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Subject: Kaohsiung City Government: unethical conduct at Jiading Wetland and Yong-An Wetland

Dear Commissioners and Courts:

On behalf of SAVE International, I am writing to ask you to investigate unethical conduct by officials of the Kaohsiung City Government, relating to the Jiading Wetland and Yong-An Wetland.

For several years, the Kaohsiung City Government (KCG), including the City Council and the Public Works Bureau, has consistently made decisions about Jiading Wetland and Yong-An Wetland based on political influence rather than scientific information, planning best practices, and Taiwan's environment conservation goals. They have prevented local citizens from attending public meetings and have encouraged or even committed threats of violence against local pro-wetland residents. KCG's unethical policies include the following:

- proposing Road 1-4 through Jiading Wetland and submitting environmental impact assessments (EIAs) that rely on outdated science or inaccurate information;
- designating the two wetlands as having only "regional importance" (not national or international), in defiance of national law;
- removing protection from 2/3 of the Yong-An Wetland in order to let Tai Power build a new power plant.

Although Jiading Wetland and Yong-An Wetland were originally saltpans, they have become ecologically rich wetlands in the years since the salt industry closed. They now qualify for protection under Taiwan's Wetland Conservation Act as wetlands of "national importance" or even "international importance", but KCG argues that they have only "regional importance" and do not deserve protection. Although Taiwan is not a member of the International Convention on Wetlands ("Ramsar Convention"), the Wetland Conservation Act uses similar language. Under the Ramsar Convention, any site supporting more than 1% of the world

population of a species qualifies as a "wetland of international importance". In the last few years, Jiading and Yong-An have provided habitat for over 100 bird species, including 4-5% of the world population of the endangered Black-faced Spoonbill (*Platalea minor*) -- roughly 150-200 spoonbills -- during their wintering season. Jiading and Yong-An Wetland have also become training grounds for a new generation of scientists and informed citizens, who hold history tours, gatherings of birdwatchers, wetland clean-ups, and other events. Local teenagers formed Jiading Wetland Youth with a vision of protecting this place; among their other activities, they have hosted training workshops that included students from multiple Taiwanese universities and Tokyo Institute of Technology, and they host a "Say Hello Market" that gives new economic opportunities to local vendors.

Jiading Wetland and Yong-An Wetland are two examples in Taiwan for which SAVE has presented scientific studies and plans before the central and local governments. We were founded in 1997 to evaluate the impact of the proposed Bin-nan petrochemical complex in Tainan County, and subsequently to develop an alternative plan that saved thousands of fishing jobs and created a new tourism economy for Tainan, Chiayi, and Yunlin Counties. For 20 years, we have researched spoonbill habitat, promoted alternative economic development, and collaborated with local groups to develop sustainable plans that protect spoonbills and people alike. Thanks to worldwide partners -- in particular the leadership of Taiwan's central government -- spoonbill numbers are increasing. These efforts have brought Taiwan well-deserved recognition across the world.

SAVE prepared a detailed analysis of Jiading Wetland in 2014, in conjunction with scientists and environmental planners from the University of California, Berkeley and National Cheng Kung University, and local organizations from the Jiading area and Kaohsiung. Our report documents the environmental assets and challenges at Jiading, and proposes future plans for land use. You can find it on the SAVE International website at this shortlink: <http://wp.me/aMqdF-i1X>. KCG's original plan for Road 1-4 did not account for the birds and other wildlife that now live at the Jiading Wetland. KCG, however, is pushing forward with this old plan and ignoring the current science. We believe that Road 1-4 would seriously harm the wetland ecosystem (including the Black-faced Spoonbill) and the local economy.

KCG recently won approval of its plan to remove protection from Yong-An Wetland by redrawing the boundary at only 1/3 of its previous size (from 133 ha to 41.25 ha). SAVE and our local allies opposed this move. Tai Power owns this land and is planning to build a new gas-fired power plant on the other 2/3 of the wetland, but there is no legal or ecological reason to remove protection. The best available conservation biology shows that the new power plant would fragment the habitat and harm the populations of Black-faced Spoonbills and other species that live in the wetland. In a closed meeting on July 21, 2017, the Wetland Review Task Force approved KCG's reassessment at the smaller size of 41.25 ha.

KCG has been encouraging or even committing undemocratic behavior against the residents of Jiading and Yong-An who support the wetland. KCG has been withholding notice about policy meetings, discouraging the public from attending. Although hundreds of residents and many local non-governmental organizations have spoken and demonstrated against Road 1-4 (including Citizen of the Earth, Taiwan; Jiading Ecology and Culture Association; Jiading Wetland Youth; and Kaohsiung Wild Bird Society), KCG has claimed overwhelming support for the road and packed meetings with pro-road supporters. At a meeting about Road 1-4 on June 28, 2017, KCG prohibited individual video recordings, and provided official recordings that hid the faces and names of anti-wetland (pro-government) speakers. Jiading Wetland Youth obtained those videos and uploaded them to websites with subtitles and counterarguments, and discussion of the meeting went viral. In one member's words, "Because the meeting was full of injustice and the city councilors' speech was packed with unfounded arguments, people are angry with what happened at the meeting and the development of Route 1-4 as well." Most distressing to us, KCG has let anti-wetland speakers shout at and threaten their opponents, and one city councilmember even named the family members and workplace of a pro-wetland activist. Many

members of Jiading Wetland Youth have been appearing in public under aliases, because they are afraid of threats against them and their families.

We have written without success to individual members of KCG (such as outgoing Kaohsiung Mayor, Chen Chu), and to members of the Wetland Review Task Force and national ministries. People within KCG defend their decisions by falsely claiming public support. National officials refuse to overrule KCG because they say it is a local issue. Several national legislators have stated their support for protecting Jiading, but the full legislature has not taken action to make KCG comply with the law and protect these wetlands. A local coalition led by the Kaohsiung Wild Bird Society filed a lawsuit against Road 1-4 and won -- the Kaohsiung High Administrative Court ruled in their favor in January 2016, requiring the EIA for Road 1-4 to be revoked, and the Supreme Administrative Court upheld this decision in September 2016. Yet KCG has continued to pursue building the road.

Therefore, we are turning to you for help. We ask that you investigate members of the Kaohsiung City Government for unethical behavior against Jiading Wetland and Yong-An Wetland and the citizens who support these places. Thank you for your consideration.

Respectfully,

Derek Schubert
President, SAVE International