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6 October 2014

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**WWF's Submission on the Third Runway project
For the Legislative Council
Panel on Economic development & Panel on Environmental Affairs on 7 October 2014
(EIA-223/2014)**

We are writing to express our deep disappointment at the recent endorsement of the controversial Third Runway (3RS) Environmental Impact Assessment (EIA) by the Advisory Council of the Environment (ACE), as it fails to fully address the requirements stated in Study Brief and EIA Technical Memorandum. In addition, the ACE's decision lacks legal foundation and has thus violated the EIA system.

First of all, the 3RS EIA report is proven to be grossly flawed and inadequate through the conditions listed by ACE. If the EIA report is up to standard with all the statutory requirements met, ACE would not ask for the imposition of more than 20 conditions (with development of various plans suggested, such as Coral Translocation Plan, Silt Curtain Deployment Plan etc.) to act as the safety nets in ensuring the impacts could be properly mitigated.

Second, even though the project proponent developed the "Marine Ecology and Fisheries Enhancement Plan", which is aimed to enhance the marine ecology in north and southwest Lantau waters, the overall proposed mitigation measures still fail to address and alleviate the impacts of massive habitat loss brought by the project to the already-declining Chinese white dolphin local population, in particular during the construction phase.

The members of EIA sub-committee repeatedly expressed concerns about the insufficient mitigation measures proposed during the construction stage of the 3RS project, which are still not being addressed:

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1. For a marine park to be effective as a mitigation measure, it must be designated and managed in a priority area/core habitat for the target species before any construction work begins. In the EIA report, the proposed Marine Park is not in a key CWD habitat and will only be established after the construction phase of the project. The Marine Park scheduled for 2023 will not effectively mitigate the impacts brought by large-scale reclamation work during the construction of the 3RS, and neither will the new parks proposed by the AFCD (as reiterated several times by the dolphin experts during public consultation)
2. More than 300 moving and stationary work vessels travelling in and around the 3RS construction site on a daily basis will cause severe disturbance to the CWDs currently using the waters of north Lantau. Together with existing marine traffic and those newly contributed by the re-routed high speed vessels from SkyPier, such high volume of marine traffic in the north Lantau will cause significant disturbance to the CWD inhabiting in the area in particular those at in the surrounding waters of Lung Kwu Chau.

Third, AAHK's "enhancement plan" did not involve any public consultation – this bypasses usual procedures and does not meet standard EIA requirements. Moreover, the plan was not discussed thoroughly and even then, some committee members expressed doubts about its effectiveness. Furthermore, AAHK themselves stated that this "enhancement plan" was not a mitigation measure for the 3RS project. The ACE could not reach common ground about whether this plan would be legally binding; no one can ensure the realization of the proposed measures.

We would also like to point out that some of the wordings of the conditions suggested by the EIA sub-committee are not time-bounded – no solid time limit is set for the establishment of the Marine Ecology Enhancement Fund and management committee; this also applies to the Marine Traffic Routes and Management Plan, Coral Translocation Plan, Fisheries Management Plan and Egretty Survey Plan.

In order to address the impacts from the 3RS Project, the effort should be focused on the compensation of habitat loss during the construction phase. We strongly suggest that the government proposed Marine Parks (southwest Lantau and Sokos) should be extended to cover the unprotected core dolphin areas – west Lantau waters including Tai O and Yi O, before the commencement of 3RS reclamation works as off-site mitigation measure. Such extension adjacent to the 3RS work site would ensure the protection of traveling corridor between the two core areas of 65 individual dolphins residing in North Lantau waters that will be seriously affected by the 3RS reclamation works. In addition, a comprehensive management plan that moves beyond merely

monitoring the decline of the population should be formulated, and the better regulation of high speed vessel traffic.

If the impacts of the 3RS project cannot be adequately and effectively addressed by the proposed mitigation measures, then your authority is obliged to reject the EIA report. In addition, the EPD must also explain and, if necessary, rework the legal consultation for the EIA report to ensure that the system is not flawed.

- End of Submission -