concerned.

5. Regarding the suggestion of land resumption, we would examine it carefully because of the huge financial implications involved. Also, resumption involves very complicated matters related to landowner rights and other fundamental considerations, and we will take them into consideration in our review.

6. As regards the proposal to encourage landowners to manage their land for conservation purposes by changing their “hope value for development” to “hope value for conservation”, it should be noted that most private land in the rural area are agricultural lots demised for agricultural uses within which building developments are generally not permitted under the leases. Hence, there is the question of whether or not there is any legitimate “hope value for development” for such land.

7. We will examine these and other relevant issues in our review and continue to listen to different views.

## **CONSERVATION OF LONG VALLEY**

8. We fully understand the concerns of Members and the deputations over the long-term conservation of the wetlands in Long Valley. According to the preliminary assessment of the Agriculture, Fisheries and Conservation Department (AFCD), solely from the perspective of nature conservation, there are over ten sites on private land that have similar or higher conservation value compared with Long Valley. Hence, it is not appropriate to treat Long Valley as a stand-alone case. Instead, we should adopt a holistic approach in examining how to better conserve such sites.

9. As regards the suggestion of developing Long Valley into a tourism attraction, we have no objection provided that the conservation objective will not be compromised as a result. In order to enlist public support that is essential to the success of our conservation work, AFCD has been actively promoting conservation education to arouse public awareness of the importance of protecting the natural environment. Development of eco-tourism is an effective form of conservation education through which the public will have opportunities to appreciate and enjoy the beauty of our natural environment. However, details such as the scale of the activities and the tourism and education facilities to be provided need to be worked out carefully to avoid possible adverse impact on the ecology in the area. We, together with the Tourism Commission, will further explore the feasibility of the idea.

## **TUNNEL OPTION FOR THE SPUR LINE PROJECT**

10. According to KCRC, the technical feasibility of building the tunnel for the Spur Line has been well proven in Hong Kong through the construction of the Kwai Tsing tunnel of West Rail, which is in less favourable ground conditions

than the Spur Line tunnel. The tunnel of West Rail was completed using the same tunnelling equipment and technology as those to be used on the Spur Line. The potential impact of the tunnelling works on hydrology in Long Valley has been comprehensively addressed in the Environmental Impact Assessment (EIA) Report. The Report concludes that the Earth Pressure Balance tunnelling technology will prevent ingress of water into the tunnel during construction, and the tunnel itself will have no appreciable impact on the ground water table.

11. Some deputations and Members suggested considering other alternative alignments at the meeting on 13 December 2001. Firstly, it is Government policy that both the Spur Line and the Northern Link (NOL) will be required to meet the growing boundary-crossing passenger traffic. The two projects serve distinct transport needs and complement one another, but one cannot replace the other. Both NOL and the Spur Line are needed to link up West Rail and East Rail in the Northern New Territories. Government will closely monitor the progress of the land use planning of North West New Territories and review in light of traffic demand the Northern Link project implementation programme which is scheduled for completion between 2011–2016. Furthermore, building the NOL would take at least seven to eight years even if we embark on its detailed planning and design at this juncture.

12. With regard to the original viaduct option, it will take at least two more years to complete the extensive studies identified by the Appeal Board. At the conclusion of these studies, there would still be no certainty that the results could persuade the green groups or the public at large to accept a viaduct scheme. It is not in the best interest of the travelling public to pursue the original viaduct option, while forcing rail travellers to endure the congestion at Lo Wu with no certainty that the Lok Ma Chau crossing will be available to alleviate their discomfort. Other previously considered alternative viaduct alignments have also been reviewed. There are constraints related to programme impact on local community and environmental impact issues which can hardly be overcome.

## **ENVIRONMENTAL IMPACTS ON LOK MA CHAU**

13. The Lok Ma Chau terminal requires a 9.1 hectares footprint to provide for railway, customs, immigration and police facilities. The terminal has to be built above ground to connect with the corresponding Huanggang Terminal in Shenzhen. The EIA Report suggested that after discounting areas already heavily disturbed, the total habitat area impacted through habitat loss at Lok Ma Chau station is 7 hectares. KCRC is confident that the proposed enhancement of the ecological value of 27.1 hectares of fishponds immediately adjacent to the terminal area will increase their usage by birds, and compensate for the loss of fishponds in terms of functional value. Site trials demonstrate that increasing usage by birds will follow the adoption of enhancement and management techniques set out in detail in the EIA Report.

## **COMPENSATION FOR WETLAND LOSS IN THE WEST RAIL PROJECT**

14. At the meeting on 13 December 2001, questions were raised with regard to the effectiveness of the proposed measures for compensating wetland loss in the West Rail Phase I project. Wetland compensation measures recommended in the West Rail EIA Report were endorsed by the Advisory Council on the Environment in 1998. As the proposed mitigation area is still under construction, it may be premature to draw any conclusion on its effectiveness at this stage. But according to AFCD's monitoring of the performance of mitigation measures implemented for other projects, properly reinstated habitats could be valuable to wildlife. Examples of these projects include the Yuen Long and Kam Tin Main Drainage Channel project and the Shenzhen River regulation project. AFCD has observed that a considerable number of waterbirds are now feeding along different parts of the Yuen Long and Kam Tin Main Drainage Channel during low tide. The reinstated fishponds along the Shenzhen River are also found to be utilized by waterbirds. AFCD would closely monitor the implementation of the wetland compensation measures for the West Rail project and assess their effectiveness.

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