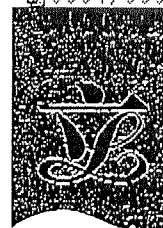




郭榮鏗立法會議員辦事處
Legislative Council Office of the Hon. Dennis Kwok



CB(1)204/12-13(01)

香港立法會
環境事務委員會
主席 何秀蘭議員

主席女士：

就「大埔龍尾泳灘工程計劃對自然生態帶來的影響」事宜

環保署根據土木工程署2007年11月提交的環境影響評估報告以及2008年10月提交的生態價值補充資料，於2008年11月決定批准土木工程署的大埔龍尾泳灘計劃。鑑於兩份環評報告備受質疑，令計劃激起極大爭議，本人早前致函環境局局長，要求他代表特區政府解答公眾提出的質疑，該信件現隨函附上。

環境事務委員會計劃在11月26日的會議，討論相關事宜。為此，本人特函 閣下，請 閣下將附件致環境局局長的函件納入下次會議的討論文件，讓官員及委員參閱及討論。

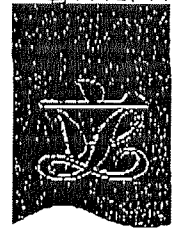
環境事務委員會委員
郭榮鏗

2012年11月20日

香港中西區立法會道1號立法會綜合大樓813室
Room 813, Legislative Council Complex,
1 Legislative Council Road, Central, Hong Kong
電話 Tel : 2243 5508 傳真 Fax : 2243 5509



郭榮鏗立法會議員辦事處
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19th November 2012

Mr. Kam Sing Wong
Secretary for the Environment
16/F, East Wing, Central Government Offices
2 Tim Mei Avenue,
Tamar, Hong Kong

Dear Mr. Wong,

Re: Development of a Bathing Beach at Lung Mei

As you know, when the EIA Report for the Lung Mei Beach project was first completed for consultation, the Advisory Council on the Environment (ACE) endorsed it with the condition that they have reservation about the sufficiency of the ecological information as provided by the Project Proponent in the EIA Report.

The EIA Report was thus approved in November 2008 by the Director of Environmental Protection under the condition, among others, that a supplementary report of the results of additional ecological surveys titled "Additional Information on Ecological Surveys" should form part of the approved EIA Report.

Further information has since arisen so as to bring serious doubts to the accuracy and sufficiency of the Additional Ecological Surveys to the extent that the EIA Report as a whole is considered incomplete, if not misleading or false in some areas. In particular, the following are some of the questions concerning the findings in the supplementary report which have been raised by environmental groups and for which there has yet to be any substantive response from the Administration:

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- (1) The number of intertidal species recorded in the additional surveys were 11 times greater than that in the original surveys (67 species versus 6 species) and yet the supplementary report could somehow still conclude that “the overall ecological value of Lung Mei was low”;
- (2) The findings of the supplementary report could only support the conclusion that the overall ecological value of Lung Mei was low *relative to the other reference sites*, not that it was low on a stand alone basis;
- (3) Members of green groups were able to find over 100 intertidal species within two days of searching whereas the original and supplementary report listed only 6 and 67 of them respectively;
- (4) Members of green groups were able to find in Lung Mei a rare spccie, *Pardarchirus pavoninus*, which has never been previously reported in Hong Kong;
- (5) The supplementary report says that “all species found in Lung Mei...during the additional active search...were also present in the reference sites” and yet its own findings included three species found in Lung Mei (*Parasesarma plicata*, *Holothuroidea sp. A* and *Holothuroidea sp. B*) which were not found in the other three reference sites;
- (6) The supplementary report says that “All species encountered at Lung Mei during the additional quantitative search were also present in the three reference sites” and yet its own findings included at least ten species found in Lung Mei which were not found in the other three reference sites;
- (7) Paragraph 3.4.5.4(iii) of the relevant Study Brief specifically requires that the necessary field surveys and investigations “of at least six months duration covering the dry and wet seasons” shall be carried out as one of the major tasks in the assessment, and yet the supplementary report states that additional active search was undertaken only once in Feb/March 2008

and once in May 2008; with only 2-3 months separating the two searches. This is prima facie a non-compliance with the requirements of the Study Brief;

- (8) The supplementary report states that "No significant nursery or breeding ground recorded" and yet there are reports that Lung Mei is in fact a breeding ground for certain species of starfish and seahorses.

I am writing to you with the hope that a formal response to each of the points raised above could be provided by the Administration.

This is an occasion where the Administration could show their commitment to environmental protection by substantially enhancing the environmental mitigation measures above and beyond those currently proposed under the EIA Report.

With regards to the plan for the identification and removal of rare species of marine life from Lung Mei Beach to a suitable new site, I am asking you to consider, in conjunction with the Director of Environmental Protection, to use the power to vary or amend the relevant Environmental Permit under section 14 of the Environmental Impact Assessment Ordinance (Cap. 499) and to insert this additional condition:

"to require the Civil Engineering and Development Department to retain an independent expert:

- (i) to draw up the details of the identification, removal and protection programme for rare species of marine life from Lung Mei Beach, and*
- (ii) to carry out the subsequent monitoring of the area to which they are removed with a view to reporting back to the EPD and the general*

*public on the effectiveness of the removal and
protection programme.”*

This would establish an important precedent for the constructive use of s. 14
of the EIAO.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Dennis Kwok', written in a cursive style.

Dennis Kwok

Legislative Councillor (Legal)

cc: Director of Environmental Protection, Ms. Anissa Wong
Undersecretary for the Environment, Ms. Christine Loh