

Study on the Action Plan for the Bay Area of the Pearl River Estuary Public Consultation Digest¹

1. Consultation process

This consultation is of great significance as there has been very little opportunity for the Hong Kong public to air their views to both the Hong Kong and Guangdong Governments on cross-border development issues.

It is disappointing that less than one month has been allocated for the consultation, that more groups were not invited to participate, and that so little information has been made available. It should be noted that this paper is based entirely on the information available in the Public Consultation Digest and serves as an interim submission intended to meet the 10 February 2010 deadline set for this consultation.

2. Context

This submission should be considered as an update to Civic Exchange's response² to the consultation paper *Legislative Council Panel On Environmental Affairs Framework Agreement on Hong Kong/Guangdong Co-operation: Environmental Protection and Ecology Conservation*³.

3. Support for the Pearl River Bay Area Concept

Civic Exchange has been interested in the Pearl River Bay Area (Bay Area) Concept since it was first proposed in September 2009⁴. We welcome the idea of preserving and improving the ecological and broader environmental quality of Hong Kong and the Bay Area as a Green and Quality Living Area through “transformation of the mode of economic development” as proposed in the Study Objectives on page 1 of the Public Consultation Digest.

¹ Study Team of the Action Plan for the Bay Area of the Pearl River Estuary (January 2010) *Study on the Action Plan for the Bay Area of the Pearl River Estuary – Public Consultation Digest*. <http://www.prdbay.com/en/cgzsview.asp?id=141>, accessed 7 February 2011

² Kilburn, M. (August 2010) *Legislative Council Panel On Environmental Affairs Framework Agreement on Hong Kong/Guangdong Co-operation: Environmental Protection and Ecology Conservation* (Hong Kong : Civic Exchange) <<http://www.civic-exchange.org/wp/wp-content/uploads/2010/08/100804HK-GZ-Framework-agreement.pdf>>, accessed 31 January 2011.

³ Environment Bureau, (May 2010) <<http://www.legco.gov.hk/yr09-10/english/panels/ea/papers/ea0524cb1-1923-5-e.pdf>>, accessed: Legislative Council website 4 Aug 2010.

⁴ Zhang Shao Kang (September 2010) *The Bay Area of the Pearl River Estuary* (synopsis) Seminar on Regional Planning in the Greater Pearl River Delta Region, 20. Planning Department of the Government of the Hong Kong Special Administrative Region.

3. Resolving conflicting objectives within the plan

While the Study paper proposes a fine vision for the Bay Area, it is immediately apparent that the intention to create a quality environment will necessarily be compromised by the plans for expansion of transport and other infrastructure, especially if these developments are not conducted in a sustainable manner. We note, for example:

1. The Hong Kong Zhuhai, Macao Bridge is the subject of an upcoming judicial review over concerns about the public health impact of air pollution from road vehicles on the residents of Tung Chung – a recognized pollution hotspot.
2. The impact of the Qianhai reclamation on the hydrology and siltation rates in Deep Bay, and how these may adversely affect the ecology of Futian National Nature Reserve and Mai Po Marshes and Inner Deep Bay Ramsar site.
3. Public concern over increasing congestion and air pollution in Tsim Sha Tsui, and lost agricultural land, both as a result of the Express Rail Link.
4. Concern from many Hong Kong NGOs over the current plans for institutional and residential development of the Lok Ma Chau Loop that is inconsistent with the planning intention, typical plot ratio and ecological value for the area.

Policy Recommendation

At present, all of these projects reflect a “business as usual” approach to development which does not correspond to a “transformation of the mode of economic development” as proposed in the Study Objectives on page 1.

As a result it is essential to establish a mechanism for determining how the vision of a “Green and Quality Living Area” will be upheld when planning new infrastructure and development projects of this type. This mechanism should set out broad principles and specific criteria for resolving such conflicts and for guiding future planning.

4. Addressing marine pollution with “emission control zones”

The Framework Agreement on Hong Kong/Guangdong Co-operation included the statement at clause 1, paragraph 1, of chapter 6:

“Guangdong and Hong Kong will progressively adopt . . . fuel and emission standards for . . . vessels that are higher than other places in the Mainland.”

Reflecting the intention of this clause we were pleased to note the inclusion of the final section of the Public Consultation Digest on page 15:

“Action 8: To cooperate in cross-boundary environmental protection

Undertake joint management of the regional atmospheric environment . . . Consideration should also be given to jointly applying for the establishment of “emission control areas” in the marine part of the Bay Area in order to set out the objectives, restrictions and standards regarding emissions from marine vessels.”

Civic Exchange's submission on the *Framework Agreement on Hong Kong/Guangdong Co-operation* sets out the reasons why controlling marine emissions is so important. Rather than repeat these reasons, the points below focus on the support for regulation of marine emissions from an unusually wide range of key stakeholder groups.

Stakeholder support

In January 2011 the Fair Winds Charter⁵ (FWC) came into effect. This voluntary industry-led initiative, under which 17 shipping lines will switch to low sulphur fuel at berth in Hong Kong was developed by the Hong Kong Liner Shipping Association (HKLSA) in collaboration with Civic Exchange and the Environmental Protection Department.

These 17 lines represent approximately 80% of all container vessels visiting Hong Kong, and include the great majority of the world's largest container lines, among them Maersk, OOCL, APL, COSCO, and Evergreen. The FWC is expected cut total at-berth emissions from participating ships by at least 80%. This quantity is significant as at-berth emissions account for some 42% of total sulphur dioxide⁶ emissions of container vessel in Hong Kong waters⁷. At-berth emissions also have the greatest impact on public health because of the hundreds of thousands of people living in close proximity to the port.

In addition to reducing their own emissions on a voluntary basis, the signatories to the FWC also strongly support regulation of emissions across the PRD as proposed in the consultation document. The Charter states:

“In support of the HKLSA Fair Winds Charter we:

- *Urge the Hong Kong SAR Government to take a lead and work with the Guangdong Government to regulate use of low sulphur fuel in the Pearl River Delta region by 31 December 2012.”*

Having worked with the HKLSA to develop the FWC under our Green Harbours project⁸ we know that this initiative is supported by both the Marine and Environmental Protection Departments of the HKSAR Government, the wider business community – notably the Greater Pearl River Delta Business Council⁹, by the local and international media, which has widely reported on the Charter, and the general public. In addition, Civic Exchange has received interested enquiries from other ports in the PRD Region and southeast China, as well as several ports elsewhere in Asia.

⁵ More details and the Fair Winds Charter itself can be found at <http://www.civic-exchange.org/wp/fair-winds-charter/>

⁶ Sulphur dioxide is a highly toxic gas, which is a by-product of the burning of fossil fuels, especially those with a high sulphur content.

⁷ Environmental Protection Department *Emissions Reduction Due to Fuel Switch at Berth of Ocean-going Vessels Presentation to members of Fair Winds Charter* (November 2010). http://www.civic-exchange.org/wp/wp-content/uploads/2010/12/EPD-Presentation-to-HKSLA_Nov17.pdf accessed 28 January 2010.

⁸ Galbraith, V.; Curry, L; Loh, C. (2008). *Green Harbours: Hong Kong & Shenzhen – Reducing Marine and Port-related Emissions*. (Hong Kong: Civic Exchange). <http://www.civic-exchange.org/eng/upload/files/200806_Gports.pdf>.

⁹ Greater Pearl River Delta Business Council (September 2009) *Study Report in response to “The Outline of the Plan for the Reform and Development of the Pearl River Delta”* <cmab.gov.hk/doc/study_report.pdf>, “Appendices pp103-107” <cmab.gov.hk/appendices_20090923_en.doc> accessed 2 February 2011.

Given the strong support for regulating marine emissions, the swift introduction of a Low Emissions Zone covering all the waters of the PRD provides a fine opportunity for a pilot study which will demonstrate how the Pearl River Bay Area Concept can be implemented to both reduce the public health impacts of a critical, and still growing, sector of the PRD, and to deliver a Green and Quality Living Environment.

Policy Recommendations

Introduction of emission control measures are proposed in three stages, along with two recommendations to facilitate smoother implementation. These recommendations are made under the call for the PRD to be “*a pilot region for further reforms*” in the State Council’s original policy document regarding the development of the PRD – *The Outline of the Plan for the Reform and Development of the Pearl River Delta*¹⁰.

- (a) Following the example of the Fair Winds Charter, encouraging other ports in the Bay Area to require ocean-going vessels to switch to low-sulphur fuel at berth would bring immediate reductions in exposure and associated health risks to communities living close to the ports.
- (b) Establish a pilot low emissions zone (LEZ) requiring all ocean-going vessels entering PRD waters to switch to fuel, initially of 1% sulphur content, and 0.1% in 2015 (consistent with requirements in other jurisdictions)¹¹.
- (c) Building on the experience of the pilot PRD LEZ, establish an ECA covering the PRD, which may later be extended to the entire coast of China.
- (d) Encourage and assist local refiners and suppliers to develop the supply and infrastructure to meet the newly emerging demand for cleaner marine fuels.
- (e) Establish the marine boundaries of the Pearl River Bay Area, ensuring that Yantian port is included within this boundary.

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¹⁰ The National Development and Reform Commission (December 2008) *The Outline of the Plan for the Reform and Development of the Pearl River Delta*, page 10 paragraph 2.
<<http://en.ndrc.gov.cn/policyrelease/P020090120342179907030.doc>> accessed 7 February, 2011.

¹¹ Approval from the International Maritime Organisation is not required for establishing low-emissions zones that are confined to the national waters of a single sovereign state.