

# 關渡自然保留區解編後法令管理方式之芻議

## A Discussion on the Management Methods of Guandu Nature Reserve after Repeal

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### 摘 要

關渡濕地為重要水鳥棲地，民國 75 年依文化資產保存法公告為「關渡自然保留區」，但因紅樹林面積逐年擴增，已佔總面積之 66.7%，如持續以自然保留區管理，無法調節紅樹林生長，則難以達成營造水鳥棲地之目標；且紅樹林造成基隆河上游水位上升及洪水主流衝擊社子島河岸，造成防洪風險增加，故於 110 年公告廢止保留區。在關渡自然保留區解編後，該區域仍屬內政部 106 年依據濕地保育法公告「淡水河流域重要濕地（國家級）保育利用計畫」之「核心保育區三」，以保育水鳥為主要功能。

為達成保留區解編後之目標：水鳥棲地營造及防洪風險降低，原屬濕地法劃分之「核心保育區」是否進行變更？本文以濕地保育法「核心保育區」、「生態復育區」及「環境教育區」三種功能分區，分析各分區之競合關係，探討在考量防洪及生態雙贏下，保育利用計畫現況分區如何修改，以及部分修改方案。希望藉由本文依據法令及相關科學文獻數據之討論，在考量濕地保育法於兼顧有競合關係之各類生態系服務功能時，建立一個在法令管理層面之探究案例，以供爾後其他類似案例參考。

關鍵詞：濕地保育法，功能分區，防洪，生態

### Abstract

Guandu Wetland is an important habitat for water birds. In 1986, according to the Cultural Assets Preservation Law, it was announced as a "Guandu Natural Reserve". However, due to the increase of mangrove area year by year, it has accounted for 66.7% of the total area. It is difficult to achieve the goal of creating water bird habitats due to the management of the area, and the growth of mangroves cannot be regulated. Moreover, the mangroves cause the water level in the upper Keelung River to rise and the mainstream of floods to hit the banks of Shezidao, which increases the risk of flood control. After the Guandu Nature Reserve was declassified, this area is still the "Core Conservation Area 3" of the "Conservation and Utilization Plan for Important Wetlands in the Tamsui River Basin (National Level)".

announced by the Ministry of the Interior in 2017 according to the Wetland Conservation Law. Waterfowl is the main function.

In order to achieve the goal after the decommissioning of the reserved area: the creation of habitats for water birds and the reduction of flood control risks, should the "core conservation area" originally classified by the wetland law be changed? This paper analyzes the competition and cooperation between the three functional zones of the wetland conservation law, "core conservation zone", "ecological restoration zone" and "environmental education zone", and discusses the current status of conservation and utilization plans under consideration of flood control and ecological win-win. How to modify, and some modified programs. It is hoped that based on the discussion of laws and relevant scientific literature data, this article will establish a case study at the level of legal management when considering wetland conservation law while taking into account various ecosystem service functions that have a relationship of competition and cooperation, for the reference of other similar cases in the future.

Keywords: Wetland Conservation Act , Functional Zoning , Flood Prevention , Ecology