Resettlement Planning Document

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Final Resettlement Plan for Luxi County (English)

Prepared by the Hunan Provincial Government.

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Hunan Province    Luxi County

Urban Flood Control Project
Utilizing ADB Loans

Resettlement Plan

Hunan Hydro and Power Design Institute
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Attached Table 1: Resettlement Implementation Progress of Luxi County Urban Flood Control Project
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Objectives of Resettlement Plan & Definition of Resettlement Vocabulary

This resettlement plan (RP) is developed according to the policies and stipulations of Asian Development Bank as well as the relevant laws and regulations of Hunan Province and People’s Republic of China. This document is aimed to provide an action plan for the resettlement and rehabilitation of people (affected persons) affected due to the project, to ensure that they will be benefited from this project, and their living standard will be improved or at least restored after project completion. The resettlement plan is a legal restraint document between the executive agency (Project Management Office) - Key Project Management Office under Hunan Province Water Resources Department, and ADB, as well as local project implementation agencies. With this, the Key Project Management Office under Hunan Province Water Resources Department shall be fully responsible to ensure sufficient funds available for the implementation of resettlement plan, and smooth implementation by relevant city governments. The Resettlement Plan compiled by Hunan Province Hydro and Power Design Institute will be formally approved by the Hunan Province Water Resources Department representing the Hunan Province People’s Government.

In the development project, the land acquisition and resettlement will bring about the unfavorable influence in the life of people who scrape a living or working on these lands. “Project-affected people” refers to those persons whose production or life is unfavorably affected due to the land acquisition and relocation in project, including:

1) Persons whose lands (including housing plots, lands for public Facilities, farmlands, forest land, land for animal husbandry, fisheries and sideline activities), structures (private houses and attachments, enterprise structures, or public buildings, etc.), rights and interests or other properties are partly or wholly, temporarily or permanently requisitioned;
2) Persons using the above-mentioned lands, structures or properties; or the people whose businesses, work, residential area or living custom is unfavorably affected.
3) Persons whose living standard is unfavorably affected due to the land acquisition and relocation.

Definition of “Project-affected Persons”: The said “Project-affected Persons” refers to group which is affected, for the implementation of project, in the following fields: a) The living standard is affected or would-be-affected unfavorably; or b)The ownership of any house, rights or interest, land (include housing plot, cultivated land and pasture) or other movable estates or real estates are temporarily or almost permanently taken over or occupied; or c) The people whose business operation, occupation, work or living or accustom is unfavorably affected.

“Project-affected Persons” can be individuals, or legal representatives such as enterprises or public institutions.

The definition of “Project-affected Persons” shall not bring any limitation on the legal registration, permission to live or ongoing business in the affected area, or bring any limitation to the compensation on its properties. Therefore, it includes:
1) All the affected persons who shall not be subject to their legal rights or their presence in acquiring their properties.
2) Persons who live in the given areas, but have no habitation permission.

Therefore, all these affected persons, taking no account of their properties, lands or location, shall be considered and recorded as the affected persons.

All the affected persons due to the project shall be compensated to improve or at least recover their living standard. In addition, their lost assets shall be compensated according to the replacement cost, no discounting or reduction on the compensation sum is allowed under the cover of depreciation or other excuses. All the affected persons shall have their rights and interests for the impact they undergo. Moreover, for rehabilitation, assistance shall be offered in addition to the compensation for property loss. Among the project-affected persons, those who run business, develop new farmland or build in project area without formal legal titles, asset ownership, or legal permission to live, shall be treated same as the persons who have the formal legal assets, rights and interests, or permissions, to be helped to restore their livelihood and get compensated for the lost properties.
Definition of “Resettlement” mainly comprises:
1) Relocate the living arena;
2) Find a new job for the person whose job is affected;
3) Restore or rehabilitate (or compensate) the affected lands, workplaces, woods, and infrastructures, etc.;
4) Restore the living standard (quantity of life) for the persons who are unfavorably affected due to the land acquisition, indirect resettlement, or other projects;
5) Restore or compensate for the affected persons or government enterprise;
6) Restore the damages caused by unfavorably impact on culture or common properties.

Definition of “Rehabilitation”: “Rehabilitation” means restoring the ability of carrying on the production activities for the project-affected persons, or elevates their living standards or at least keep their living standards at the levels before project launching.

This “Resettlement Action Plan” is aimed to provide a resettlement and rehabilitation plan for the project-affected persons so that their losses will be compensated; their living standards will be improved or at least restored to their present conditions. The affected business and manufacturing resources, enterprises (include shops), and public Facilities and infrastructures shall also be improved or at least recover to the level before launching project.
Summary of Resettlement Plan for Luxi Urban flood control Subproject

A. Status of Resettlement Plan

1. The proposed Luxi County Urban Flood Control Project of Hunan Province will finance the following items: ① one newly-built embankment of 2.715km long; ② one newly-built belt flood control highway of 2.582km long; and ③ four new gravity-drainage sluices. The items above will affect certain amount of land and resettlers, and the land acquisition and resettlement is principally involved in the first two parts. All the project impacts and resettlement measures are based on the preliminary design and a detailed survey of all the indices. The resettlement modes and compensation standards have been reviewed and endorsed by Luxi County People’s Government. The next stage technical design will be based on the preliminary design, so the basic scheme and project impact scope will not have any major changes. If there are changes during technical design or implementation, an updated RP will be prepared and submitted to ADB for concurrence.

2. The project executing agency for the Hunan Flood Control Project is the Key Project Office of Hunan Province Water Resources Department (HPWR). For the proposed Luxi Urban Control Subproject, the Local Project Management Office (LPMO) in Luxi Water Resources Bureau is the project implementation agency. This resettlement plan has been prepared by LPMO under the guidance of PPMO and assistance of Hunan Hydro and Power Design Institute (HHPDI) and ADB consultants.

B. Scope of Land Acquisition and Resettlement

3. The proposed Luxi County Urban Flood Control Project covers 1 town, 1 village and 1 village group of Luxi County. According to the evaluation on impacts in details, the land of 19.37 hectares will be acquired, which include cultivated land (26.8%), paddy field (15.7%), dry land (1.6%) and vegetable plot (9.5%). The remaining 73.2% are gardening plot, ponds, housing plot and wasteland. During the construction period, the lands of 1.2 ha will be temporarily occupied. Based on per capita cultivated land in affected villages, the land acquisition will directly affect 272 persons in 71 households, including 2 households and 9 persons impacted by temporary land acquisition. On average, each affected person would lose only 0.019 ha of cultivated land.

4. Along with land acquisition, a total of 2345.78 square meters of buildings would be demolished, and 31 households of 155 persons should be relocated. Among total affected houses, brick-wood structures account for 82.5% of the total area of demolished houses. The relocation will provide an opportunity to improve current housing condition for relocated households. For affected rural households, they will be moved a short distance to another site within their original villages.

5. Other affected assets include traffic infrastructure, walls, sunning ground, tombs and economic forests. All lands, housing and other assets will be compensated at replacement value.

C. Policy Framework and Entitlements

6. For people unavoidably affected, the resettlement objective is to achieve equal or better income and living standards in line with the PRC Land Administration Law (1998) and the ADB’s Policy on Involuntary Resettlement. The PWRD will ensure that any people losing land, housing, other assets or income source will be assisted to fully restore their income and living standards. The Hunan Provincial Government in 2000 issued a Land Administration Decree to implement the 1998 Land Administration Law, which stipulates the regulations for land compensation, resettlement subsidies, young crop compensation, house compensation and other measures to carry out resettlement. According to relevant policies, laws and rules, the total compensation (land compensation, resettlement subsidy and young crop) will be set at CNY 22517 per mu for irrigated farmland; CNY 15498 per mu for dry land, CNY 40498 per mu for commercial vegetable land, CNY 20076 per mu.
for garden plot, CNY 21968 per mu for water pond, CNY 19400 per mu for rural housing plot and CNY 2746 per mu for uncultivated land. Those people losing land temporarily during construction will receive a payment equivalent to production value foregone for the period of loss, which is expected to be 2 years. The land used temporarily will be restored by the contractor to the original condition, or else additional funds will be provided to the owner to restore the land. For structures to be demolished, replacement value (land price will be considered for urban residential houses) will be provided to the affected households, with the base of CNY 302 per square meter for brick-wood structure, those people losing land will be provided with funds to obtain new housing sites and to connect with road, electricity and water within the current village group or administrative village; For those affected urban households, they will be provided with replacement housing with better conditions. In principle, rebuilding of housing plot will not be considered for urban residents, and the land price of CNY 62 per square meter will be taken as the compensation standard for urban residential houses. There will be no reduction in house compensation for depreciation, and people will be allowed to salvage materials from their old houses.

D. Resettlement Strategy

7. Efforts to minimize resettlement effects have been made after consultation with local officials during the setting of the alignment in the initial feasibility study. The reallocation is preliminarily designed to occupy less 20% farmland (15.54mu), demolish few houses by 24.4%, and affect only 31 households to be removed. For those unavoidably affected, the resettlement strategy is to replace losses of housing, land, other assets, infrastructure and income.

8. 1) Among all the affected people, 271 persons in 71 households will be affected by permanent land acquisition, with the affected area per capita being 0.019 ha. About most affected land is cultivated land, most of which are low in yield and often flooded. ① Concerning the affected 2 villager groups in one village, the surplus farmland after land acquisition is small, so the adjustment is unavailable in the groups and village. It is planned to plant greenhouse vegetable (7 mu) to relocate 28 persons; ② Since these two groups are close to the urban area, and many people are engaged in the secondary and tertiary industries with high enthusiasm, so it is proposed to relocate 209 persons by developing the secondary and tertiary industries with technical training and guidance provided.

2) Among the affected population, 31 households (155 persons) from 1 village (all are non-agricultural population) are affected by the demolition, with the demolished houses being 2345.78 square meters. It is preliminary determined that all these relocated households will be resettled in other places by exchanging the property right of houses.

9. The PPMO and LPMO will ensure that the resettlement entitlements are provided to the people affected prior to the ground leveling and demolition commencement. Land compensation and resettlement subsidy will be paid to the affected village collectives. Housing compensation and compensation for young crops and other assets will be provided directly to people losing those assets. Compensation for infrastructure such as electrical and communication fixtures will be paid to the concerned government departments for restoration.

10. The resettlement regulations have standard provisions for moving allowances to assist the affected people during the transition phase. Also, the contractors for the project will be requested by PPMO and LPMO to give priority to resettlement affected households in the allocation of unskilled jobs during construction. This will be handled through consultation with the township and village leaders.

E. Institutional Arrangements

11. The Hunan Provincial Government will assume the overall responsibility for implementing resettlement according to the approved RP. Hunan Provincial Project Resettlement Management Office will reinforce the guidance to the project implementation course, take charge of coordination of working relationships between each county (city, district), and ensure implementation of civil works, land acquisition and relocation, and resettlement as well; Luxi County project leading group
will be charged by leaders from Luxi People's Government, its main responsibility is to reinforce guidance to project implementation course of the district under the jurisdiction, coordinate working relationships between townships (towns, sub-districts) under the jurisdiction, and ensure successful fulfillment of the construction of main works, land acquisition and demolition, and resettlement.

F. Vulnerable Group

12. Based on the investigation, the minority population affected by the project is 135, accounting for 31.62% of the total affected population and most of them are from Tujia and Miao minorities. Since they live on the same land, speak the same language and get married with Han people, they have harmonized with Han people in many aspects including living habits and social custom.

13. With regard to the population who are weak in economic ability, including the lonely elders, the farm households headed by women and extremely poor farm households, the project shall provide additional financial and physical support. Based on the investigation, 12 persons are considered as the vulnerable group, accounting for 2.81% of the total affected persons. Under the Resettlement Plan, vulnerable groups will receive the following additional assistance: (i) physical help in housing construction and relocation free of charge and (ii) a special subsidy will be paid to enable them to maintain their living standards while constructing their houses. The specific amount for such assistance will be determined according to the actual condition and their needs. For this purpose, PPMO agreed to set aside a special fund of 1% of the total resettlement cost, which will be used to provide direct and needed help for those vulnerable people.

G. Consultation and Grievance Redress

14. Relevant national, provincial and municipal laws require disclosure and consultation with people affected. The people affected have been notified about the key elements of the RP during meetings and interviews. Prior to implementation, there will be further consultations arranged by township and village officials to discuss specific impacts in each village and how they will be addressed. The people losing housing will be offered a choice of housing sites; and those losing agricultural land will have the opportunity to consider suitable income replacement alternatives. All villagers will also have input to decisions on how to utilize the collective compensation funds.

15. In March 2009, a resettlement information booklet was distributed to all affected townships, villages and households by the resettlement office of Luxi County. The information booklet contains the resettlement scope, expected timeframe, compensation rates for land and other assets, other assistance to replace assets, relocation and economic rehabilitation strategies, and the grievance redress mechanisms. The city, township and village officials will ensure that any concerns raised by the people affected are quickly addressed.

16. In case of grievance, the affected people can submit their oral or written complaint first to the village committee or the township resettlement office. If their complaint is not settled in two weeks, they can seek redress at the district resettlement office or LPMO, within one month. If still unresolved within two weeks, the LPMO or PPMO will try to achieve a solution. The final redress would be sought, if necessary, in the civil courts, in accordance with the Civil Procedures Act.

H. Monitoring and Reporting

17. The detailed plan for internal and external monitoring and evaluation is included in the RP. PPMO will engage a qualified monitoring agency to carry out independent resettlement monitoring and evaluation. The independent monitoring agency will ascertain the extent to which the affected people have (i) received their full entitlements on time and (ii) fully restored their livelihoods, income levels and living standards. It will also conduct a baseline survey prior to resettlement, semi-annual investigations during resettlement and annual survey updates for two years after the completion of resettlement. The household survey will include a representative number of those severely affected
by loss of land, those losing housing, and those classified as minority and economically vulnerable.

18. Led by Project Management Office under Hunan Water Resources Department, Luxi Municipal PMO has set up a quarterly reporting system, and periodically submits the report to the PPMO. The PPMO, through resettlement progress reports, will also provide ADB with progress of land acquisition and resettlement. The independent monitoring agency shall periodically submit the municipal PMO with independent monitoring and evaluation reports, and the PPMO will also provide ADB with copies of the independent monitoring and evaluation reports to be prepared twice a year during resettlement implementation and once a year after resettlement completion. After completion of the land acquisition and resettlement, municipal PMO will submit the resettlement completion report to the PPMO who will submit it to ADB.

I. Finance and Implementation Schedule

19. The RP budget estimate is CNY 8.2828 million, for all costs including compensation, resettlement subsidy, payment for other assets such as housing, moving allowances, subsidy for vulnerable groups, fees for resettlement administration, and monitoring and evaluation. PPMO will guarantee to supplement the resettlement budget, as may prove necessary, to meet any shortfall which emerges in achieving the resettlement objectives.

20. The resettlement implementation schedule has been prepared based on the Project construction timetable agreed by the EA with ADB. It is planned that land acquisition would be carried out in March, 2009. The house demolition will be carried out from May of 2009 to October of 2010. In the progress plan, the cultivated land development and readjustment is arranged in the first quarter of 2009, and the livelihood and living conditions will be resumed completely in October, 2010.
1. General Description of Project

1.1 Project Background
Hunan Province is located on the south bank of middle reaches of Changjiang River, bordering Jiangxi Province on the east, neighboring the Wuling Mountains on the south, connecting Guangdong Province and Guangxi Province, and close to the Guizhou Province and Chongqing City with the unbroken mountains in Guizhou and Chongqing areas. Changjiang River separates Hunan Province and Hubei Province on the north, and nearly 70% cities of Hunan Province are located in mountainous areas or hilly areas. These cities lie in the areas with relatively high ground elevation, and the landform varies greatly. These areas are subject to the flash flood though they are affected little by the Dongting Lake and the propping of tail water level of the four rivers. Because the river level in mountainous areas rises sharply and abruptly with great flow velocity, the cities along the river are always destructively damaged.

In November of 1999, Hunan Province Hydro and Power Design Institute worked out the report on urban flood-control planning in Hunan Province according to Flood-control Planning Outline for Changjiang River Drainage Area and Compilation Outline for Urban Flood-control Planning (Ministry of Water Resources [1998] No.215 Document). This report covers 91 cities, plans for the 18.3 million urban populations, and 2253 km² urban areas. The embankment-construction-oriented project plan is determined in the report, and the existing embankments to be heightened and reinforced are 1037.16 km in total, and the would-be-built embankments total 600.53 km. Only the cities of above-city-level and once seriously damaged by the flood in the mountainous areas in Hunan Province will be covered by this urban flood-control project in this time. They shall be the economy developed area, such as Luxi, Luxi, and Hengyang, which are all the very important industrial cities, boast the various industries of machinry, electricity, metallurgy, chemicals, building materials, paper making, mining, medicament, and foodstuff. And, of the local areas these cities shall be the financial, communications, and business centers as well as the science and education centers, where the municipal or city government is located, and moreover the distributing center of agricultural produce, industrial product, and commodities. Their economic status is very important.

These cities are the main centers of the economic development of those areas with dense population, and are clustered with properties. If these cities are submerged or suffered great losses, the economic development of local areas will be seriously affected. In addition, the manpower and material resources are abundant in these cities; it is the main rear base for flood-control and providing disaster relief. The submergence of these cities will bring the disaster relief and rehabilitation into a passive situation. In years, the government at every level in Hunan Province and the local masses took great pains and sacrificed a lot for fighting the floods in these cities, and enormous achievements were achieved. According to statistics, in the 36 urban areas undertaking the project, total 286.628 km long flood-control embankments, and 141 drainage sluices, and 124 drainage pump stations of 15648 kw have been built. Because the flood-control works is improving slowly, the present urban flood-control standards of these cities are low, which are only for the 4-year-occurrence ~ 20-year-occurrence floods, and their waterlogging drainage abilities are only for floods between 3-year-occurrence ~ 8-year-occurrence, and only a few cities are in the fortified status, while most cities are undefended or incompletely defended.

At present, the urban flood-control standard in project area is low. The flood disasters hit there in successive years. According to historical record, great floods occurred in 1980, 1981, 1983, and 1988 after the frightful flood cataclysms in 1954 and 1955. The losses caused by flood and waterlogging rose year after year. In 1990s, flood disasters frequently happened, and the losses due to the flood disaster rose sharply. In 1991, 1994, 1995, 1996, 1998, and 1999, large floods and waterlogging disasters happened successively, which caused great losses. Many cities were submerged wholly or partly, and nearly all cities are damaged by flood and waterlogging to various degrees. In 1991, the losses caused by flood disaster amount to 760 million yuan; in 1993, the losses caused by flood disaster amount to 1870 million yuan; in 1994, the losses caused by flood disaster amount to 3090 million yuan; and the great floods in 1995, 1996 and 1998 each caused over 5000 million yuan losses, reaching 5610 million yuan, 10900 million yuan and 5973 million yuan respectively.

Such enormous losses caused by flood and waterlogging disasters have seriously hindered the life and property of people in urban areas. Therefore, the construction progress and urban flood-control project strengthening shall be speeded up and beefed up to facilitate the economy development being in a speedy, stable and forward
way.

Baisha Town lies in the new Luxi County Seat, and it is located in the left bank of Yuanshui River. The county seat is surrounded by waters. The section of Yuanshui River flowing through Baisha Town forms the shape “S” and becomes the narrowest section of riverbed within Luxi County. As for the river, there is sharp cliff at the right bank and flat ground at the left bank, with the elevation of round 104m to 135m. Influenced by river’s centripetal force, the flood prevention capacity is low, which results in frequent flood disaster, especially for county seat. Since the establishment of county seat, the county was stricken by two large-scale floods in 1995 and 1996 respectively, of which the flood in 1996 is largest with the max. flood peak flow in Baisha section being 23000m³/s. The flood in 1996 had high peak and large magnitude and lasted 3 days, and the peak lasted more than 20 hours. In the year, the urban area was inundated, the max. water level in Baisha area reached 118.6m, and the max. water level of inundated area reached 9.6m; the direct economic loss due to flood exceeded more than RMB100 million yuan.

Since 1994 that the Wuqiangxi Reservoir was put into service, the water level of Yuanshui River and Wushui River exert large influence on that of Baisha Town and Wuxi Town, which can be shown in the table of field survey of flood level from 1994 to 2006.

<table>
<thead>
<tr>
<th>Year</th>
<th>Pushi (Hydrological Station) Max. Discharge (m³/s)</th>
<th>Pushi (Hydrological Station) Highest WL (m)</th>
<th>Baisha (new county town) Highest WL (m)</th>
<th>Wuxi (Old County Town) Highest WL (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td>20300</td>
<td>119.61</td>
<td>117.33</td>
<td>114.38</td>
</tr>
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<td>24400</td>
<td>121.49</td>
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<td>116.09</td>
</tr>
<tr>
<td>1996</td>
<td>31200</td>
<td>124.41</td>
<td>120.11</td>
<td>119.05</td>
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<tr>
<td>1997</td>
<td>3260</td>
<td>112.03</td>
<td>110.73</td>
<td>106.63</td>
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<tr>
<td>1998</td>
<td>13700</td>
<td>116.26</td>
<td>113.91</td>
<td>110.86</td>
</tr>
<tr>
<td>1999</td>
<td>13300</td>
<td>116.10</td>
<td>112.80</td>
<td>110.16</td>
</tr>
<tr>
<td>2000</td>
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<td>13700</td>
<td>116.22</td>
<td>110.78</td>
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<td>2003</td>
<td>12800</td>
<td>115.56</td>
<td>109.26</td>
<td>107.10</td>
</tr>
<tr>
<td>2004</td>
<td>24000</td>
<td>121.93</td>
<td>116.63</td>
<td>112.73</td>
</tr>
<tr>
<td>2005</td>
<td>9040</td>
<td>113.33</td>
<td>108.03</td>
<td>105.09</td>
</tr>
<tr>
<td>2006</td>
<td>6860</td>
<td>112.21</td>
<td>107.91</td>
<td>105.04</td>
</tr>
</tbody>
</table>

In the 13 years from 1994 to 2006, the water level had been kept in the range of 107m to 120m, and water level of 110m was found in 8 years, which occupies 61.5% of 13 years' service of Wuqiangxi Reservoir. So the flood disaster occurred in Luxi County every year. Moreover, there is no measures of protecting banks proposed in the new city plan, which results in flushing and collapse off the banks so as to there is more and more possibility of menacing the lives and properties of residents who live along the banks.

From above situation, with the increases of city size, population and social wealth, the losses due to flood disaster will become greater, bring about huge negative influence on the peoples' lives and production in urban area and seriously restrict the economic development of county seat. In order to intensify the development of urban construction of Luxi County, protect the people's lives and properties and meet the needs of economic development, it is quite necessary and urgent to speed up the construction of flood prevention dikes and make it reach the design standard of flood prevention for the purpose of ensuring the security of peoples' lives. Therefore, the works of flood prevention is imperative under the situation so as to protect country seat.

1.2 General Situation of Project
1.2.1 Areal Geography Location
Luxi County is situated in the west of Hunan Province, middle reaches of Yuanshui River, west edge of Yuanma Basin and the transition belt ranging from Wuling Mountain to Xuefeng Mountain. It is the main inundation area of Wuqiangxi Reservoir. The county is adjacent to Chenxi and Yuanling in the east, connected with Mayang in the south, Fenghuang in the west and Jishou and Guzhang in the north. It is located between 'east longitude 109°40′ and 110°14 and north latitude 27°54′ to 28°28′, extends 57.4km from east to west and 60.7km from south to north, and covers an area of 1566km². The mean altitude for the county is of between 300m to 500m, with the Badou Hill peak at southwest part as the highest place (884.1m) and the riverbed of Longxi outlet of Shangbao Town at the east as the lowest one (97.1m).

See attached drawing 1 for the Project Location of Luxi County Urban Flood-control Project.

1.2.2 Contents and Scale of Project Construction

Luxi County Urban Flood-control Project is a sub-project of hilly area urban flood-control project in Hunan Province utilizing the loans from ADB. Based on the selected project scope, flood control and waterlogging harnessing standard, and construction tasks, the construction scale of Luxi County Urban Flood Control Project is determined as:

Build a dike in one place with a total length of 2.715km; build flood control road ringing around the city with a total length of 2.582km; build 4 self-drainage sluices.

1.2.3 Project Investment Estimation and Planned Progress

According to the Feasibility Study Report on Hunan Province Luxi County Urban Flood-control Project Utilizing Loans from Asian Development Bank, which is compiled by the Xiangxi Autonomous Prefecture Hydraulic and Hydropower Design Institute, according to the Preliminary Design Report for Urban Flood-control Project Utilizing Loans from Asian Development Bank of Luxi County, Hunan Province prepared by the Hydro and Power Design Institute of Xiangxi Autonomous Prefecture and the budgetary estimation of project investment, this works' static investment will, based on the price level of 2007, be estimated at CNY58.5129 million yuan, of which the relocation and compensation resettlers' will be estimated at RMB8.2828 million yuan.

According to the design of construction organization, the total construction period for the project is 3 years, and the construction period for main works is 36 months. The works will be executed on the basis of the comprehensive consideration for schedule, reasonable arrangement of sub-works and the balanced construction. The construction at low flow period will be taken into prior consideration in the schedule while the construction preparation, works of slope protection, part of main works and temporary works will be arranged in the flood period, and the cross-dike works will be firstly completed.

1.2.4 Socioeconomic Benefit of Project

(1) The capacity of preventing flood will be greatly improved. After the works is completed, the flood control standard of Luxi county seat will be upgraded from current 5-year return period to 20-year return period.

(2) The benefit of flood prevention is huge: According to the analysis on the statistic data of historical disasters of Luxi County, flood disaster is main frequent natural disaster which occurs frequently in urban area and it becomes increasingly serious. If the flood control standard is 20-year return period, it is possible to reduce direct economic losses of CNY12.5 million yuan.

(3) This works can be executed together with municipal construction such as urban road, repair of dock and bank line, discharge of pollutants and sewages, which can not only beatify the environment, improve the traffic condition and increase the scenic spots and recreation places but also promote the municipal construction of the urban area.

(4) Because of the upgrade of flood control standard, the economic value of the earth along the banks which are about to be developed or has been developed at low level will be greatly developed; the production and living
environment will be improved; and the new economic growth point will be brought about for the urban development.

(5) If the works of flood prevention and waterlog harnessing is executed, the people's lives and properties can be protected, which will strengthen the people's safety, facilitate the social stability and economic development and bring along considerable social benefit.

According to the economic evaluation and analysis in the feasibility study report of the project, when the investment increases by 20%, the economic internal rate of return is 15.71%, 12% more than the social discount rate; when the benefit decreases by 20%, the economic internal rate of return is 14.90%, also more than the social discount rate. Therefore, the works will have strong anti-risk capacity and the practice of works is considered reasonable in the economic sense.

1.3 Affected Scope of Project

According to the distribution of water system and physiographic form of the urban area of Luxi County, the works scope will be designed as follows: The dike works of urban area of Baisha Town of the new Luxi County will be divided into two sections. The first section starts from Water Supply Plant of Luxi County and ends in Tieshanhe Bridge, with the stake no. of 0+000~1+257. The dike of first section will have a total length of 1.257km. The second section starts from the Party School of Luxi County and ends in Harbor Affair Station of Luxi County, with stake no. of 3+230~4+688. The dike this section will have a total length of 1.458km. The dikes of two sections will have a total length of 2.715km. Moreover, taking the needs of flood control and urban construction, it is proposed to build road at crown of dike, with the first section of 1.180km and second section of 1.402km. The road of two sections will have a total length of 2.582km.

The main works measures involving in land acquisition and relocation refer to consolidating old dike, building new one and reconstructing sluices. The measures also involve in the temporary land such as construction site and borrow yard.

The land acquisition areas, and the area in which the people's life and production is seriously affected by the project construction shall all be regarded as the affected areas due to the project land acquisition and relocation. In this phase, the affected area due to the land acquisition and relocation in project is based on the recommended scheme in the project preliminary design phase. The scope of impact is determined by detailed survey assisted with 1/2000 topographic map, which involves 1 township (sub-district), 1 village (residential committee) and 2 village groups. The final scope of land acquisition and relocation might have minor adjustment during implementation.

1.4 Compilation of Resettlement Plan
1.4.1 Basis and Objective for Report Compilation
1.4.1.1 Basis for Design
1) Hunan Province National Economic and Social Development “the Tenth Five-year” Plan and Long Range Plan for 2015
2) Luxi County National Economic and Social Development “the Tenth Five-year” Plan and Long Range Plan for 2015
3) Urban General Planning of Luxi County (2001-2020)
4) Statistical Yearbook of Luxi County (2003-2005)
5) Urban Flood-control Planning Report of Luxi County
6) Feasibility Study Report on Hunan Province Luxi County Urban Flood-control Project Utilizing Loans from ADB (Xiangxi Autonomous Prefecture Hydraulic and Hydropower Design Institute)

1.4.1.2 Policy Foundation
1) National laws and regulations
2) Laws and regulations in Hunan Province

1.4.1.3 Objectives of Policies

1) Adopt the engineering, technical, economic measures to avoid or minimize the quantities of physical goods to be removed and relocated; if the land acquisition and relocation is unavoidable, try best to adopt the effective measures to minimize the impact on the local residents due to the land acquisition and relocation.
2) In project preparation phase, conduct the social economy investigation and compile the relevant resettlement plan;
3) The resettlement shall be based on detailed physical indices in terms of relocated material goods and compensation standard in order to increase or at least restore the income and production levels for the affected people;
4) Promote resettlement in a developing mode. The resettlement from in the rural areas shall be land-based, supplemented with possible employment in second or tertiary industries.
5) Encourage the resettlers and original residents in resettlement area to take part in the resettlement planning;
6) Try best to resettle in the original community.
7) The resettlers and the former residents in resettlement area shall all be benefited from the project.

1.4.2 Method of Report Compilation

The Key Project Management Office under the Water Resources Department of Hunan Province as project EA is responsible for overall resettlement preparation. The relevant resettlement design units, consulting units and local government all participated in the process. In March, 2008, the designers had conducted the general survey and statistics on the physical indices for the land-acquisition-affected area with the active support from local governments in project area. Based on census survey, detailed sample survey on social economic conditions and attitudes of the affected people was also carried out during the same period.

In investigation, designer had consulted with the PMO (project management Office) of Luxi County and held several resettlement coordination meeting attended by the government department of every level, namely the districts of Shifeng, Hetang and Lusong and representatives of resettlers from affected area. Comments were made on the resettlement plan, economic rehabilitation options, and compensation, which were the basis for developing resettlement plan.

According to the current national policies, laws and regulations and the requirements on resettlement by ADB, the resettlement team carried out detailed analysis on the degree of impact and feasibility of proposed rehabilitation for each affected town(ship) in project area. According to the suggestion and opinions on resettlement plan for core subprojects set forth by PPTA experts and ADB and analysis on rationality and feasibility of impact degree of all town (ships), the resettlement plan for Luxi Subproject was finally prepared and approved by local people’s government in the project area.
2. Project Impacts

2.1 Measures for Avoiding or Reducing to the Minimum the Land Acquisition and Relocation Impacts

2.1.1 Measures for Reducing the Land Acquisition Impacts in Project Design Phase

Since the project was launched, in order to reduce the impact on the local social economy due to the project construction, the flood-control scenic road plan has been revised and improved for several times, and the special technical review meetings had been conducted.

1) In project planning phase, the impact on the social economy by the project construction will be included as one of the key factors in comparison of different design alternatives.

According to the overall plan of flood control works and principle of dike line layout, the dike line shall be arranged based on the 1/2000 relief map. Now the layout of dike line shall be explained as follows:

Three schemes are designed for this works: 1. Scheme of gravity flood prevention wall; 2. Scheme of earth dike (I) with the scenery belt located in the crest; and 3. Scheme of earth dike (II) which is taken as the hydrophilic platform with the scenery belt located outside the dike. When preparing these schemes, the following factors are taken into consideration: 1. The landform and geological condition of position where the flood dikes lie in; 2. Situation and plan of urban area; 3. Condition of flood prevention and dealing with emergent food; management of project, and convenience of construction; 4. Principle of adopting practical measures fitting for actual condition. According to the estimation, the cost for the scheme of earth dike (I) (the unit length is 1m) is RMB7,532yuan less than that of scheme of gravity flood prevention wall; the scheme of earth dike (II) is RMB9846 yuan less than the gravity flood prevention wall. Considering the actual landform and urban construction plan, through the comprehensive comparison, the scheme of earth dike (II) is proposed for the 1st section of upper reaches of the works while the scheme of earth dike (I) is proposed for the 2nd section of lower reaches of the works.

2) The direction of alignment shall try best to be based on the existing levees. The selected alignment should try to reduce the acquired land areas, avoid house demolition and minimize impacts on irrigation Facilities. In the densely populated area in cities and towns, the alignment of new dikes shall try best to avoid demolition of highrise buildings or multi-floor buildings to reduce the quantities of demolition and relocation.

3) The construction design shall be optimized in such a way to shorten the construction period, and reasonably arrange the house relocation and construction period in order to minimize the losses of resettlers’ properties. For example, the house relocation and rebuilding shall be conducted in the farm slack season, and the land acquisition or occupation shall begin after harvesting the crops. For the temporary land occupation that involve more than 2 years, efforts will be made to try best to utilize the wastelands.

4) In the project design, careful consideration will be made to minimize the inconvenience brought about to the life and production of local residents due to the dike construction. In general, for the convenience of local residents, all damages caused by the construction to the irrigation channels, mechanical pier, communications Facilities and other infrastructures will be restored to keep the complete original functions in a timely manner.

2.1.2 Measures for Reducing the Impact due to Land Acquisition in Project Construction

The lands occupied in this project are distributed in linear form. As for the whole project area, the project construction won’t affect the local industrial and agricultural production, people’s life and social economy greatly. The land acquisition and relocation along the linear area will not bring much impact. However, in order to minimize the impact on the local area due to the project construction as much as possible, special attention will be paid to the layout of construction site and selection of construction scheme, and prevent the unnecessary land acquisition and house demolition. The following measures shall be adopted:

1) Before demolition and relocation, organize the relevant persons to conduct the on-spot survey. Try to remove less or do not remove the houses which is unnecessary to remove or can be partly removed in practice.
2) Before the demolition of the buildings due to the temporary land occupation by the project, report to the unit of owner by PMO to empty it. Or set up the temporary housing to be used in resettlement within the unit area. After the project completion, rebuild new buildings and return to the original owner or unit.

3) For the loss of residents caused by the demolition and relocation, adequate compensate according to the replacement value will be paid to reduce the unfavorably impact on resettlers.

4) The resettlement area shall be located at the place close to the original residential areas so as to keep the existing social relationship for the affected people, on the other hand, it will also reduce the commuting for the affected people.

5) For relocated enterprises, notify them in advance, and arrange the site for relocation, compensate the loss, try best to shorten the interruption period, and negotiate with the City Project Management Office to provide proper rehabilitation for affected employees.

6) During relocation and resettlement, the concerned local functional departments shall vigorously support the resettlers and affected enterprises, provide the convenience for them and carry on the resettlement work smoothly, and reduce the loss and relief the burden on resettlers.

7) Strengthen the system of public participation. Before the project construction, clarify the project commencement time and project construction planning progress by putting Notice in the project affected area and the resettlement area, disclose the compensation policies for land acquisition and resettlement, and collect comments and opinions from the relocatee and original residents in resettlement area. In project construction period, in order to benefit the local community, the priority will be given to use the local materials and use the local transportation and labor if the technical conditions allowed.

8) Reduce the dust emission and strengthen health management for construction workers. The construction unit shall carefully plan the routing for transport earthwork and stonework. Measures shall be adopted to guarantee that the soils and stones won't be sprinkled along the way from the truck full of loading, and thus affect the environment tidiness. In construction period, a large number of labors will come to the worksite to undertake all kinds of works and services. In order to guarantee the public security and orders in work site and the health of various groups in construction area, the project construction unit shall supervise and urge the builders to obey the regulations of local environment sanitation department, toughen the management on the healthy protection for builder group, timely clear the domestic waste on construction site, keep the construction area tidy, and prevent the occurrence and transmission of infectious diseases.

2.2 Investigation on Project Impacts

2.2.1 Investigation Contents

In March 2008, Hunan Province Hydraulic and Hydropower Design Institute, together with the Luxi County Water Resources Bureau, the government at each level of the three districts of Shifeng, Hetang and Lusong, formed a joint investigation team. The team conducted the comprehensive survey on the project impacts according to the coverage determined in engineering design and the 1:2000 geologic type topographic map in hand. The contents of investigation included the land acquisition, the land acquisition affected population, houses to be removed and relocated, and supplementary facilities, scattered trees, small businesses of industry and commerce, enterprises and institutions, and agricultural sideline production facilities and special facilities, etc.

2.2.2 Investigation Method

1) Investigation on Land Acquisition:
   The investigators clearly found out on-spot the ownerships of various lands according to the 1/2000 topographic map in hand. The area of cultivated land, garden plot, woods, and various lands were measured and calculated in the unit of villager’s group.

2) Demographic Census:
In the investigation in the land acquisition and relocation, affected people was classified into three kinds, affected by land acquisition without relocation, affected by demolition and relocation without land acquisition, and affected by both land acquisition and relocation. The actual affected populations were further divided according to the non-agricultural population and agricultural population, with comprehensive investigation in the unit of households on the nationality, age structure, education background, and employment status. They were checked out on site according to the household register card, and register the results of survey in detailed lists for each family.

3) Investigation on Houses and Auxiliary Facilities:
The comprehensive survey on house structures was conducted; the area of houses was measured and the quantities of supplementary facilities were investigated household by household, and then registered them in detailed lists.

4) Investigation in Scattered Trees:
The scattered trees were counted on-spot in the project-land-acquisition affected area to classify the fruit trees and other trees and separately register according to the tree types.

5) Investigation in Small Business of Industry and Commerce
The small business of industry and commerce were investigated and registered in the way of household by household. The investigating and statistical contents include the business items in operation, coverage of business area, number of employees, annual turnover, and operating profit, etc.

6) Investigation on Enterprises and Institutions:
The following contents were surveyed and checked: names of affected enterprises in the land to be expropriated, location, department in charge, month and year of establishment, the coverage of factory area, land area for production, area of buildings, number of staff, fixed net assets, annual output volume of major products, annual output value, annual profit turnover, lump sum of tax, and lump of wages per month, etc.

7) Investigation on Special Facilities:
The investigator checked the quantities on site, registered in detailed lists by item according to the 1:2000 topographic map of geologic type and the data supplied by department in charge.

All the survey results of physical indices were reviewed and confirmed by householders, local governments and relevant departments.

2.3 Investigation Results on Project Impacts
According to survey, the land acquisition and relocation for this project involves 1 township (town and sub-district), 1 village and 2 village groups. 6 villages (or residential committees) of 2 sub-districts in Yuetang and Chengnan Districts. See Table 2.3-1 for summary of project impacts.
The project impacts are summarized in Table 2.3-1.

| Table for Physical Indices Affected by Project Land Acquisition
| of Luxi County Urban Flood Control Project |

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Administrative Region</td>
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</tr>
<tr>
<td>1. Township (Sub-district)</td>
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</tr>
<tr>
<td>2. Administrative Village (ResidentialCommittee)</td>
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<td>1</td>
</tr>
<tr>
<td>3. Village Group</td>
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<td>2</td>
</tr>
<tr>
<td>II. Affected Population due to the Project</td>
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<td></td>
</tr>
<tr>
<td>1. Impact due to Land Acquisition</td>
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# Table for Physical Indices Affected by Project Land Acquisition

## of Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
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</thead>
<tbody>
<tr>
<td>Number of Household</td>
<td>Household</td>
<td>71</td>
</tr>
<tr>
<td>Population</td>
<td>Person</td>
<td>272</td>
</tr>
<tr>
<td>Population in Need of Economic Rehabilitation</td>
<td>Person</td>
<td>237</td>
</tr>
<tr>
<td>2. Impact due to Demolition and Relocation</td>
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<td></td>
</tr>
<tr>
<td>Number of Household</td>
<td>Household</td>
<td>31</td>
</tr>
<tr>
<td>Population</td>
<td>Person</td>
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</tr>
<tr>
<td>Households to be Resettled by Building Houses</td>
<td>Household</td>
<td>31</td>
</tr>
<tr>
<td>Population to be Resettled by Building Houses</td>
<td>Person</td>
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</tr>
<tr>
<td>3. Total Population Affected by the Project</td>
<td>Person</td>
<td>427</td>
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<td>III. Houses and Auxiliary Buildings</td>
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</tr>
<tr>
<td>(1) Residential Houses</td>
<td>m$^2$</td>
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<tr>
<td>1. Urban Residential Houses</td>
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</tr>
<tr>
<td>Brick-wood Structures</td>
<td>m$^2$</td>
<td>2168.76</td>
</tr>
<tr>
<td>Simple House</td>
<td>m$^2$</td>
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</tr>
<tr>
<td>(III) Auxiliary Buildings</td>
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<td></td>
</tr>
<tr>
<td>1. Bounding Wall</td>
<td>m$^2$</td>
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<tr>
<td>2. Cement Sunny Ground</td>
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<td>3. Earth Sunny Ground</td>
<td>m$^2$</td>
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<td>4. Protection Pit</td>
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</tr>
<tr>
<td>IV. Scattered Trees</td>
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</tr>
<tr>
<td>1. Fruit Tress</td>
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</tr>
<tr>
<td>Orange Trees</td>
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</tr>
<tr>
<td>Miscellaneous Fruit Trees</td>
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<tr>
<td>2. Timber Wood</td>
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<tr>
<td>V. Permanent Land Acquisition</td>
<td>mu</td>
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</tr>
<tr>
<td>(I). Collectively-owned Land</td>
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<tr>
<td>1. Cultivated Land</td>
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</tr>
<tr>
<td>Paddy Field</td>
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<tr>
<td>Dry Land</td>
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<td>4.70</td>
</tr>
<tr>
<td>Vegetable Plot</td>
<td>mu</td>
<td>27.42</td>
</tr>
<tr>
<td>2. Garden land</td>
<td>mu</td>
<td>46.05</td>
</tr>
<tr>
<td>3. Pond</td>
<td>mu</td>
<td>1.80</td>
</tr>
<tr>
<td>3. Residential Land</td>
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<td>3.30</td>
</tr>
<tr>
<td>4. Uncultivated Land</td>
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<td>161.60</td>
</tr>
<tr>
<td>VI. Temporary Land</td>
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</tr>
<tr>
<td>1. Dry Land</td>
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<td>2.00</td>
</tr>
<tr>
<td>2. Wasteland</td>
<td>mu</td>
<td>16.00</td>
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</tbody>
</table>
Table for Physical Indices Affected by Project Land Acquisition
of Luxi County Urban Flood Control Project

Table 2.3-1

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII. Tombs</td>
<td>Seat</td>
<td>9</td>
</tr>
<tr>
<td>VIII. Special Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Traffic Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrian Bridge</td>
<td>Seat</td>
<td>1</td>
</tr>
</tbody>
</table>

2.3.1 Land Affected by Project

1) Permanent Land Acquisition
The land permanently acquired for the project involves in 1 town, 1 village and 2 villager groups. The land to be acquired are all collectively-owned land, covering an area of 290.45mu, of which the paddy field is 45.58mu, dry land is 4.7mu, vegetable plot is 27.42mu, garden land is 46.05mu, pond is 1.8mu, residential land is 3.3mu, and unused land is 161.6mu.

See Table 2.3-2 for details of the investigation results of the permanent land acquisition in this project.

2) Temporary Land Acquisition
The construction temporary land occupation refers to the temporarily-borrowed land in the project construction period, including land occupation of stone material yard, construction plant, construction warehouse, and temporary area for livelihood and temporary construction road during construction period.

① The construction plant, warehouse, and temporary living quarter cover an area of 18mu in total within the permanent land acquisition scope mainly is laid out along the dike lines, therefore, they won't produce temporary land occupation.

② As the existing roads will be damaged during project implementation process, corresponding compensation costs shall be paid to the municipal administration department. As the compensation costs are included in the project construction contract as part of the project costs, they will be paid by the construction Contractor. Accordingly, the project construction temporary road land occupation will not be included and the compensation costs will not be estimated in the report.

③ The affected temporary land for the project mainly refers to the soil and stone yards, including Xidu Soil Yard and Jiulian Soil Yard etc., involving in 1 town, 1 administrative village. The temporally acquired land covers an area of 18mu in total, of which the dry land is 2mu, waste land is 16mu. The average renting period for these lands is 2 years.

See table 2.3-3 for details of the statistical conditions of the investigation results of the temporary land acquisition in this project.
### Investigation Statistical Table of Project Permanent Land Acquisition

in Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Township (Town)</th>
<th>Village (Residential Committee)</th>
<th>Total (mu)</th>
<th>Cultivated Land (mu)</th>
<th>Sub-total</th>
<th>Paddy Field</th>
<th>Dry Land</th>
<th>Commercial Vegetable Plot</th>
<th>Garden Plot (mu)</th>
<th>Pond (mu)</th>
<th>Housing Plot (mu)</th>
<th>Uncultivated Land (mu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baisha Town</td>
<td>1</td>
<td>290.45</td>
<td>244.4</td>
<td>77.7</td>
<td>45.58</td>
<td>4.7</td>
<td>27.42</td>
<td>46.05</td>
<td>1.8</td>
<td>3.3</td>
<td>161.6</td>
</tr>
<tr>
<td>Quwang Village</td>
<td>290.45</td>
<td>244.4</td>
<td>77.7</td>
<td>45.58</td>
<td>4.7</td>
<td>27.42</td>
<td>46.05</td>
<td>1.8</td>
<td>3.3</td>
<td>161.6</td>
<td></td>
</tr>
</tbody>
</table>

### Investigation Statistical Table of Project Temporary Land Acquisition

in Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Township (Town and Sub-district)</th>
<th>Village</th>
<th>Type of Material Yard</th>
<th>Production Place</th>
<th>Temporarily Land Use (mu)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Dry Land</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Wasteland</td>
</tr>
<tr>
<td>Baisha Town</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quwang Village</td>
<td></td>
<td>Soil Material Yard</td>
<td>Quwang Village</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16</td>
</tr>
</tbody>
</table>

### 2.3.2 Affected Population Due to Project

1) Affected Population Due to Land Acquisition

The investigation of the affected population due to land acquisition of the project will be counted from two aspects, one is the actually affected population due to land acquisition of the project; the other is the number of agricultural population need economic rehabilitation according to the principle of *Land Administration Law of the People’s Republic of China*, namely, the economic rehabilitation shall be rearranged to the agricultural population who has lost all of their main productive materials - cultivated land. The concept of the number of persons requiring economic rehabilitation is calculated based on collective land ownership in rural China, which is an important indicator in analyzing land acquisition impacts in the process of land acquisition and resettlement.

Based on the physical indices during the course of investigation on land acquisition and demolition for the project, the population in need of economic rehabilitation will be counted in villagers’ groups. The agricultural population in need of economic rehabilitation for each affected village group is calculated with the area of land acquisition divided by cultivated land per capita of each group before land acquisition. The result was 237 persons.

Since the works is distributed in linear form along the upper reaches of Yuanhsu River, most of people affected by land acquisition only loss a small portion of their land. According to field survey and statistics, the project actually affects 71 households (272 persons), of which the permanent land acquisition will affect 69 households (263 persons). On average, each person will loss 0.29 mu cultivated land. The temporary land actually affects 2 households (9 persons).

2) Affected Population Due to Demolition

According to the site investigation, relocatees of 31 households (155 persons) need relocation. The demolished residential houses reach 2345.78m².
3) Total of Affected Population Due to Project

Through statistics, 102 households (427 persons) will be affected by the project land acquisition and house demolition. Among them, 71 households (272 persons) will be affected by land acquisition (without house demolition) (including 9 persons in 2 households affected by the temporary land acquisition), and 31 households (155 persons) will be affected by the house demolition (without land acquisition).

Among the affected population due to land acquisition and resettlement, 237 agricultural persons need economic rehabilitation. About 31 households (155 persons) need to be rehabilitated through replacement housing.

See table 2.3-4 for details of the affected population in the project.
<table>
<thead>
<tr>
<th>Affected Type</th>
<th>Sub-dist</th>
<th>Village (Residential Committee)</th>
<th>Number of Groups (No.)</th>
<th>Total</th>
<th>Land Acquisition without House Removal</th>
<th>House Removal without Land Acquisition</th>
<th>Land Acquisition and Removal</th>
<th>To Be Relocated</th>
<th>Population in Need of Economic Rehabilitation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Numb</td>
<td>Popu</td>
<td>Number</td>
<td>Popu</td>
<td>Number</td>
</tr>
<tr>
<td>I. Permanent Land Acquisition</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>100</td>
<td>418</td>
<td>69</td>
<td>263</td>
<td>13</td>
<td>65</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(I). Residence Removal</td>
<td>1</td>
<td>2</td>
<td>100</td>
<td>418</td>
<td>69</td>
<td>263</td>
<td>13</td>
<td>65</td>
<td>18</td>
</tr>
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<tr>
<td></td>
<td></td>
<td>Baisha Town</td>
<td>1</td>
<td>418</td>
<td>69</td>
<td>263</td>
<td>13</td>
<td>65</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quwan Village</td>
<td>2</td>
<td>100</td>
<td>418</td>
<td>69</td>
<td>263</td>
<td>13</td>
<td>65</td>
</tr>
<tr>
<td>II. Temporary Land Acquisition</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Baisha Town</td>
<td>1</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quwan Village</td>
<td>1</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>III. Affected Total Population</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>102</td>
<td>427</td>
<td>71</td>
<td>272</td>
<td>13</td>
<td>65</td>
</tr>
</tbody>
</table>
2.3.3 Houses and Auxiliary Facilities to be Demolished

1) Affected Residential Houses and Auxiliary Facilities by the Project

The houses and auxiliary facilities to be demolished for the project are involved in 1 village. The 31 households (155 persons) necessary to relocate for the project are all urban residents. The houses to be demolished covers an area of 2345.78m\(^2\), of which the brick-wood structures cover an area of 2168.76m\(^2\), simple structures 177.02m\(^2\), The project will affect cement ground of 409.70m\(^2\), earth sunning ground of 74.36m\(^2\), wall of 10m\(^2\) and protection pit of 26.18m\(^3\).

According to the investigation, in the project land acquisition area, most residential houses are individually owned. Most of the residential houses are one or two-floor houses with brick wood structure. Since many demolished houses were built in 1980s and 1990s, the basic living conditions and the related facilities are considerably poor. Therefore, most residents also hope they can relocate as soon as possible, so as to improve their living conditions.

See table 2.3-5 for details of the investigation conditions of the residential houses to be removed in the project.

2) Affected Non-residential Structures by the Project

According to the investigation, in the scope of the land acquisition due to the project, no houses of the institutions or enterprises will be affected.
## Investigation on Houses and Auxiliary Facilities Affected by the Project Land Acquisition and Occupation

<table>
<thead>
<tr>
<th>County (District)</th>
<th>Township (Sub-district)</th>
<th>Village (Residential Committee)</th>
<th>Number of Household</th>
<th>Population (Person)</th>
<th>House</th>
<th>Auxiliary Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sub-total</td>
<td>Non-agricultural</td>
<td>Agricultural</td>
<td>Total of Houses</td>
</tr>
<tr>
<td>Luxi County</td>
<td>1</td>
<td>1</td>
<td>31</td>
<td>155</td>
<td>155</td>
<td>2345.78</td>
</tr>
<tr>
<td>Baisha Town</td>
<td>1</td>
<td>31</td>
<td>155</td>
<td>155</td>
<td>2345.78</td>
<td>2168.76</td>
</tr>
<tr>
<td>Quwang Village</td>
<td>31</td>
<td>155</td>
<td>155</td>
<td>2345.78</td>
<td>2168.76</td>
<td>2168.76</td>
</tr>
</tbody>
</table>
3) Affected Temporary Structure by the Project
   According to the investigation, there is no temporary structure in the land acquisition range of the project.

4) Affected Illegal Structure by the Project
   According to the investigation, there is no illegal structure in the land acquisition range of the project.

2.3.4 Affected Enterprises and Institutions
   According to the investigation, no enterprises and institutions will be affected by the project.

2.3.5 Affected Special Facilities by the Project
   The investigators have conducted the site investigation and registration to the affected traffic facilities to be resumed or rebuilt according to the project land acquisition range confirmed by the design. Special facilities affected by the project only include 1 pedestrian bridge.

2.3.6 Affected Ethnic Minorities by the Project
   Based on the investigation, the minority population affected by the project is 135, of which: house demolition affected 45 persons and land acquisition affected 90 persons, accounting for 31.62% of the total population. The proportion that the minority population takes up is relatively large and most of them live here for centuries apart from small number of minority people living here by means of marriage. Since ethnic minorities live harmoniously with Han for a long time, the relation between nationalities is well. As for the production structure of the minority families, most families are mainly engaged in business or seek jobs outside. Additionally, the major income of agricultural population also does not rely on land, but presenting a multi-directional structure. Each ethnic minority enjoys equal policies in land distribution, children's learning, politics and so on. At the same time, they can also enjoy some preferential policies in such aspects as entering a higher school and tax pay, which Han people cannot enjoy.

2.3.7 Affected Cultural Relics and Vulnerable Groups Due to Project

2.3.7.1 Women
   During the survey, the team paid special attention on women in the project areas and organized group discussions attended by women. The participated women included those Han and Tujia nationalities and represented by different ages groups and education levels among those above 18 years old. In addition, through sample household survey, further understanding of women in the project area was obtained regarding their roles in their families, participation on public affairs and health issues.

   (1) Status of Women is Improved and Man and Women Enjoy Equal Rights in the Family
   In the project areas, there is no clear separation of women and men in their responsibilities. Most of them share the equal responsibilities of farming activities, which is closely related with their availability. Since women play more important roles in most housework, their contribution to family income is relatively high. As a result, in many families, women are responsible for making most financial decisions, and play important roles in determining large family issues and outcomes.

   (2) High Level of Participation on Public Affairs
   According to the survey, most women have high degree of participation in public affairs. Most of them participated in the election of village chiefs; some of village officials are women. In the process of RP preparation, women demonstrated high degree of attention and provided many good suggestions.

   (3) Enjoy Equal Access as Men to Education and Health Care
   In general, the education levels in the project area is relatively low and medical condition is not well developed. However, in terms of access to education and health care, men and women have relatively equal rights. Due to historic reasons, most old women have lower education level than that of men. However, along with social development, education levels among women has improved greatly and most young women have similiar education level as men.
2.3.7.2 Vulnerable Groups

Vulnerable groups: Mainly include the underprivileged families (per capita income is less than 130 yuan/month), handicapped families (disabled persons) and families of the elders who live alone (widows or widowers over 70 years old), ethnic minority families, etc. The project will affect their living style and income level to some extent.

The vulnerable groups of 12 persons in 6 households will be affected by the project, accounting for 2.81% of the total affected population. They are mainly the poor population and elderly who are entitled to Urban Minimum Living Allowance. During resettlement process, the affected vulnerable groups in the project will be further confirmed through comparison and analysis between the member structures in affected families, employment status of labor, family resources, and other conditions and the data of the local civil affairs departments. Once the affected households are proved to be the vulnerable groups, the project execution agency will give special help to them during resettlement implementation process.

2.4 Impact Analysis of Project

2.4.1 Project Impact Characteristics

1) The land acquisition and relocation affects limited number of households and population. The affected population accounts for only 13.5% of the total population in the affected villages. The acquisition of cultivated accounts for 20.92% of the total cultivated land area among affected village groups.

2) The construction and relocation for the project will affect 31 households (155 persons) and residential structures of 2345.78m², which are mainly concentrated in the Quwang Village of Baisha Town. 82.5% of the houses to be demolished are of brick-wood structure.

3) Land of 290.45mu will be permanently acquired for the project, of which the cultivated land covers an area of 77.7mu, including paddy field of 45.58mu, dry land of 4.7, vegetable land of 27.42mu, occupying 26.8% of the total acquired land. The rest 73.2% are garden land, pond, residential land and unused land, These cultivated lands are distributed in 1 town, 1 village, 3 villager groups in Luxi County, bearing the characteristics of liner form and dispersal.

4) There is no key special facility within the scope of land acquisition and relocation, but only 1 footbridge is involved.

2.4.2 Impact Analysis Evaluation

The construction of project will damage the original production system in the affected area, and certain impacts will be brought to the local production and livelihood accordingly. The losses of the land resources will destroy the material conditions for livelihood of part of the farmers, so, they shall adapt to new environment for working and livelihood again. The staff of the design unit have fully considered the destructive effect of land acquisition on the local production and livelihood system during project design process, and accordingly, they have constantly optimized the project design, adopted project measures to reduce the land acquisition area, and minimized the impacts of project construction on local production and livelihood. At the same time, as the project is distributed in linear shape along Yuanshui River, according to the analysis on each villager’s group, the impacts by the project land acquisition only cover 1 village and 2 villager groups. The occupied land of this village accounts for 20.92% of total cultivated land in the village. As for the villager groups, the rate of impact by land acquisition is less than 25%, and the land is reduced by 0.07mu per capita. On affected households level, in average 69 households and 263 persons would lose 0.29 mu per capita, which account for 90% of their current land holding. Since the relocatees in this project are all urban residents, the main revenue source comes from non-agricultural trade (the agricultural revenue was CNY 0.6608 million yuan, accounting for 19.1% of total revenue). In 2006, the total economic revenue of the town was CNY 3.4855 million yuan. Therefore, the project construction won't produce destructive destroy on the original production and living system of relocates, for the whole project area, its impact is only partly, and won't bring big impacts on the production and living of people as well as social and economic development. For the details, see Chapter 5.

Currently, the topography within the project affected area is low, flat and wide, and most areas often suffer from flood and waterlogging disasters, which restrict the development of local economy, the project construction has provided a chance for reconstruction of production system and social system for resettlers. After completion of
the project, the capability of flood control and emergency service along the new dike will be greatly improved, and the disastrous degree of flood will be reduced, so as to provide a better environment that safeguard peoples' lives and properties. At the same time, the circulation of the agricultural products and byproducts will be accelerated, and the development of local agricultural production will be improved. In addition, in combination with the RP implementation such as adjustment of agricultural planting structure and improvement of irrigation and water conservancy as well as reclamation of cultivated land, full exploitation of land resources potential is also a vital element of the protective policies on cultivated land used for land occupation of project construction to execute the land management law. According to the compensation system for cultivated land occupation, and the principle of “Land Quantity of the reclaimed should be Equivalent to that occupied for construction”, the compensation will be made to the lost cultivated land so as to reach the balance of occupation and compensation, and by RP the resettlers will be relocated in the areas with considerably superior natural and traffic conditions, and social environment. Additionally, the preference and support will be given to the resettlers in the aspects of policies, technologies, funds, and substances, so as to ensure that they will restore or reach the former level as soon as possible.
3. Natural and Socio-Economic Conditions of the Project-Affected Areas

3.1 Natural Conditions of the Project-Affected Areas

1) Topographical and Geological Conditions

The proposed site is situated at the Wushui River valley in the rolling terrain at the east edge of Yuanma Read Basin, with an altitude of 108–132.5m and a relative altitude difference of 24m. At the south-east side is the Yuanshui River, and at the north-west side is the residential districts with quite flat landform. Covered by the Quaternary System and without exposed bedrock, it is classified to be the slope accumulation alluvial landform, and the embankment is located at the terrace (Class I) on the left bank of the Yuanjiang River.

According to the attached Seismic Ground Motion Parameter Zonation Map of China (GB18306-2001), the acceleration of seismic value of this region is less than 0.05g, the feature cycle of the earthquake response spectrum is 0.35S, and the basic earthquake intensity is weaker than Grade VI, so the region is classified into the weak earthquake area and is unnecessary to be defended.

2) Hydrologic and Meteorological Conditions

Located in the subtropical monsoon humid climate region, the project area enjoys mild climate, sufficient rainfall and sunshine, and four distinctive seasons. According to the measured meteorological data of Luxi Weather Station, the multi-year average temperature is 16.9℃, the lowest temperature -12.3℃ (on Jan. 30, 1977), the highest temperature 40.1℃ (on Aug. 2, 1972), the multi-year average rainfall 1300.3 mm, the average evaporation capacity 1264.1mm, the average relative humidity 77%, and the maximum wind speed 16.3m/s.

3) Soil and Vegetation

Luxi County is classified into the rolling terrain with medium and low hills, whose primary soils are limestone and the topography is flat. The soil is fertile with the Red-yellow soil and the sticky soil as the main. Although the land resource is poor, its favorable hydrological and meteorological conditions are good for the agricultural development.

The mild climate and sufficient rainfall in the area benefits the growing of plants. With rich vegetation resources, such vegetation as evergreen broad-leaved and coniferous arbors reaches about 336 kinds of 73 families, the arbors and frutexs being 205 kinds of 28 families, and the grass being 242 kinds, including 28 kinds of gramineae, 9 kinds of leguminosae, and 205 kinds of other families. As regards hills below 400m, the evergreen coniferous forests widely spread there, with such artificial vegetation as flowers, firs, pines and bamboos, as well as white oaks and ferns at the lower part.

4) Mineral Resources

About 45 kinds of mineral recourse are discovered in the area, of which 24 kinds are ascertained. The metal mineral deposit with exploitation value reaches 13 kinds, such as gold (containing gold dust), aluminium, iron, lead zinc, and sulfured iron; and the nonmetal mineral deposit totals 17 kinds, such as phosphorus, silica, limestone, chrysanthemum stone, diamond, dolomite, stone coal, and mullite. Among various kinds of mineral resource, 18 kinds of mineral deposit were and are being exploited.

5) Tourist Resources

With a long history and profound culture, Luxi County possesses the relics of human activities in the paleolith and neolith periods and the Spring & Autumn periods. The Xinnv Rock at the bank of the Yuanjiang River, the Xinnv Temple, the Panhu Cave and the county coffin form Panhu cultural district with Baisha town as the center. In 1987, the national forum on Panhu culture was held at the county seat, with many scholars participating in. And in 1997 a batch of cultural relics with great archaeological value was excavated in the ancient town --- Pushi, among which an ancient bronze sword is rated as the national cultural relic (Grade I). The cultural activities here are quite rich and colorful. The Chenhe play --- Mulian Rescues His Mother, performed by the county’s troupe, was invited to be staged in France and Spain. The chrysanthemum stone carving is regarded as the unique folk skill, and Mr. Huang’s (Huang Kaotian) scissor-cut works on wooden plates and dippers have excellent art style, which are sold to USA, Canada, west Europe, and other places.
3.2 Socio-Economic Conditions in the Affected Areas of Project

Located at the west of Hunan Province and the southeast of Xiangxi Autonomous Prefecture, Luxi County borders Yuanling and Chenxi Counties on the east, Jishou City on the west, Guzhang County on the north, Mayang County on the south, and Fenghuang County on the southwest, and so it is the south gate of Xiangxi Autonomous Prefecture. Luxi County stretches from E109°40′~110°14′ and N27°54′~28°28′, with the widest site being 79.5km from east to west and the longest site being 104km from south to north. The total area is 1565.5 km², namely (156550.33 ha.), accounting for 10.11% of the prefecture’s total area and 0.74% of the provincial area. The county seat was originally set at Wuxi Town, and then removed to Baisha Town in March 1995. At the end of 2006, the county governed 692 groups of 16 residential committees, 134 administrative villages, 15 townships, with a total population of 0.289 million (including 0.1708 million people of ethnic minorities). Of them the nonagricultural population was 50500 and the agricultural population totaled 0.2385 million. The population density was 185 persons/km², and the rate of natural population increase was 7.2‰.

In 2006, the country achieved the GDP at CNY1179.86 million, up by 11.0%, of which the value-added from the first industry was CNY281.56 million, increased by 6.3%; that from the secondary industry was 537.68 million, up by 15.1%; and that from the tertiary industry was CNY360.67 million, a growth by 9.7%. The GDP per capita is calculated at CNY4068 based on the permanent population, an increase of CNY367 yuan over last year. Owing to the further optimization of economic structure, the proportion of three industries was 23.8: 45.6: 30.6 in 2006, which indicated the continuous drop of the proportion of the first industry, the continuous growth of the secondary industry, and the 2% decline of the tertiary industry. With the stable improvement of quality and benefit, the county achieved the total fiscal revenue of CNY100.18 million, up by 17.43%.

1) Agriculture: The agricultural production develops rapidly in the structure adjustment. Throughout the year, the gross value of agricultural output reached CNY465.89 million, up by 6.4%. The gross grain output in the county was 69200 tons, increased by 15.2%; the output of oil plants was 10100 tons, up by 14.5%; the output of cured tobacco was 508 tons, up by 3.5 times; the fruits output reached 69000 tons, up by 30.8%; of which the output of citrus was 59900 tons, increased by 34.2%; the output of pork pig was 0.1294 million capita, up by 5.0%; the output of sheep was 36200 capita, up by 1.7%; the output of poultry reached 0.8467 million capita, up by 1.8%; and the output of aquatic products reached 1505 tons, increased by 9.1%.

2) Rapid industry growth: In 2006, the gross value of all industrial output reached CNY1410.51 million, increased by 30.98% over last year, and the value-added of all industries was CNY436.22 million yuan, 18.9% increased. Of them, the gross output value of industrial enterprises above designated size was CNY1233.76 million, up by 33.07%; and the value-added of such enterprises was CNY381.56 million, up by 20.1%, of which the value-added of the state-owned enterprises was CNY62.35 million, up by 14.22%, that of other enterprises was CNY168.57 million, up by 30.81 %, and that of joint-stock enterprises was CNY150.64 million, up by 14.7%.

3) Culture, education and public health: The education undertaking develops stably. In 2006, there were 218 various primary schools, including 9 complete primary schools with junior and senior sections; 19 common middle schools, including 3 junior & senior middle schools; and one secondary vocational school. The enrolled students in the primary and middle schools totaled 52813. The system of public health and medical care was improved and strengthened. At the end of 2006, there were 25 health institutions in the county, with 524 beds and 757 professional health care workers, including 392 qualified doctors and 365 nurses. In addition, the fund worth of CNY2.20 million was invested in building 6 rural health care centers and improving 2 rural health care centers. Farmers in 134 administrative villages of 15 towns, amounting to 202719 persons, participate in rural cooperative medical care insurance program. The culture and sports undertakings also develop under a sound state. By the end of year, there was one art-performing group, one cultural center, one cultural station, one public library, one archives, three cinemas and two radio broadcasting & TV stations in the county. Besides, the link-up of radio and TV throughout the townships and county is provided to 81 villages, the network in small area stretches to 7 villages to make sure that the common people can watch TV, and hence new subscribers to television networks numbered 3750 households.

4) People’s life: The income of urban and rural residents is increased continuously, and the standard of living is
further improved. The net income per capita in the county was CNY1832 yuan, up by CNY181 yuan or 10.96%. The expenditure per capita in rural households was CNY1654 yuan, up by 25.6%; and the disposable income per capita in urban households reached CNY6862 yuan, increased by 7.76%.

3.3 Socio-Economic Conditions of Townships (Towns and Sub-districts) and Villages in the Affected Areas of the Project

The land requisition will have certain influences on 1 town, 1 administrative village and 2 villager group. In March of 2008, under the unified arrangement of the provincial PMO, Luxi County PMO organized Municipal Resettlement Office and the other relevant local department as well as resettlement design unit to carry out the detailed investigation on various aspects of basic socio-economic conditions and production as well as livelihood of project-affected town(ships) and sub-districts and village (residential committee).

1) Socio-Economic Conditions in the Affected Townships (Sub-districts)

According to the investigation, eight villages (residential committees) in one town will be affected, with a population of 29373 persons in 10619 households, including 6403 persons in 2314 rural households, about 21.8% of the total rural population. The rural labor employed amounts to 4001, of which 869 persons are engaged in agriculture, accounting for 21.7% of the employed. The total area of farmland is 2385 mu (including 1940mu of paddy field), averaging 0.37 mu per capita. The gross income of the town was CNY3.4855 million in 2006, of which the agricultural income reached CNY0.6608 million, accounting for 19.1%.

For details, see Table 3.3-1.
### Rural Socio-Economic Conditions of the Affected Townships, Towns (or Sub-districts)

by Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Table 3.3-1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Indices</strong></td>
</tr>
<tr>
<td><strong>I. Basic Conditions</strong></td>
</tr>
<tr>
<td>(I) Number of Residential Committees</td>
</tr>
<tr>
<td>(II) Number of Village Committees</td>
</tr>
<tr>
<td>1. Villages with electricity</td>
</tr>
<tr>
<td>2. Villages with postal communications</td>
</tr>
<tr>
<td>3. Villages with telephone</td>
</tr>
<tr>
<td>4. Villages with highways</td>
</tr>
<tr>
<td>5. Villages with water supply</td>
</tr>
<tr>
<td>(III) Households in townships or villages</td>
</tr>
<tr>
<td>1. Non-agricultural households</td>
</tr>
<tr>
<td>2. Agricultural households</td>
</tr>
<tr>
<td>(IV) Population in villages and townships</td>
</tr>
<tr>
<td>1. Non-agricultural population</td>
</tr>
<tr>
<td>2. Agricultural population</td>
</tr>
<tr>
<td>(V) Labor forces in villages and townships</td>
</tr>
<tr>
<td>(VI) Employed population in villages and townships</td>
</tr>
<tr>
<td>1. Employed population in agriculture</td>
</tr>
<tr>
<td>2. Employed population in industry</td>
</tr>
<tr>
<td>3. Employed population in architecture</td>
</tr>
<tr>
<td>4. Employed population in traffic, storage and post</td>
</tr>
<tr>
<td>5. Employed population in accommodation and dining industry</td>
</tr>
<tr>
<td>6. Others</td>
</tr>
<tr>
<td><strong>II. Agricultural production conditions</strong></td>
</tr>
<tr>
<td>(I) Area of cultivated land</td>
</tr>
<tr>
<td>1. Paddy field</td>
</tr>
<tr>
<td>2. Dry land</td>
</tr>
<tr>
<td>(II) Total sown area of crops</td>
</tr>
<tr>
<td>1. Sown area of grain</td>
</tr>
<tr>
<td>2. Per unit area yield</td>
</tr>
<tr>
<td>3. Yield</td>
</tr>
<tr>
<td>(IV) Per capita plantation area of agricultural population</td>
</tr>
<tr>
<td><strong>III. Economic conditions of countryside</strong></td>
</tr>
<tr>
<td>(I) Total economic income</td>
</tr>
<tr>
<td>1. Agricultural income</td>
</tr>
<tr>
<td>Of which: plantation income</td>
</tr>
<tr>
<td>Other agricultural income</td>
</tr>
<tr>
<td>2. Forestry income</td>
</tr>
</tbody>
</table>
Rural Socio-Economic Conditions of the Affected Townships, Towns (or Sub-districts)

by Luxi County Urban Flood Control Project

Table 3.3-1

<table>
<thead>
<tr>
<th>Indices</th>
<th>Unit</th>
<th>Total</th>
<th>Baisha Town</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Animal husbandry income</td>
<td>CNY $10^4$</td>
<td>76.78</td>
<td>76.78</td>
</tr>
<tr>
<td>4. Fishery income</td>
<td>CNY $10^4$</td>
<td>1.05</td>
<td>1.05</td>
</tr>
<tr>
<td>5. Transportation income</td>
<td>CNY $10^4$</td>
<td>120.63</td>
<td>120.63</td>
</tr>
<tr>
<td>6. Catering and service income</td>
<td>CNY $10^4$</td>
<td>80.14</td>
<td>80.14</td>
</tr>
<tr>
<td>7. Service income</td>
<td>CNY $10^4$</td>
<td>0.8</td>
<td>0.8</td>
</tr>
<tr>
<td>(II) Income per capita</td>
<td>CNY</td>
<td>1906</td>
<td>1906</td>
</tr>
</tbody>
</table>

2) Basic Conditions in the Affected Villages (Residential Committees)

The project impact involves 1 administrative villages (residential committees) of Quwang village, with 3127 persons in all, including an agricultural population of 1152; The current cultivated land area is 371.36mu, including paddy field of 130.03mu, dry land of 14.81mu, and vegetable plot of 226.52mu, and the per capita cultivated land for agricultural population is 0.32mu.

The investigation indicates that the income per capita of all affected villages (residential committees) was CNY2000/year in 2006, more than the net income per capita of the whole Luxi County (CNY1832). There were 1120 people of ethnic minorities in administrative villages (residential committees), accounting for 35.82% of the total, most of which are of the Tujia Nationality and the Miao Nationality. Additionally about 12 persons, accounting for 0.38% of the total, of such vulnerable groups as poor family, the handicapped, the lonely elders and the single-parent family headed by women live in these villages (residential committees).

For the basic conditions of the affected villages in the project, see Table 3.3-2.
### Basic Conditions of the Affected Villages (Residential Committees) by Luxi County Urban Flood Control Project

Table 3.3-2

<table>
<thead>
<tr>
<th>Town (Sub-district)</th>
<th>Village (Residential Committee)</th>
<th>Population (Person)</th>
<th>Farmland Area (mu)</th>
<th>Farmland Per Capita (mu)</th>
<th>Income Per Capita (Yuan/year)</th>
<th>Ethnic Group Population (Person)</th>
<th>Percent (%)</th>
<th>Vulnerable Group Population (Person)</th>
<th>Percent (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Agricultural Population</td>
<td>Total</td>
<td>Paddy Field</td>
<td>Dry Land</td>
<td>Vegetable Plot</td>
<td>Non-agricultural Population</td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3127</td>
<td>1152</td>
<td>1975</td>
<td>371.36</td>
<td>130.03</td>
<td>14.81</td>
<td>226.52</td>
<td>0.32</td>
</tr>
<tr>
<td>Baisha Town</td>
<td></td>
<td>3127</td>
<td>1152</td>
<td>1975</td>
<td>371.36</td>
<td>130.03</td>
<td>14.81</td>
<td>226.52</td>
<td>0.32</td>
</tr>
<tr>
<td>Quwang Village</td>
<td></td>
<td>3127</td>
<td>1152</td>
<td>1975</td>
<td>371.36</td>
<td>130.03</td>
<td>14.81</td>
<td>226.52</td>
<td>0.32</td>
</tr>
</tbody>
</table>
3.4 Basic Conditions of Relocatees

3.4.1 Investigation Objectives

1) Introducing the positive significance of urban flood control project to the relocatees;
2) Investigating and comprehending the affected degree of the relocatees;
3) Soliciting opinions from the relocatees to reflect their willingness in the schedules of rehabilitation for production and livelihood
4) Analyzing the economic incomes and expenditures, determining the economic development objective and providing accurate basis for resettlement planning;
5) Establishing economic incomes model for relocatee’s families; and analyzing and forecasting changes of economic incomes.

3.4.2 Investigation Content

The socio-economic investigation is classified into two kinds: one kind is investigation on the basic social and economic conditions of affected households; the other is investigation on the attitudes of the relocatees towards resettlement.

1) Basic Conditions of Affected Households

   Basic Family Condition: includes family members, age, sex, educational level, employment, nationality, housing area and structure.
   Household Properties: The means of livelihood consist of big furniture, color (black and white) TV, refrigerator, washing machine, VCD, air conditioner, water heater, electric fan, electric cooker, motorcycle, bicycle, telephone, etc; While the means of production comprise land, water surface, household industrial and subsidiary production as well as production machinery such as tractor, thresher, grinder, water pump, livestock for cultivation, agricultural tricycle, automobile, motorcycle and barge.
   Agricultural production conditions and income levels: The contracted land comprises cultivated land, garden plot, woodland and lands for other usage; The yield of agricultural products consist of grain yield, other crops' yield and grain possession; The household incomes include incomes from plantation, animal husbandry and other non-agriculture; The household expenditures include expenditures for living, interpersonal communication, education, agricultural costs, taxes and others; The annual net income per capita of households.

2) Investigation on relocatees' willingness

The investigation on relocatees' willingness mainly consists of the awareness on the project, channels to comprehend the project, attitude, expected production and resettlement modes in addition to the other most concerned problems.

3.4.3 Investigation Method and Procedure

In March, 2008, the resettlement survey team, under the cooperation of the governments at all levels in the project area, conducted a detailed survey on the basic social economic conditions of the affected households and the relocatees' willingness.

1) Investigation on the Basic Conditions of Affected Households

For the investigation on the basic conditions of affected households, a sampling survey in site was made to the affected households. After filling the questions of survey form, the affected households made signature for confirmation. Twelve households within the affected area of the project were selected as the sample, accounting for 38.7% of the total affected households. The samples cover all the areas (excluding the affected scope by temporary land use) affected by the project and all the samples are representative and typical, and can be used for basis for the project impact analysis. For the detailed sample survey distribution of removed households, see Table 3.4-1.
Samples Distribution of the Resettled Households Affected by the Project

<table>
<thead>
<tr>
<th>Township (Sub-district)</th>
<th>Affected Villages (ResidentialCommittees) (No.)</th>
<th>Total Affected Households (Household)</th>
<th>Sample Household (Household)</th>
<th>Sampling Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>31</td>
<td>12</td>
<td>38.7</td>
<td></td>
</tr>
<tr>
<td>Baisha Town</td>
<td>31</td>
<td>12</td>
<td>38.7</td>
<td></td>
</tr>
</tbody>
</table>
| 2) Investigation on relocatees’ willingness and attitudes
   Investigation on relocatees’ willingness adopts the mode of sample survey with a sampling ratio of 48.4%. The resettlement planning team prepared a survey form. The different levels of governments organize people to distribute survey forms in the project areas and ask affected people to fill up. In the affected area of the project, there are 15 survey forms issued to the relocatees, and 12 effective forms returned with an effective ratio of 80%.

3.4.4 Investigation Results and Analysis

1) Investigation on the Basic Conditions of Removed Households
   The sample survey and analysis shows that:
   Household Size of the affected households: 4.92 persons / family in average in the affected area of the project, including 3.17 persons for labor forces with age 17~60, 1.25 person of younger than 17 years old and 0.5 person of older than 60 years old.
   Gender Percentage: The male/female ratio in the project area is 1:1.18.
   Age makeup: The labour forces at age of 17~60 possess 64.41% of the total population, 25.42% for younger than 17 years old and 10.17% for older than 60 years old.
   Ethnic Background: Relocatees within the project protected area are all Tujia nationality.
   Educational level: In the affected area of the project, every 100 persons, there are 2 persons with educational level of higher than senior middle school, 19 persons with educational level of senior middle school, 34 persons with educational level of junior middle school, 36 persons with primary school and 9 illiteracies or half-illiteracies.
   Housing area per capita: The housing area for every household is 75.7m² and that per capita is 15.14m². The structures of houses are mainly brick wood structure.
   The land contracted by the collective: In countryside, each household contracts 1.57mu of cultivated land, averaging 0.32 mu per capita; The grain yield of each household is 528.64kg in average 107.52kg per person. The livestock per household is 3.5 and the poultry is 21.6.
   Family property: For every 100 households, there are 100 TVs (all Colour TVs), 233 electric fans, 83 washing machines, 50 bicycles, 67 motorcycles, as well as 433 pieces of big furniture such as sofas, big bureaus and chest of drawers.
   Economic incomes and expenditure: Each household has an annual total income of CNY27464, averaging CNY5585 per capita; Each household has an annual total expenditures of CNY 18456, the annual expenditure per capita is CNY3753; Each household has an annual net income of CNY 9008, averaging CNY1832 per capita.

   For the total basic conditions of the affected households by the project, see Table 3.4-2.
### Summary for the Basic Conditions of Each Affected Household of Luxi County Urban Flood Control Project

Table 3.4-2

<table>
<thead>
<tr>
<th>Items</th>
<th>Unit</th>
<th>Total of Samples</th>
<th>Baisha Town</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total Indices per</td>
<td>Total Indices per</td>
</tr>
<tr>
<td></td>
<td></td>
<td>household</td>
<td>household</td>
</tr>
<tr>
<td>I. Affected household size</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sample household</td>
<td>Household</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. Total Population of Household</td>
<td>Person</td>
<td>59</td>
<td>59</td>
</tr>
<tr>
<td>Of which: female</td>
<td>Person</td>
<td>32</td>
<td>32</td>
</tr>
<tr>
<td>3. Labor forces of 17-60 years old</td>
<td>Person</td>
<td>38</td>
<td>38</td>
</tr>
<tr>
<td>4. Population younger than 17</td>
<td>Person</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>5. Population older than 60</td>
<td>Person</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>II. Educational level</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sample number</td>
<td>Household</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. More than senior high school</td>
<td>Person</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>3. Senior high school</td>
<td>Person</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>4. Junior high school</td>
<td>Person</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>5. Primary school</td>
<td>Person</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>6. Non-educated</td>
<td>Person</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>III. Nationalities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sample household</td>
<td>Household</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. Tujia nationality</td>
<td>Person</td>
<td>59</td>
<td>59</td>
</tr>
<tr>
<td>IV. Housing area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sample number</td>
<td>Household</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. Housing area per household</td>
<td>m²</td>
<td>908.4</td>
<td>75.7</td>
</tr>
<tr>
<td>3. Housing area per capita</td>
<td>m²</td>
<td>908.4</td>
<td>15.14</td>
</tr>
<tr>
<td>V. Agricultural production</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sample household</td>
<td>Household</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. Sample population</td>
<td>Person</td>
<td>59</td>
<td>59</td>
</tr>
<tr>
<td>3. Contracted plantation area per household</td>
<td>mu</td>
<td>18.88</td>
<td>1.57</td>
</tr>
<tr>
<td>4. Plantation area per capita</td>
<td>mu/person</td>
<td>18.88</td>
<td>0.32</td>
</tr>
<tr>
<td>5. Grain yield</td>
<td>kg</td>
<td>6343.68</td>
<td>528.64</td>
</tr>
<tr>
<td>6. Grain occupation per capita</td>
<td>kg/person</td>
<td>6343.68</td>
<td>107.52</td>
</tr>
<tr>
<td>7. Livestock</td>
<td>Piece</td>
<td>42</td>
<td>3.5</td>
</tr>
<tr>
<td>8. Poultry</td>
<td>Piece</td>
<td>259</td>
<td>21.58</td>
</tr>
<tr>
<td>VII. Household property</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sample household</td>
<td>Household</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. TV</td>
<td>Set</td>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td>Including: color TV</td>
<td>Set</td>
<td>12</td>
<td>1</td>
</tr>
</tbody>
</table>

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Summary for the Basic Conditions of Each Affected Household of Luxi County Urban Flood Control Project

Table 3.4-2

<table>
<thead>
<tr>
<th>Items</th>
<th>Unit</th>
<th>Total of Samples</th>
<th>Baisha Town</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total Indices per household</td>
<td>Total Indices per household</td>
</tr>
<tr>
<td>3. Electric Fan</td>
<td>Set</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>4. Refrigerator</td>
<td>Set</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>5. Washing machine</td>
<td>Set</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>6. Bicycle</td>
<td>Piece</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7. Motorcycle</td>
<td>Piece</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>8. Large furniture</td>
<td>Piece</td>
<td>52</td>
<td>52</td>
</tr>
</tbody>
</table>

VIII. Annual total revenues and expenditures

| Sample household        | Household | 12                | 12          |
| 1. Annual total incomes | yuan      | 329568            | 329568      | 27464        | 27464        |
| 2.1 Agricultural income | yuan      | 48708             | 48708       | 4059         | 4059         |
| 2.2 Stockbreeding income| yuan      | 8244              | 8244        | 687          | 687          |
| 2.3 Non-agricultural income| yuan  | 272616            | 272616      | 22718        | 22718        |
| 3. Annual consumption expenditure | yuan  | 221472            | 221472      | 18456        | 18456        |
| 3.1 Living expenditure  | yuan      | 153816            | 153816      | 12818        | 12818        |
| 3.2 Production expenditure | yuan | 36168             | 36168       | 3014         | 3014         |
| 3.3 Other expenditures  | yuan      | 31488             | 31488       | 2624         | 2624         |
| 4. Annual household income | yuan  | 9008              | 9008        | 1832         | 1832         |

2) Basic Attitude of Affected People

The sample survey and analysis shows that:

- Have knowledge with the project: 100% of the affected people claimed that they had knowledge of the project.
- Sources of information: 98.7% of the affected people get known from the investigation persons and 1.3% from the residents of the neighboring villages.
- Support attitude: All affected people hold an attitude of supporting to the project.
- Views on Impact: 96.5% of the affected people think the flood control benefit is obvious, and by the way of the reasonable compensation, the negative impacts can be alleviated; 3.5% think the flood control benefit is obvious, while the negative impacts are big.

⑤ Resettlement Approach: About 3.2% of resettlers in urban area would like to choose the cash compensation mode and to purchase houses by themselves; and 96.8% of resettlers would like to choose the property right exchange, and hope the government to arrange the houses with the same size as the former one.

⑥ Economic rehabilitation: 88.4% of the affected people ask for cash compensation, and 11.6% ask for compensation through land adjustment.

3.5 Social and Economic Effects for Resettlement to the Affected Population

The project implementation will produce a certain impact on socio-economic factor:

1) The project-affected area is located at the junction of the urban area and the rural area in Luxi County, whose infrastructure is under a good state. Farmers there enjoy many opportunities to engage in nonagricultural activities such as industry and business. A great part of surplus rural labor force has been engaged in the secondary and tertiary industries, or individual business, and is gradually independent from the land. Based on
the investigation, the land acquisition in 2006 affected 4001 rural workers in one village, of which 869 persons were engaged in agriculture, accounting for 21.7% of the total employed. Regarding the income structure, the gross income of affected townships in 2006 reached RMB 3.4855 million yuan, of which the agricultural income was RMB 0.6608 million only, accounting for 19.1% of the total. The investigation shows that in spite of the land loss, the local farmers will suffer the decrease of agricultural incomes, however, due to the small proportion for plantation in the total incomes, they will have little impacts on their production and living.

2). For farmers with land plantation as their main livelihood resources, the land loss will result in the loss of complete or partial means of production, however, as the project is linearly distributed along the Luijiang River, the land acquisition of the project will result in not big influence on the agricultural production of resettlers, on average, each affected village will lose 20.92% of their land. For 2 affected village groups, all of them would lose less than 20.92% of their land.

The field investigation indicated that among two affected villager groups, the proportion of occupied farmland is lower than 25%. Before land acquisition, the farmland per capita was quite small, averaging 0.32mu only, which decreased by 0.07mu after land acquisition. Therefore, farmland of most farmers wasn't greatly affected by the land acquisition. In addition, for rural households affected by the project, they will be resettled by means of developing greenhouse vegetables, and the secondary and tertiary industries, through which the livelihood for the affected persons, and can restore, or even increase their income or living standard within short period of time. Therefore, the impact on resettlers' production and livelihood due to the project is not significant.

3). For relocated households, the process of moving and decorating new houses will consume certain manpower and material resources for the affected households, which need to be considered by the project sponsors. The PMO will, according to the relevant policies, make compensation to their loss of moving and traffic costs, on site infrastructure costs for the new housing plots, and necessary transfer allowance during relocation and rehabilitation. In addition, the PMO and the local village committees will provide necessary assistance in the process. Therefore, the impacts from the project will be reduced to the minimum.

The project construction will bring a certain influences on the residents and businesses within the project area, but the impact is insignificant and after completion of the project, it will create favorable conditions for further development of Luxi County, and facilitate the sustainable quick increase in economy.
4. Legal Framework and Policy

4.1 Main Chinese Laws & Regulations and Policies for Resettlement

4.1.1 Policy Bases

4.1.1.1 National Laws and Regulations:

4.1.1.2 Laws and Regulations of Hunan Province

3. *Implementing Methods of the Cultivated Land Acquisition Tax of Hunan Province (Amendment)* (Issued by the Hunan Province People’s Government on October 4, 1987, and amended as the decision about amending Implementing Methods of the Cultivated Land Acquisition Tax of Hunan Province by Hunan Province People’s Government in May 4, 1998)
6. *Hunan Provincial Methods regarding Collection, Usage and Management of Rehabilitation Fee for Forest Vegetation* (XCZ[2003]No.10)
4.1.2 Relevant Laws and Regulations

4.1.2.1 National Laws and Regulations

1. Selected Provisions of Land Administration Law of the PRC

**Article 2:** The State may, on the necessity of public interest, requisition land collectively owned in accordance with law. The State practises the system of paid-for use for state-owned land in accordance with law. However, appropriation of state-owned land use right by the State within the scope prescribed by law is excluded.

**Article 10:** Peasants' collectively-owned land that belongs to peasants' collective ownership of a village according to law shall be managed and administered by the village collective economic organization or villagers' committee; the land that belongs separately to more than two rural collective economic organizations and owned collectively by peasants shall be managed and administered by the respective rural collective economic organizations or villagers' teams; the land that belongs to township(town) peasants' collective ownership shall be managed and administered by the township(town) rural collective economic organization.

**Article 14:** Land collectively owned by peasants shall be contracted for management by members of the respective collective economic organization for cultivation, forestry, animal husbandry and fishery production. The duration of land contracting and management shall be 30 years. The contract issuing party and the contractor should conclude a contract agreeing on the rights and obligations of both parties. Peasants who contract management of the land have the obligation to protect and utilize the land pursuant to the agreement in the contract. Peasants' right to contract land for management is protected by law.

Within the duration of land contracting and management, in the event of appropriate adjustment of land contracted among individual contractors, it must have the consent of over two thirds of the members of the villagers' conference or over two thirds of the villagers' representatives, and be submitted to the competent department of agriculture administration of township/town People's Government and People's Government at the city level for approval.

**Article 31:** The State protects cultivated land and strictly controls turning cultivated land into non-cultivated land. The State practises the system of compensation for the occupation and use of cultivated land. For the occupation and use of cultivated land for non-agricultural construction with approval, the unit that occupies and uses cultivated land shall be responsible for the reclamation of cultivated land equivalent to the quantity and quality of cultivated land occupied and used in accordance with the principle of "quantity of reclaimed land being equivalent to that occupied". Where there are no conditions for reclamation or the reclaimed land does not conform to requirements, cultivated land reclamation fee should be paid as prescribed by the provinces, autonomous regions and municipalities directly under the Central Government, the special-purpose fund shall be used for the reclamation of new cultivated land.

**Article 46:** For land requisitioned by the State, local People's Government at or above the city level shall, upon approval pursuant to legal procedures, make an announcement and organize its implementation. Owners and persons of the right to use of the requisitioned land should, within the specified time period of the announcement, bring the ownership certificates to the competent departments of the local People's Governments to enter into registration for compensation for land requisition.

**Article 47:** For requisition of land, compensation shall be given in accordance with the original use of the requisitioned land.

Compensation fee for the cultivated land requisitioned includes land compensation fee, subsidies for resettlement as well as compensation fee for ground appendices and young crops. Land compensation fee for the cultivated land requisitioned shall be 6-10 times of the average annual output value in the three years prior to requisition. Subsidies for resettlement for the cultivated land requisitioned shall be calculated on the basis of the agricultural population that requires resettlement. The agricultural population that requires resettlement shall be calculated on the basis of the amount of cultivated land requisitioned divided by the average occupancy of cultivated land of the unit requisitioned. The rate of subsidies for resettlement per head of the agricultural population that requires resettlement shall be 4-6 times of the average annual output value in the three years prior to requisition of the...
said cultivated land. However, the maximum subsidies for resettlement for cultivated land requisitioned per hectare shall not exceed 15 times of the average annual output value in the three years prior to the requisition.

The rate of land compensation fee and subsidies for resettlement for the requisition of other lands shall be fixed by the provinces, autonomous regions and municipalities directly under the Central Government, taking the rate of land compensation fee and subsidies for resettlement for the requisition of cultivated land as reference.

Rate of compensation for ground appendixes and young crops on the requisitioned land shall be fixed by the provinces, autonomous regions and municipalities directly under the Central Government.

For requisition of suburban vegetable plots of municipalities, the land use unit should, pursuant to relevant provisions of the State, pay to the new vegetable plot development and construction fund.

Additional subsidies for resettlement may be provided for those peasants who require resettlement and cannot maintain their original living standards on the basis of land compensation fee and subsidies for resettlement the payment of which is effected pursuant to the provisions of the Second Paragraph of this Article subject to the approval of People's Governments of the provinces, autonomous regions and municipalities directly under the Central Government. However, the total of land compensation fee and subsidies for resettlement shall not exceed 30 times of the average annual output value in the three years prior to requisition of the land.

The State Council may, in accordance with the level of social & economy development, increase the rate of land compensation fee and subsidies for resettlement under extraordinary circumstances.

**Article 48:** Upon determination of the scheme for compensation and resettlement for land requisition, the local People's Government concerned should make an announcement and seek the views of the rural collective economic organization and peasants of the requisitioned land.

**Article 49:** The rural collective economic organization of the requisitioned land should publish the revenue and expenditure of the compensation fee of the requisitioned land for the members of the respective collective economic organization and accept supervision.

It is forbidden to embezzle or divert the land compensation fees and other related expenses.

**Article 50:** Local People's Governments at all levels should provide support for rural collective economic organizations and peasants of the requisitioned land for development, management and establishment of enterprises.

**Article 54:** Use of state-owned land for a construction project should be obtained in the form of onerous use such as transfer. However, the following use of land for construction may be obtained in the form of appropriation subject to the approval of the People's Government at or above the city level in accordance with law:

1. Land use by state organs and land use for military purposes;
2. Land use for urban infrastructure and land use for non-profit undertakings;
3. Land use for such infrastructure as energy, communications and water conservancy to which the state renders key support;
4. Other land uses prescribed by laws and administrative regulations.

**Article 57:** Construction of a construction project and geological survey that need to temporarily use state-owned land or land collectively owned by peasants, it should be subject to the approval of the competent department of land administration of the People's Government above the city level. Among which, for temporary use of land within an urban planning zone, consent of the competent department of urban planning should be sought first prior to submission for approval. The land user should conclude a contract for the temporary use of the land with the competent department of land administration concerned or the rural collective economic organization and villagers' committee in accordance with the ownership of the land, and effect the payment of compensation fee for the temporary use of the land.
User of temporary use of the land should use the land according to the use agreed on in the contract for the temporary use of the land and shall not construct permanent constructions thereon. The duration of temporary use of land shall generally not exceed 2 years.

**Article 62:** One household of villagers in a rural area can only possess one housing plot, the area of which shall not exceed the standards prescribed by the provinces, autonomous regions and municipalities directly under the Central Government.

Construction of villagers’ residences in the rural areas should conform to the overall planning for township/town land utilization, and the best possible use of original house sites and idle land in the village.

2. **Selected Provisions Urban Houses Demolition Administration Regulations of the PRC**

**Article 22:** The relocater should provide compensation to the relocatee in accordance with this Regulations. For the relocation of the peccancy building and the temporary building over approval term, the relocater shall not provide compensation. But for the relocation of the temporary building within the approval term, the relocation should provide proper compensation.

**Article 23:** The ways of relocation compensation can be money compensation or property rights exchange of house. The relocatee can choose the way of relocation compensation.

**Article 24:** The amount of money compensation should be considered according to the position, use and building area of the removed house and shall be confirmed with evaluating price in the realty mart.

**Article 25:** For the way of property rights exchange of house, the relocater and the relocatee should calculate the compensation amount of removed house and the house price for exchange to balance the price difference of the property rights exchange according to the Article 24 of this Regulation.

The relocation of auxiliaries of non-public welfare houses shall not be solved with property rights exchange, but with money compensation by the relocater.

**Article 28:** The relocater should provide houses that accord with quality & safety standards of the State for resettlement.

**Article 31:** The relocater should pay relocation subsidies for the relocatee or the tenant. During the transition term, in case of that the relocatee or the tenant settles for himself/herself, the relocater should pay subsidies for temporary resettlement; in case of that the relocatee or the tenant uses the revolving house, the relocation shall not pay subsidies for temporary resettlement.

3. **Selected Provisions of Provisional Regulations on Cultivated Land Acquisition Tax of the PRC**

**Article 2:** The cultivated land called in this Regulation refers to the land for planting crops or the land that had been used for planting crops within the 3 years prior to acquisition.

**Article 3:** All the units or individuals that acquire cultivated land for house building or for other non-agricultural construction, are the taxpayers of cultivated land acquisition tax (hereinafter called taxpayer), and should pay cultivated land acquisition tax according to this Regulations.

**Article 4:** The cultivated land acquisition tax shall be calculated according to the actual area of acquired land by taxpayer and shall be assessed upon as the specified amount in one time.

**Article 5:** The amount of cultivated land acquisition tax is controlled as follows:

(1) Take city as one unit (same hereinafter). For the area where the average occupancy of cultivated land is under 1mu (including 1mu), the tax rate is 2-10 yuan/m².

(2) For the area where the average occupancy of cultivated land is 1-2mu (including 2mu), the tax rate is 1.6-8.0 yuan/m².
(3) For the area where the average occupancy of cultivated land is 2-3mu (including 3mu), the tax rate is 1.3-6.5 yuan/m².
(4) For the area where the average occupancy of cultivated land is over 3mu, the tax rate is 1-5 yuan/m².

Article 9: The cultivated land acquisition tax should be assessed upon by the finance organ. After approving the cultivated land acquisition of unit and individual, the land administration department should give notice to the finance organ of same level in time. The unit or individual that is approved to requisition or acquire the cultivated land should declare tax-paying to the finance organ with the approval documents by the land administration department above city level. The land administration department shall assign land acquisition according to the tax-paying receipt or the approvable documents of requisition.

4. Selected Provisions of the Decision by the State Council about Deepening Reformation and Strictly Enforcing Land Administration

(3) Strictly enforcing compensation system for land acquisition: The approved cultivated land acquired for the non-agricultural construction shall be compensated by the construction unit with the cultivated land of same quantity and quality. And the quantity and quality of cultivated land for supplement shall be converted according to its degree to prevent "more acquisition but fewer compensation, and compensation with bad cultivated land for cultivate land of high quality". The construction unit --- which cannot compensate by itself ---- shall pay the cultivate land reclamation fee according to the provisions of each province, autonomous regions and municipalities directly under the Central Government. The cultivated land reclamation fee shall be administrated with special account, and cannot be reduced or remitted or peculated. The cultivate land supplement fee for construction project invested by the government must be list into the project general calculation.

(13) Properly resettling the farmers affected by land requisition: The local People's Government above city level shall work out specific methods to ensure the further living of farmers affected by land requisition. The farmers affected by land requisition can use legally approved land for construction to buy a share of the projects with steady profit. For the inside of urban planning area, the local People's Government shall list the farmers who will lose cultivated land because of land requisition, into urban employment system and set up system of social security; for the outside of urban planning area, during the process of land requisition, the local People's Government shall, in its administration area, leave some cultivated land or arrange job for the farmers affected by land requisition; for the farmers, who will lose their cultivated land and basic conditions of production and living, the local People's Government shall resettle them in other area. The department for labourer and social security shall, together with relevant departments, make a directive about employment training and social security as soon as possible.

(14) Perfecting land requisition procedure: During the process of land requisition, the farmers' ownership of collectively-owned land and the farmers' rights for land contracting and management shall be protected. Before report and approval, the farmers affected by land requisition shall be informed about the use, position, compensation standards, resettlement approaches of land to be requisitioned; and the investigation results about the present situation of land to be requisitioned must be confirmed by the rural collective economic organizations and the farmers affected by land requisition; and if necessary, the department of land and resources shall, according to relevant provisions, organize public hearing. The relevant data known and confirmed by the affected farmers by land requisition shall be part of necessary documents for approval of land requisition. The coordination and judgement system for compensation resettlement dispute shall be established and perfected as soon as possible to protect legal rights of the affected farmers by land requisition and the land user. Except the special cases, all the approved items for land requisition shall be publicized.

(15) Strengthening the supervision on implementation process of land requisition: Land can not be requisitioned by force, if the compensation resettlement for land requisition was not fulfilled. The People's Governments of province, autonomous regions and municipalities directly under the Central Government, according to the principle ---- which states that the compensation fee for land requisition is used mainly for the affected farmers, shall work out the assignment methods of compensation fee for land requisition inside the rural collective economic organization. The rural collective economic organizations shall publicize the expenses and receipts, assignment of compensation fee for land requisition to its members and take its members' supervision.

(4) Assignment of land compensation fee: The land compensation fee shall be reasonably assigned, according to the principle ---- which states that the compensation fee for land requisition is used mainly for the affected farmers, inside the rural collective economic organization. The detailed assignment methods shall be work out by provincial People’s Government. The land compensation fee for rural collectivity ---- whose land is totally requisitioned and whose economic organization is disbanded at the same time, shall fully used for the production and living resettlement of the affected farmers by land requisition.

(5) Resettlement of agricultural production: For the requisition of collectively-owned land outside the urban planning area, these kinds of land, such as rural collective non-planed land, contracted land handed back by contracting farmers, land for contracting transfer and land newly-added during land development and arrangement shall be used firstly as the necessary cultivated land for the affected farmers by land requisition in order to ensure their continuous agricultural productions.

(6) Resettlement by new employment: The land requisition unit or the local People’s Government shall try its best to provide the affected farmers with free labor skill training and arrange them with proper jobs. Under the same conditions, the land requisition unit shall employ the affected farmers first. During the requisition of collectively-owned land in the urban planning area, the local People’s Government shall list the farmers who will lose cultivated land because of land requisition, into urban employment system, and set up system of social security.

(9) Information of land requisition: Before reporting for approval, the local department of land and resources shall in written form inform the farmers and rural collective economic organization affected by land requisition, about the use, position, compensation standards, and resettlement ways of land to be requisitioned. All the attachments or young crops ----which are newly plan ted or built after informing by the farmers or rural collective economic organization affected by land requisition, shall not be compensated in requisition.

(10) Confirming of land requisition investigation results: The local department of land and resources shall investigate the ownership, kind, area of the land to be requisitioned and the ownership, kind, area of land attachments. And the investigation results shall be confirmed together with the farmers and rural collective economic organization affected by land requisition, and the property owner of land attachments.

(11) Organizing of evidentiary hearing for land requisition: Before reporting for approval, the local department of land and resources shall inform the farmers and rural collective economic organization affected by land requisition that they have the rights to apply evidentiary hearing of the compensation standard and resettlement approach of the land to be requisition. If there is party applying for evidentiary hearing, the evidentiary hearing shall be organized according to relevant procedures and requirements of the Provisions for Evidentiary Hearing of Land Resources.

(12) Publicizing of approval items for land requisition: For the land legally approved for requisition, the ministry of land and resources and its provincial department shall publicize the approval items by media, expect for the special cases referring to state secrets. The city (city) land and resources department shall publicize, according to the provisions of the proclaiming methods for land requisition, the approval items in the village or group affected by land requisition.

(13) Payment of compensation resettlement fee for land requisition: After the compensation resettlement plan is approved by city, city People’s Government, the compensation resettlement fee shall be paid for the rural collective economic organization within the legally stated period.


   Article 22: For large and medium size water resources and hydropower projects the combined land
compensation and resettlement subsidy shall be set at 16 times of average annual output value in the past three years. If the land compensation and resettlement subsidy could not meet the needs of restoring income and livelihood for the resettlers, they could be raised further, which should be submitted by the project sponsor to and approved by the project approving authority.

For the compensation and resettlement subsidy for other acquired land areas, they should follow the relevant provincial regulations.

For the compensations on the attached trees, young crops, they should also follow the relevant provincial regulations.

For the affected houses and structures, they will be compensated based on their original scale, function and standards. If the compensation could not meet the needs of building houses for poor resettlers, additional compensation should be provided.

For the stated owned cultivated land areas used by other units or individuals, the compensation will follow the compensation for land acquisition of cultivated land. For the state owned unutilized land areas used by units and individuals, no compensation will be provided.

After resettlement, the scattered trees and structures over flood line around reservoir that belong to resettlers should be compensated in line with Clause 3 and Clause 4 in this article.

4.1.2.2 Laws and Regulations of Hunan Province

1. Methods of Hunan Province for Implementing the Land Administration Law of the PRC

Article 10: Where there are no conditions for reclamation or the reclaimed land does not conform to the requirements, the cultivated land reclamation fee should be paid to the land administration department of provincial People's Government as the following standards when applying for turning agricultural land into other use.

After approval for acquisition of the basal farmland, the reclamation fee shall be 10-12 times of the average annual yield within the three years prior to acquisition. Among which of acquisition the vegetable land, the reclamation fee shall be 10-12 times of the average annual yield of adjacent paddy field within the three years prior to acquisition.

After approval for acquisition of the other cultivated land except for the basal farmland, the reclamation fee shall be 6-10 times of the average annual yield within the three years prior to acquisition.

The construction unit should list the cultivated land reclamation fee as construction cost into the general investment of the construction project. The land administration department of provincial People's Government should save the cultivated land reclamation fee with special account according to the regulations of provincial People's Government, organize reclamation as the planning and allocate enough reclamation fee to the unit that is responsible for the reclamation of cultivated land.

Article 18: Land compensation fee for the acquired land shall be paid in accordance with following standards.
(1) The compensation fee for cultivated land (including paddy field, dry farmland and vegetable land), fishpond and lotus pond, shall be 6-10 times of the average annual yield of the land in the 3 years prior to acquisition.
(2) The compensation fee for fruit garden, tea garden and economic forestland, shall be 50%-100% of the compensation standard of the adjacent paddy field, and the compensation fee for other forestland shall be 30%-50% of the compensation standard of the adjacent paddy field.
(3) The compensation fee for grazing land shall be 30% of the compensation standard of the adjacent paddy field.
(4) The compensation fee for the land used for public facilities or public enterprise of township/town/village and the rural housing plot of villagers, shall be equal to the compensation standard of the adjacent paddy field.
(5) The compensation fee for fields on the hill, wasteland and other unused land, shall be 20% of the
compensation standard of the adjacent paddy field.

**Article 19:** Resettlement subsidies for the acquisition land shall be paid in accordance with the Article 47 of the *Land Administration Law*. Resettlement subsidies for the acquisition of fishpond, lotus pond, fruit garden, tea garden and economic forest land shall be paid in accordance with the regulations for requisition of cultivated land. Resettlement subsidies for other forestland and grazing land shall be paid in accordance with 50% of the standard of the adjacent paddy field.

For the requisition of the land used for public facilities or public enterprise of township/town/village, the housing plot of villagers, and the land used for water conservancy, such as pond, channel, and dam, if it is necessary to rebuild, the resettlement subsidies shall be paid in accordance with the standards of rebuilding land; if unnecessary, the resettlement subsidies shall be paid appropriately.

Resettlement subsidies shall not be paid for the requisition of barren hill or wasteland.

**Article 20:** The compensation fee for the ground appendixes and young crops on the requisition land shall be paid in accordance with the following regulations.

(1) The compensation for the young crops whose growing period is under 1 year, shall be paid according to the output value of one season, for the young crops whose growing period is over 1 year shall be paid according to the output value of 1 year. The compensation fee for the young crops shall also be paid with the actual loss according to the growing period.

(2) The compensation for the forest trees that can be transplanted shall be paid transplanting fee together with actual loss. The forest trees that can't be transplanted shall be evaluated and purchased, and the compensation for the forest trees that are lopped by the owner shall be paid with the actual loss.

(4) Houses as well as other building and structures on the requisitioned land can be removed as compensation or purchased with equivalent price, or be compensated with equivalent houses, other buildings and structures.

**Article 32:** One household of villagers in a rural area can only possess one housing plot, the area of which shall conform to the overall planning for land using of township/town. The cultivated land area of every household shall not exceed 130 m², the waste hill & land area shall not exceed 210 m², and the other land area shall not exceed 180 m².

2. **Methods of Hunan Province for Implementing Urban Houses Demolition Administration Regulations (2002)**

**Article 7:** For rights, area, structure, use, etc of the removed house, it shall take the house ownership certificate as standards. For the item that is not given clear indication on the ownership certificate, it shall take the record of property right or other effective documents as standards. For the item that has been changed to other use, it shall take the approval documents by planning administration department and other relevant departments.

**Article 16:** In the case of exchanging the property rights of removed houses, it is necessary for the relocater to provide resettlement houses that have legal procedure and accord with the quality & safety standards of the State and achieve resettlement only one time. For the transitional resettlement due to special conditions, it is necessary to arrange revolving houses according to Article 20 of this Method after the agreement with relocatee and houses demolition administration department. During the transition period, the design of replacement houses can be changed when relocater reaches an agreement with relocatee.

**Article 17:** The relocatee or the tenant of public house who possesses too small house area (calculated including his other houses in same urban planning area) and is treated with the lowest living protection shall be arranged with replacement housing to ensure the lowest living level.

**Article 18:** In the case of exchanging the property rights of removed houses, the relocater should transact registration procedure of houses' property rights for the relocatee in time.
The departments and units for control of household, education, and medical treatment, should transact relevant procedures for the relocatee in time, such as household transferring, school transferring and medical treatment, in accordance with the resettlement certificate of house relocation that provided by relocatee.

**Article 19:** For the relocation of houses for production and management, the relocater should pay the relocation subsidies for the relocatee or the tenant. For the equipment that can’t be removed or renewed to use, the relocater should pay relevant compensation. The amount of compensation fee and subsidies for relocation shall be confirmed in accordance with the actual expense for teardown, conveyance and installation of the production equipment or with the actual value of the disused production equipment.

For the relocation of domicile, the relocater should pay the relocation subsidies for the relocatee or the tenant. In the case of resettlement of only one time, the relocater shall pay the relocation subsidies in one time; in the case of transitional resettlement, the relocater shall pay the relocation subsidies according to the relocation times, and the relocation subsidies shall be confirmed according to the actual requirement.

In the case of that the relocater takes charge of relocation, the relocater shall not pay the relocation subsidies.

**Article 20:** During the period of transitional resettlement, the relocater should pay the temporary resettlement subsidies for the relocatee or the tenant that arranges revolving for himself/herself. The amount of the temporary resettlement subsidies shall be confirmed in accordance with the rent for using the similar house with the removed house.

For the relocatee or the tenant that can't arrange house for himself/herself, the relocater should arrange revolving house with the similar area to the removed house, but it is unnecessary for the relocater to pay the temporary resettlement subsidies.

3. **Methods for Implementing Cultivated Land Acquisition Tax of Hunan Province (Amendment)**

**Article 2:** In the case of acquisition of the following land owned by the State and the collectivity for house building or non-agricultural construction, the unit or individual that acquires land should pay cultivated land acquisition tax in accordance with this Method.

(1) The paddy field and the dry farmland for planting crops, including cultivated land, newly cultivated land, rotation land and the land that had been used for planting crops in the 3 years prior to acquisition.
(2) The land that is used mainly for planting crops and accidently for planting mulberry, tea tree, fruit tree and other forest trees, and the shoaly land that is used through reclaiming around.
(3) Fishpond, lotus pond, vegetable land, garden plot (including seed plot, flower plot, drug plot, tea garden, fruit garden, mulberry garden and garden for planting other economic forest trees).

**Article 3:** The amount of cultivated land acquisition tax shall be calculated in accordance with the actual acquisition area of above land by the taxpayer and specified amount standard of acquisition tax, and shall be assessed upon in only one time.

**Article 4:** It shall take the average occupancy per head of cultivated land as its main bases of the amount standard of cultivated land acquisition tax, and the amount standard shall be determined according to the natural conditions and the economic development of each area. With the unit of city (including city-level city, same hereinafter), the average occupancy per head of cultivated land shall be calculated in accordance with the gross of population and cultivated land that are counted by local statistical department. The specific amount standards of acquisition tax are regulated as follows.

(1) Take the city as the unit (same hereinafter). For the area where the average occupancy per head of cultivated land is under 0.5mu (including 0.5mu), the amount standard of acquisition tax is 6-10 yuan/m².
(2) For the area where the average occupancy per head of cultivated land is 0.5-1.0mu (including 1.0 mu), the amount standard of acquisition tax is 4-8 yuan/m².
(3) For the area where the average occupancy per head of cultivated land is over 1.0mu, the amount standard of acquisition tax is 3-7 yuan/m².
(4) For the acquisition of special vegetable land and fishpond for house building or other non-agricultural
The amount of acquisition tax is 10 yuan/m².

4. A Notice by Hunan Pro vincial Commodity Price Bureau and Finance Department about Reissuing Administration Institutional Charging Items and Standards of Hunan Province National Land Resource System

The degree area of Luxi County is the fourth class. The detailed standards for reclamation fee of cultivated land are listed as follows.
1) Paddy Field: 8000 yuan/mu;
2) Dry Farmland: 5000 yuan/mu.

5. Hunan Provincial Methods regarding Collection, Usage and Management of Rehabilitation Fee for Forest Vegetation (X CZ [2003] No.10)

Article 6: The expropriation standards of forest vegetation rehabilitation fee shall be determined according to the survey and design cost and the forestation and cultivation cost, which are needed for rehabilitating forest vegetation. And the rehabilitation area shall not be less than the forestland area in acquired or requisitioned land. The detailed expropriation standards are as follows:
1) For timber forest, economic forest, firewood forest and nursery land, it is 6 yuan/m²;
2) For immature forest, it is 4 yuan/m²;
3) For protection forest, it is 8 yuan/m², while for forest with special purposes, it is 10 yuan/m²;
4) For open woodland and shrub land, it is 3 yuan/m².
5) For suitable land for forest, clear cut area, burned land, it is 2 yuan/m²;

The forest land in city or in urban planning area, it can be charged according to 2 times of the standards above. For the forest land which is occupied by farmers for housing construction, no rehabilitation fee shall be charged during the period of the 10th 5-year plan.

Unless otherwise express provisions, no unit or individual has the rights to reduce or remit the rehabilitation fee.


The land requisition annual output standards in Jishou City, Xiangxi (west Hunan Province):
1) Paddy Field of Class I: 1650 yuan/mu; Paddy Field of Class II: 1400 yuan/mu;
2) Dry Farmland: 1050 yuan/mu
3) Special vegetable plot of Class II: 2300 yuan/mu

The adjustment coefficient of the enforcement standard in Luxi County is 0.9.

4.2 Relevant Articles of the ADB

4.2.1 Policy Bases

(1) Reluctant Resettlement Policy of the ADB (issued in November, 1995) and Resettlement Handbook of the ADB ---Doable Practice Direction (issued in 1998)
(2) Policy about national minorities of the ADB
(3) Policy about poor supporting of the ADB

4.2.2 Relevant Policies and Regulations

The Resettlement Policy of the ADB includes the principles as follows.
(1) Involuntary resettlement should be avoided where feasible.
(2) Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
(3) People unavoidably displaced should be compensated and assisted, so that their economic and social future would be generally as favorable as it would have been in the absence of the project.
(4) People affected should be informed fully and consulted on resettlement and compensation options.
(5) Existing social and cultural institutions of resatters and their hosts should be supported and used to the greatest extent possible, and resatters should be integrated economically and socially into host communities.
(6) The absence of a formal legal title to land by some affected groups should not be a bar to compensation; particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous peoples and ethnic minorities, and appropriate assistance provided to help them improve their status.

(7) As far as possible, involuntary resettlement should be conceived and executed as a part of the project.

(8) ADB policy requirements pay special emphasis on extreme poor families, women headed families, and other vulnerable social groups. These vulnerable groups should be provided special assistance so that their current status could be improved.

4.3 Compensation Standards for Project

4.3.1 Compensation Qualification

All the owners and users of the buildings and land in the area of project land acquisition demolition shall get reasonable compensation or help.

City Demolition Office will issue Houses Demolition Proclamation and publicizes the relocaters, relocated areas and demolition time limit, etc. within 3 days after issuing Houses Demolition and Relocation License; and notifies the relative departments in written form to stop processing the following procedures within the relocated areas in relocation time limit.

1) Release the procedures of business license using demolished house as business place.
2) The procedures of trade, exchange, division, donation, transfer and mortgage, etc. of the demolished house, excepting the effective judgements and procedures executed for adjudication issued by People’s Court or arbitration institutions.
3) Examination and approval procedures of new-building, expansion, rebuilding and character changing of houses or auxiliaries.

In this project, the cut-off date regulated by the government is considered as the date of finally determining that it is in accordance with the compensation conditions. People affected by the project include those who will lose land and house due to the project construction. The compensation or rehabilitation will be processed according to their loss type and quantity, and whether the loss is within the final construction drawing finished within the time limit regulated by the government; or will be treated as being temporarily affected in the construction period. After the cut-off date, the newly developed cultivated land, built houses or moved in persons in the project affected area will not meet the compensation or subsidy conditions.

4.3.2 Principles of Compensation Rehabilitation

1) The RAP should be based on the social and economic survey and the statistics of the physical indices surveyed in the affected project area. It should also conform to the current national and local land acquisition laws and policies and policy of involuntary resettlement established by ADB.

2) The engineering design should be optimized in order to protect the land and minimize the impact by the land acquisition and resettlement. To minimize the number of involuntary relocatees, the project should avoid the areas with high population density and multi-storied buildings as much as possible. Better construction methods and other measures should be taken to reduce the disturbance to people.

3) All the compensations and resettlements for the involuntary relocatees should be a part of the project. In order to benefit the relocatee, sufficient funds should be available to them.

4) It should be ensured that all the affected persons' loss caused by the project would be compensated before the remove. Reasonable resettlement and effective rehabilitation should be conducted and provide assistance for their temporary difficulties during transfer.

5) It should be ensure that, after the resettlement, the living conditions, productivity and income level of all affected persons could come back to or exceed the level without the project.
6) There is no deduction for depreciation or any kind of discount for house and other asset compensation, which should be based on replacement values. Compensation can be made in cash or in kinds (such as exchange of property rights). No matter by what means, the compensation should be enough to buy a house with similar structure and condition of the same size in the same area. The project sponsor has the responsibility to recommend affordable houses to the relocatees, and help them deal with the transactions (including some preferential benefits).

7) All the persons and buildings that are negatively affected by the project should be compensated. The compensation and help should not be canceled because of the incompleteness of residence register, lease and operation register.

8) No compensation or relocation could be given to the people who enters the project area and occupies any land or house beyond the deadline as stipulated. Anyone who refuses to sign the compensation for relocation contract or refuses to remove after the contract was signed will be treated according to relevant judicial programs or laws.

9) Relocatees' loss will be compensated during the moving and transfer process. The recommended host area should be provided with elementary basic infrastructure and service facilities.

10) Non-residential units' loss caused by remove and suspension of business will be compensated. Reconstruction within the affected areas and relocation in outside area should conform to the planning requirements, as well as the second-remove should be avoided in the coming days.

11) Vulnerable group should be treated reasonably. The project sponsor should help them with choosing and moving their houses.

12) The owners of the infrastructure should be compensated. The compensation should be used for the reconstruction of affected infrastructure and rehabilitation of the function.

13) Land acquisition and the loss caused by land acquisition should be compensated reasonably. Compensation for land acquisition will be paid to the collective organization to develop the collective economy, improve the public Facilities and provide rehabilitation to affected villagers. The resettlement subsidies will be paid to the resettlement sponsors or the resettled individuals to pay the insurance fee.

14) All the fees for land acquisition should be paid within three months after the compensation and resettlement program get approved. It should also be no later than the day the land is put into construction use.

15) Generally, the temporarily land acquisition should not be longer than two years. The user should restore the conditions of the occupied cultivated land within one year after its occupation. When the collective land is occupied, a temporary land acquisition contract should be signed between the temporary land occupier and the collective economic organization or the residential committee and compensation for temporary land acquisition should be paid. The temporary land acquisition compensation should cover the loss to the former owner and user of the land (including the agriculture taxes). The standard of compensation should be increased and the former user of the land should be resettled appropriately if the use purpose or property right of the land changes when it was returned. If the temporarily land acquisition exceeds two years, the acquisition procedure should be handled again.

16) In order to insure the living standards and income levels will not decrease, all the labor forces affected by the land acquisition and resettlement should be provided with employment opportunity. Rehabilitation by allocating replacement land is encouraged, supplemented by development of second and tertiary industries. The villagers can choose to find a job by oneself.

17) Encourage the relocatee to participate in the preparation of resettlement planning and the process of resettlement; let the relocatee know the compensation and resettlement policies and standards. It should widely collect opinions of the affected persons during survey, and incorporate them in the RP report.
18) Seriously consider the complaints made by the affected person and help them with their difficulties and inconvenience in land acquisition and relocation reasonably and practically. The problems or dissatisfactions with the compensation standards should be resolved mainly through negotiation. If negotiation does not work, arbitration even a country appeal could be carried out. Any compulsive actions by the resettlement sponsor should conform to relevant laws.

19) Relative organizations should cooperate together to intensify the resettlement organizations at all levels and train all the staff that will go to duties.

20) In the process of the project, the County PMO is responsible for monitoring the interior implement of the project, hiring an independent organization to do the exterior monitoring and submitting the monitoring report to ADB periodically. Resettlement Assessment will be carried out after the project.

21) Any important changes made in the implement of resettlement (such as decreasing the compensation standards, changing the location or scale of the land acquisition for the project, new sub-project, changing any sub-project into a domestic invested one) should be reported to ADB in advance. If necessary, the resettlement planning can be revised or other resettlement can be prepared.

22) If other non-ADB project demolition occurs ahead or simultaneously in the ADB project area, the ADB project can take the advantage of other project under the condition that all the compensation and resettlement standards accord to the resettlement planning.

4.3.3 Compensation Reference and Standard for Land Acquisition

4.3.3.1 Permanent Land Acquisition of Project

Collectively Owned Land

1) Compensation Standards for Cultivated Land Acquisition

Analysis on output value of the cultivate land

According to the relevant provisions of XZBF [2005] No.47 document, A Notice by General Office of Hunan Provincial People's Government about Issuing Land Requisition Annual Output Standards, the annual output value of paddy field is estimated at RMB1,373 yuan/mu, which is the average output value of Grade I and II paddy fields. The annual output value of paddy field is estimated at RMB945 yuan/mu. The annual output value of commercial vegetable plot is estimated at RMB 2,070 yuan/mu.

Multiple of Land Compensation and Resettlement Subsidy

According to the Land Administration Law of PRC, Hunan Province’s Measures of Implementing The Land Administration Law of PRC, Order No. 471 issued by the State Council of PRC, takes 10 times as the compensation multiples for the expropriated cultivated land and 6 times as the multiples of resettlement and subsidiary. Resultantly, the multiple of compensation and subsidy for cultivated land per mu is 16 times. The young crops with growing period less than 1 year shall be compensated based on 1 quarter’s output value. According to the cropping system of cultivated land in project area, the young crop fee shall be calculated on 40% of annual output.

Unit Price of Compensation

According to the cultivated land’s annual output per mu in the project area and the multiple of subsidy, the unit price of compensation is estimated at RMB 22.517 yuan/mu for paddy field, RMB 15,498 yuan/mu for dry land.

According to the XZF[1993] No. 2S Paper: Notice Concerning Further Implementation of Vegetable Basket Project, the compensation of commercial vegetable plot in Luxi County, as the region under administration of city, shall be calculated based on the sum of compensation unit price of paddy field and construction fund of new vegetable plot (RMB7,000 yuan/mu), viz: RMB40,948 yuan/mu.

2) Compensation Standards for Garden Land Acquisition

According to the relevant rules and regulations as stated in the Hunan Province’s Measures of Implementing The
Land Administration Law of PRC, the compensation fee for the expropriated garden will be in the range of 50% to 100% of neighboring paddy field, and the resettlement subsidy will refer to the rules of cultivated land.

The garden land expropriated by the project is orange garden. Since the orange variety is of poor quality, it is generally sold in the local market and the price is relatively low. According to the survey, analysis and calculation, the compensation fee for garden land shall be calculated on the basis of 60% of paddy field standard while the resettlement subsidy is on 100% of paddy field. Timbers and trees shall be compensated on the basis of 60 pieces/mu and 60 yuan/piece.

From the calculation, the compensation unit price of garden land is estimated at RMB20,076 yuan/mu.

3) Compensation Standards for Pond Acquisition
According to the relevant rules and regulations as stated in the Hunan Province's Measures of Implementing The Land Administration Law of PRC, the compensation fee and resettlement subsidy for the expropriated pond will be 100% of those of neighboring paddy field respectively.

From the calculation, the compensation unit price of pond is estimated at RMB 21,968 yuan/mu.

4) Compensation Standards of Housing plot
The residential land acquisition in this project is mainly housing plot of urban residents. According to factor of the demolished houses’ location, through the consultation among ADB Loan Project Office in Luxi County, units influenced by the project and competence departments, the land occupation of all the urban residential houses will be compensated as per 62 yuan per square meter. Based on this calculation, the unit price of land of demolished urban residential houses will be compensated based on RMB41,354 yuan per mu. Considering that the compensation for urban residence land is included in compensation standard for urban residential houses, no separate item will be included in the final resettlement budget.

5) Compensation Standards for Uncultivated Grassland
According to the relevant rules and regulations as stated in the Hunan Province’s Measures of Implementing The Land Administration Law of PRC, the compensation fee for uncultivated grassland as well as other unused land shall be compensated as per 20% of that of neighboring paddy field. But no resettlement subsidy will be paid to the barren hills and land.

The other land occupied by the project is mainly the wasteland. So only compensation fee will be paid for it and the resettlement subsidy will not be paid. The compensation unit price for this type of land will be calculated based on 20% of the compensation standard for paddy field, viz: RMB 2746 yuan/mu.

Compensation standards for various types of land occupied by the project are shown in Table 4.3-1.
Summary of Compensation Standards for Various Types of Land Permanently Occupied by Luxi County Urban Flood Control Project

Table 4.3-1

<table>
<thead>
<tr>
<th>Land Right</th>
<th>Land Type</th>
<th>Output Value</th>
<th>Compensation Multiple</th>
<th>Subsidy Multiple of Resettlement</th>
<th>Compensation Fee</th>
<th>Resettlement Subsidy</th>
<th>Compensation for Young Crops</th>
<th>Constructio n Fund for New Vegetable Plot</th>
<th>Compens ation Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective Land</td>
<td>Paddy Field</td>
<td>1373</td>
<td>10</td>
<td>6</td>
<td>13730</td>
<td>8238</td>
<td>549</td>
<td>22517</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dry Land</td>
<td>945</td>
<td>10</td>
<td>6</td>
<td>9450</td>
<td>5670</td>
<td>378</td>
<td>15498</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vegetable Plot</td>
<td>2070</td>
<td>10</td>
<td>6</td>
<td>20700</td>
<td>12420</td>
<td>828</td>
<td>7000</td>
<td>40948</td>
</tr>
<tr>
<td></td>
<td>Garden Land</td>
<td></td>
<td></td>
<td></td>
<td>8238</td>
<td>8238</td>
<td>3600</td>
<td>20076</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pond</td>
<td></td>
<td></td>
<td></td>
<td>13730</td>
<td>8238</td>
<td></td>
<td></td>
<td>21968</td>
</tr>
<tr>
<td></td>
<td>Other Land Use</td>
<td></td>
<td></td>
<td></td>
<td>2746</td>
<td></td>
<td></td>
<td></td>
<td>2746</td>
</tr>
<tr>
<td>State-owned Land</td>
<td>Residential Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Counted into the compens ation for urban houses.</td>
</tr>
</tbody>
</table>

4.3.3.2 Temporary Land Acquisition in this Project

The compensation fee for temporary land acquisition in this project includes the cost of young crops, compensation fee for land loss and the reclamation cost. Compensation fee for land loss is mainly used for compensating total amount of output or income of landowner from the original land, whereas the reclaiming expense is mainly used for reclaiming temporary land after occupation. Compensation fee for land loss is determined by the annual output value and occupation time of the land, whereas the reclamation cost is determined by actual expense of reclaiming.

1) The Unit Price of Temporary Land Acquisition Compensation

According to materials provided by design organization, temporary construction site in this project is mainly the waste grassland and little dry farmland with 2-year occupation time. The annual output value of dry farmland is 945 yuan per mu, and the cost of young crops is 378 yuan according to 40 percent of the annual output value; No compensation fee will be paid for the wasteland temporarily occupied.

According to the standard, the compensation unit price of the temporary land acquisition is as follows: dry farmland, 2268 yuan/mu.

2) The Expense of Reclaiming Temporary Land Acquisition

Based on Temporary Land Rehabilitation Plan in the project, both the restoration engineering measures and plant measures of temporary construction site are included in the soil and water conservation design. Only reclamation of the temporary dry farmland acquisition is planned in this report, and the reclaiming area is 2mu. Based on analysis on the engineering volume and the unit price that is necessary to reclaiming per mu cultivated land of the earth material site, the expense of reclaiming cultivated land is 3439 yuan per mu through calculation.

For details of analysis on the unit price of reclaiming cultivated land per mu, see Table 4.3-2.
Table 4.3-2

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Unit Price (yuan)</th>
<th>Quantity</th>
<th>Investment (yuan)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>3439</td>
<td></td>
</tr>
<tr>
<td>1. Earth work</td>
<td></td>
<td></td>
<td></td>
<td>3089</td>
<td></td>
</tr>
<tr>
<td>1.1 Clay cover</td>
<td>m³</td>
<td>6.5</td>
<td>333.5</td>
<td>2168</td>
<td></td>
</tr>
<tr>
<td>1.2 Arable layer backfilling</td>
<td>m³</td>
<td>2.95</td>
<td>200.1</td>
<td>590</td>
<td></td>
</tr>
<tr>
<td>1.3 Arable layer leveling</td>
<td>m²</td>
<td>0.75</td>
<td>333.5</td>
<td>250</td>
<td></td>
</tr>
<tr>
<td>1.4 Laying field ridge</td>
<td>m³</td>
<td>6.21</td>
<td>13</td>
<td>81</td>
<td></td>
</tr>
<tr>
<td>2. Soil maturizaition</td>
<td></td>
<td></td>
<td></td>
<td>250</td>
<td></td>
</tr>
<tr>
<td>2.1 Farm fertilizer</td>
<td>dan</td>
<td>1</td>
<td>50</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>2.2 Phosphorus fertilizer</td>
<td>kg</td>
<td>0.7</td>
<td>150</td>
<td>105</td>
<td></td>
</tr>
<tr>
<td>2.3 Carbamide</td>
<td>kg</td>
<td>1.3</td>
<td>50</td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>2.4 Potash fertilizer</td>
<td>kg</td>
<td>1</td>
<td>30</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>3. Field matching Facilities</td>
<td>mu</td>
<td>100</td>
<td>1</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

For details of standard for temporary land acquisition of in this project, see Table 4.3-3.

Table 4.3-3

<table>
<thead>
<tr>
<th>No.</th>
<th>Land Type</th>
<th>Average Annual Yield (yuan/mu)</th>
<th>Land Use Limit</th>
<th>Land Loss Fee (yuan/mu)</th>
<th>Compensation Standard</th>
<th>Fee for Young Crops (yuan/mu)</th>
<th>Reclamation Fee (yuan/mu)</th>
<th>Total (yuan/mu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dry Land</td>
<td>945</td>
<td>2 years</td>
<td>1890</td>
<td>378</td>
<td>3439</td>
<td>5707</td>
<td></td>
</tr>
</tbody>
</table>

4.3.4 Relocation Compensation Reference and Standards for Residential House and Auxiliaries

1) Residential House

The dwellers’ residential houses in project area are mainly rural houses and mostly brick concrete and brick wood structures. To constitute reasonably compensation standards to make relocated household acquire the compensation equal to the replacement value, we investigated and analyzed the resettlement prices of rural
brick concrete buildings and brick wood houses in the area affected by the project at the same time of investigating physical indices (For details of the analysis on replacement values, see Table 4-3-4). The price of materials will be analyzed and determined based on that in the fourth quarter of Luxi County. For urban residential houses, the replacement value for brick-wood structures is 302 yuan/m². In general, these compensation rates will be used by the resettlement office as lowest limit. The implemented compensation rates will be based on actual appraised values in the project areas.

Considering the different rate of decoration and building materials of residential houses in the project area, compensation standards for residential house with various types of structure in this project can fluctuate within the range of ten percent or so, see Table 4.3-4 for details.

**Analysis and Calculation Table of Replacement Value of Structure Classification Unit Area of Urban Residential House in Luxi County**

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Unit Price (yuan)</th>
<th>Brick-wood Structure Amount (yuan)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Direct Cost</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(I) Basic Direct Cost</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Cost of Materials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rolled Steels</td>
<td>kg</td>
<td>3.8</td>
<td>4.2</td>
<td>15.96</td>
</tr>
<tr>
<td>Small Grey Tile</td>
<td>Piece</td>
<td>0.1</td>
<td>180</td>
<td>18</td>
</tr>
<tr>
<td>Cement</td>
<td>kg</td>
<td>0.28</td>
<td>50.1</td>
<td>14.03</td>
</tr>
<tr>
<td>Timber</td>
<td>m³</td>
<td>542</td>
<td>0.1</td>
<td>54.2</td>
</tr>
<tr>
<td>Cast Iron Pipe</td>
<td>kg</td>
<td>3.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Felt</td>
<td>m²</td>
<td>2.23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asphalt</td>
<td>kg</td>
<td>2.49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glass</td>
<td>m²</td>
<td>27.98</td>
<td>0.15</td>
<td>4.2</td>
</tr>
<tr>
<td>Brick</td>
<td>Piece</td>
<td>0.165</td>
<td>202</td>
<td>33.33</td>
</tr>
<tr>
<td>Lime</td>
<td>kg</td>
<td>0.12</td>
<td>55</td>
<td>6.6</td>
</tr>
<tr>
<td>Sand</td>
<td>m³</td>
<td>48.1</td>
<td>0.23</td>
<td>11.06</td>
</tr>
<tr>
<td>Macadam</td>
<td>m³</td>
<td>32.8</td>
<td>0.05</td>
<td>1.64</td>
</tr>
<tr>
<td>Nail</td>
<td>kg</td>
<td>7</td>
<td>0.5</td>
<td>3.5</td>
</tr>
<tr>
<td>Other Materials</td>
<td></td>
<td>6.00%</td>
<td>9.75</td>
<td></td>
</tr>
<tr>
<td>2. Labor Cost</td>
<td>Labor day</td>
<td>26.5</td>
<td>2.95</td>
<td>78.18</td>
</tr>
<tr>
<td>(II) Other Direct Cost</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II. Indirect Cost</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>III. Construction Profit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV. Tax</td>
<td>m²</td>
<td>3.41%</td>
<td>9.36</td>
<td>3.41% of Item 1-3</td>
</tr>
<tr>
<td>Round-off Value</td>
<td>yuan</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Compensation Standard for Housing Relocations in Luxi County Urban Flood Control Project

Table 4.3-5

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Structure</th>
<th>Unit</th>
<th>Unit Price of Replacement</th>
<th>Land Price</th>
<th>Compensation Standard</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick-wood</td>
<td>yuan/m²</td>
<td>302</td>
<td>62</td>
<td>364</td>
<td>Fluuctant Amplitude 328～401</td>
<td></td>
</tr>
<tr>
<td>Simple</td>
<td>Structure</td>
<td>yuan/m²</td>
<td>80</td>
<td>80</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2) Auxiliary Facilities

Compensation for auxiliary facilities in this project is determined by similar project in this province and the unit price of current building materials in Luxi County. For details, see Table 4.3-6.

Compensation Standard for Auxiliary Facilities of Houses and Fruit Trees in Luxi County Urban Flood Control Project

Table 4.3-6

<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>Unit</th>
<th>Compensation Standard</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bounding Wall</td>
<td>yuan/m²</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Cement Sunny Ground</td>
<td>yuan/m²</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Earth Sunny Ground</td>
<td>yuan/m²</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Protection Pit</td>
<td>yuan/m³</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Orange Trees</td>
<td>yuan/piece</td>
<td>210</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Miscellaneous Fruit Trees</td>
<td>yuan/piece</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Timber Trees</td>
<td>yuan/piece</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Tomb</td>
<td>Piece</td>
<td>3000</td>
<td></td>
</tr>
</tbody>
</table>

3) Compensation for Infrastructure

Compensation for infrastructure mainly includes investment of resettlement housing plots, including leveling, and facilities construction such as water supply, electricity, and road access. According to resettlement plan, the urban residents will be resettled at Tongbao development zone. The current infrastructures in the resettlement site are well-developed. For all the resettlers in the new resettlement site, using existing water supply, power network and road access, the issue of providing related infrastructure could be solved.

According to landform of resettlement site in this project area and with reference to other provincial similar projects, the project compensation fee for infrastructure such as site leveling, drinking facilities and lighting facilities is set at per capita 1500 yuan.

4) Moving and Transfer Allowance

For resettlers affected by land acquisition relocation, although most of them will be relocated not far away, in the local region, it is inconvenience for rebuilding houses in such relative tight schedule, thus the moving and transfer allowance will include moving expense, living allowance, temporary housing allowance, second moving expenses, and so on. The transfer period is set at three months.

Moving expense includes fares of vehicles boats, material transport cost, and material loss expense.
Compensation fee is set at 100 yuan per person;
Living allowance includes meal and lodging expenses as well as medical care during moving, and loss working time because of moving. Compensation fee is set at 100 yuan per capita;
Temporary housing allowance refers to paying temporary housing expenses by resettlers before their new houses are built. A large majority of the resettlers belong to non-rural population. They will have to rent the temporary residential houses, and the temporary housing allowance is set at 300 yuan per capita;
Second moving cost mainly refers to the cost of moving from temporary residential houses to their new houses. It is set at 100 yuan per person.

4.3.5 Compensation Reference and Standard of Special Facilities Affected by the Project

1) Transportation Facilities

Accumulation of project area transportation facilities recovering and rebuilding compensation investment shall accord to the following stipulations: JGLF Document No. [1996] 612 Highway Basic Construction Project Budgetary Estimate and Budget Compiling Method issued by Ministry of Communications; XJZZ Document No. [1996] 533 Notice on Compensatory Regulation of Formulating Highway Basic Construction Project Valuation, Budgetary Estimate and Budget Compiling Method issued by Department of Communications of Hunan Province; JGLF Document No. [1996]612 Highway Project Budgetary Estimate Quota and Basic Price Table of Highway Project Budgetary Estimate Quota issued by Ministry of Communications; According to the analysis and calculation and with the reference to the compensation standard for other projects, unit price of traffic facility rebuilding compensatory of the project is determined as follows: footbridge is 8000 yuan/piece.

4.4 Table of Entitlement Matrix

According to the on-spot investigation conducted by PMO and resettlement design unit, main impacts on land acquisition and demolition have been confirmed on the basis of natural loss, and entitlement matrix table can be used as the basis of paying the compensation. For details, see Table 4.4-1.
## Rights and Interests of Relocatees in Xiangtan City Urban Flood Control Project

<table>
<thead>
<tr>
<th>Affected Type</th>
<th>Affected Object</th>
<th>Responsible Agency</th>
<th>Policy of Land Acquisition and Resettlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban residential house and accessoriel building</td>
<td>Relocatee</td>
<td>County PMO, County Land Resource Bureau</td>
<td></td>
</tr>
</tbody>
</table>

1. The compensation of all the houses shall be obtained according to replacement value, and no depreciation charge is allowed. Available materials belong to the relocatees, and they also can use them to build new house. These compensation rates will be used by the resettlement office as the lowest limit. The implemented compensation rates will be based on actual appraised values in the project areas. And the compensation for infrastructures will be considered as 1500 yuan per capita.  
2. Relocatee shall get the notice three months before the construction of new houses, and they shall have at least two to three months to build the house. Discuss the arrangement of house building time fully with the relocatee in village and town, and it is better to arrange it in slack season. Moving and transfer allowance will be considered including moving cost, living allowance, medical expense, temporary house transfer and second-time moving charge. And the transfer period is three months.  
3. Effective measures shall be employed by the resettlement institution in the course of implementation to help the vulnerable (the old, the handicapped, the weak and woman-headed households): the subsidy of building new houses for specially poor family is 3000 yuan per household, the living allowance for the vulnerable family is 600 yuan per person. And the Township (Town) Committee and Village Committee shall assist them to build the house and help them move into the new house by consulting them.  
4. Compensation fee for house shall be paid to the relocatee before the construction of new house. If the installment plan is adopted, the final cost shall be paid to them before the completion of new house.  
5. The resettler can lodge appeal for any aspects of the resettlement, including the compensation standard. No expense shall be paid to the organ dealing with resettlers' appeal.

<table>
<thead>
<tr>
<th>Compensation Standard (yuan/Unit)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Compensation Item</strong></td>
</tr>
<tr>
<td>Compensation for residential houses</td>
</tr>
<tr>
<td>Brick wood structure</td>
</tr>
<tr>
<td>Simple structure</td>
</tr>
<tr>
<td><strong>Auxiliary Facilities</strong></td>
</tr>
<tr>
<td>Bounding Wall</td>
</tr>
<tr>
<td>Cement Sunny Ground</td>
</tr>
<tr>
<td>Earth Sunny Ground</td>
</tr>
<tr>
<td>Protection Pit</td>
</tr>
<tr>
<td><strong>Infrastructure Compensation</strong></td>
</tr>
<tr>
<td>Site-leveling, drinking and lighting</td>
</tr>
<tr>
<td><strong>Demolition Subsidy</strong></td>
</tr>
<tr>
<td>Moving charge</td>
</tr>
<tr>
<td>Living allowance</td>
</tr>
<tr>
<td>Temporary house subsidy</td>
</tr>
<tr>
<td>Affected Type</td>
</tr>
<tr>
<td>-----------------------</td>
</tr>
<tr>
<td>Scattered Trees and</td>
</tr>
<tr>
<td>Tombs</td>
</tr>
<tr>
<td>Permanent land</td>
</tr>
<tr>
<td>land acquisition</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Affected Type</th>
<th>Affected Object</th>
<th>Compensation Standard (yuan/Unit)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Item</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Standard (amplitude)</td>
</tr>
<tr>
<td>Scattered Trees and</td>
<td>Orange Trees</td>
<td>210 yuan/piece</td>
</tr>
<tr>
<td>Tombs</td>
<td>Miscellaneous Fruit Trees</td>
<td>150 yuan/piece</td>
</tr>
<tr>
<td></td>
<td>Timber Wood</td>
<td>150 yuan/piece</td>
</tr>
<tr>
<td></td>
<td>Tombs</td>
<td>3000 yuan/piece</td>
</tr>
<tr>
<td></td>
<td>Paddy Field</td>
<td>22517 yuan/mu</td>
</tr>
<tr>
<td></td>
<td>Dry Farmland</td>
<td>15498 yuan/mu</td>
</tr>
<tr>
<td></td>
<td>Commercial Vegetable Plot</td>
<td>40498 yuan/mu</td>
</tr>
<tr>
<td></td>
<td>Garden Land</td>
<td>20076 yuan/mu</td>
</tr>
<tr>
<td></td>
<td>Shrub Forest Land</td>
<td>9691 yuan/mu</td>
</tr>
<tr>
<td></td>
<td>Timber Forest</td>
<td>10160 yuan/mu</td>
</tr>
<tr>
<td>Affected Type</td>
<td>Affected Object</td>
<td>Responsible Agency</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary land use</td>
<td>Contractor</td>
<td>County PMO, County Land Resources Bureau and Contractor</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special facility</td>
<td>Owner of the property right</td>
<td>County PMO, relative professional departments</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
5. Resettlement and Rehabilitation Measures

5.1 Resettlement Objectives

5.1.1 General Objectives
Make proper compensation and appropriate resettlement in order to insure the productivity, income level and living conditions of the affected people could be restored or improved.

5.1.2 Resettlement Tasks
1) Economic Rehabilitation Populations
   As the subproject is linearly distributed along the upper reaches of the Yuanshui River, there is only limited amount of cultivated land in the land acquisition area. According to the detailed survey, the project will permanently occupy 77.7 mu land and 71 households and 272 persons, and the average land loss per capita is 0.29 mu. In terms of number of people who need economic rehabilitation, which refers those who would lose their farmland holding. It is calculated by dividing amount of acquired farmland in each affected village group by the per capita farmland holding in that village group. The calculation formula is as follow:

   \[ K = K' \times \frac{S}{S'} \]

   Where: K stands for the number of people who need economic rehabilitation in every villagers group.
   S stands for the area of occupied cultivated land due to the project in every villagers group;
   S' stands for the existing per capita cultivated land in every villagers group;
   K' stands for the existing number of agricultural populator of each villagers group.

   According to the above formula, in the project affected area, there are 237 agricultural persons requiring economic rehabilitation. The calculation of economic rehabilitation population in every villager’s group is shown in details in Table 5.1-1.
Comparison before and after the Land Acquisition of Urban Flood Control Project

Table 5.1-1

<table>
<thead>
<tr>
<th>Township</th>
<th>Village (Residential Committee)</th>
<th>Group</th>
<th>Agricultural Population</th>
<th>Cultivated Land (mu)</th>
<th>Cultivated Land Occupied by the Project (mu)</th>
<th>Cultivated Land Acquisition Percent (%)</th>
<th>Population in need of Economic Rehabilitation (Person)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total</td>
<td>Paddy Field</td>
<td>Dry Farmland</td>
<td>Total</td>
<td>Paddy Field</td>
</tr>
<tr>
<td>Baisha Town</td>
<td></td>
<td>1</td>
<td>1152</td>
<td>371.36</td>
<td>130.03 14.81 226.52 0.32 77.7</td>
<td>45.58 4.7 27.42 20.92 237</td>
<td></td>
</tr>
<tr>
<td>Quwang Village</td>
<td></td>
<td>2</td>
<td>1152</td>
<td>371.36</td>
<td>130.03 14.81 226.52 0.32 77.7</td>
<td>45.58 4.7 27.42 20.92 237</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Group 1</td>
<td>749</td>
<td>230.2</td>
<td>84.7</td>
<td>9.6 135.9 0.31 41.68 22.88 3</td>
<td>15.8 18.11 134</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Group 2</td>
<td>403</td>
<td>141.16</td>
<td>45.33</td>
<td>5.21 90.62 0.35 36.02 22.7 1.7</td>
<td>11.62 25.52 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td>HHs</td>
<td>263</td>
<td>84.16</td>
<td></td>
<td></td>
<td>77.7</td>
<td>90%</td>
</tr>
</tbody>
</table>
2) Resettlement Population of House Demolition and Relocation

According to on-site investigation, the demolition of residential houses of the project will affect 1 town and 1 village. The house to be demolished in the project is 2345.78m², and 31 households and 155 persons should be relocated, and all of them are urban residents, in addition, they need relocation and new house construction. The statistics of resettlement population of house demolition and reconstruction in the project area is shown in details in Table 5.2-2.

Statistics of Demolition under Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Affected Type</th>
<th>Township (Town and Sub-district)</th>
<th>Village</th>
<th>In Need of Being Resettled</th>
<th>Number of Households</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Urban Residential Houses</td>
<td>1</td>
<td>1</td>
<td>31</td>
<td>155</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Baisha Town</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.1.3 Affected Population Due to the Temporary Land Acquisition

The areas of temporary acquisition lands in this project total 18 mu, including dry lands of 2 mu and wasteland of 16 mu. It will affect 1 town, 1 administrative village, and 2 households and 9 persons will be actually affected.

During the period of temporary land occupancy, the affected villagers will get the compensation by years. After construction period, the measures of affected land recovery, planting measures and the temporary pile stock yard for the cultivated soil will be cooperated into the water & soil conservation design. The temporarily acquisitioned land will be reclaimed by use of the reclaimed cost and leveled, then returned to the affected farmers.

5.2 General Strategy of Resettlement

The construction of Luxi County Flood Control Project, Hunan Province only affect few houses and land in the villages (residential committees) along the flood-control dike and has no serious negative effect on the productivity and living conditions in most of the affected villages (residential committees). The opinions of relocatees will be gathered widely by means of participatory planning in the affected townships (Sub-districts) and villages. According to the opinions and suggestions held by the relocatees and the situations in the affected areas, the general scheme of restoration has been established as follows:

1) Based on the general urban planning of Luxi County, in principle, no housing plot will be arranged for affected urban residents, the resettlement of exchanging property rights will be mainly adopted for resettlement.

2) Rural residents (agricultural population) who are affected by relocation will adopt the scattered resettlement in the original place. By this means, the production and living styles and the social relation of resettlers can be kept, which benefits the recovery and improvement of their production and income level after land acquisition and demolition, as well as the increase of their enthusiasm and adaptability for production and livelihood.

3) Concerning the production, the affected farmer households will be relocated by means of developing greenhouse vegetable, and secondary and tertiary industries so as to ensure the recovery or improvement of their production and living standards.

5.3 House Relocation

5.3.1 Choice of Rehabilitation Method

In March 2008, the resettlement design unit carried out the on-site investigation, optimization and demonstration in collaboration with the Employer unit and the local governments at various levels. According to the practical situations of project-affected area and resettlers’ opinions, the mode of the concentrated resettlement by property rights exchange has been adopted for the resettlers’ relocation in this project, therefore, the land acquisition
could be saved, and it meets the urban development planning demand.

A contract on the compensation methods, the sum of compensation fee, the area and site of relocation houses, the time limit of relocation, and the methods and time limit of transfer should be signed between the resettlers and the project sponsor or the land acquisition implementation agency. Based on the resettlers' opinions, the resettlers have the rights to choose different resettlement scheme and resettlement locations.

5.3.2 Principle and Procedure for Selecting Resettlement Sites

1) Principles
The aim of rehabilitation of housing condition is to provide the relocated households with safe, convenient and graceful living environment.

① The new residential areas should have good terrain and geological conditions and reliable drinking water source.

② The location of new residential areas should be compatible with the economic rehabilitation plan.

③ The location of new residential areas should be convenient for production, living and management.

④ Save land, especially the cultivated land, as much as possible.

⑤ Take the future population increase into account and leave rooms for further development.

⑥ The distribution of houses in the residential areas should be based on the terrain conditions and take the lighting, ventilation, sanitation and greening conditions into account.

⑦ The design of houses should meet the requirements of the relocatees and their financial abilities.

2) Procedures
Based on the above principles, after on-site investigation and analyzing the terrain, geological, traffic, power and water source conditions, the location of new residential area is selected after negotiation with representatives of relocatee and local government, taking the relocatees' living and production conditions into account.

5.3.3 Planning of Demolition and Housing

According to the investigation of resettlers' will, 155 resettlers in 31 households would like to choose exchange of property rights, they ask for the resettlement houses that occupy the same area as the former one under the uniform arrangement of the government. According to the principle of “unified planning, unified design, unified distribution, unified management and unified construction” in the Urban Planning, the Project Executive Agency and Implementation Agency of land acquisition and house demolition will cooperate with local government to decide and develop new centered resettlement sites, and build the flat-type residents for the resettlers' selections.

The specific compensation resettlement of exchange of property rights of this project are shown in the following:

a) Cash should be paid additionally for the part exceeding the area, as for area exceeding 15% of the original house, it should be paid additionally based on compensation price of the original house; the price for extra area should be multiplied with certain coefficient based on the floor of the new house, but the max. should not exceed 20% of the original house price;

b) The project executing agency will provide the information of new house to relocation households, including house structure, area, and floor. The project will build houses with following areas according to procurement ability of the relocation households: two rooms with two reception rooms 75m², three rooms with two reception rooms 90 m², and four rooms with two reception rooms 120 m²;

c) The standard for new houses is uniform door and window installation, uniform decoration of external walls, as well as cement ground, putty inner wall, and sufficient water and power supply;

d) The new houses after property rights exchanging could only be sold in the market after the completion of commercial housing sales by the developer.

See table 5.3-1 for details of the relocation and house building planning of the project area.
Planning Table for the Population Resettled by Building Houses

Table 5.3-1

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Town (Sub-district)</th>
<th>Village</th>
<th>Group (No.)</th>
<th>Number of Household (Household)</th>
<th>Total Resettled Population (Person)</th>
<th>Resettled by Shifting Property Right</th>
<th>Resettled Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Urban Residence</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>31</td>
<td>155</td>
<td>155</td>
<td>Baisha Town</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Quwang Village</td>
</tr>
</tbody>
</table>

5.3.4 Infrastructure and Public Facilities

31 households with 155 persons will choose the property right exchange and concentrated resettlement, which is currently the dry land with easy access by the existing roads.

a. Leveling the field: dry farmland with an area of 7 mu will be leveled and planned for urban construction land and reconstruction of the houses.

b. Electricity power facilities: By making use of the existing electrical lines, reconstruction will be made and 1 50kV A transformer will be added after the concentrated resettlement.

c. Drainage facilities: Closed drain ditches will be adopted in the resettlement site. The main drain will be laid at both sides of the road and the sewage and rainwater will be drained together. The main drain will have a total length of 2.7km and the branch drain 1.2km.

d. Water supply facilities: Water will be supplied from the county waterworks.

e. Others: Since the resettlement location is not far away from the existing residential area, there is no need to add other facilities such as school and hospital. The existing social service system is still available to the resettlers when they need to go to school or see a doctor.

The Sub-district and the village will be responsible to construct infrastructures and public facilities in the resettlement location and the investments will be covered by the compensation for infrastructures.

5.3.5 Assistance in Resettlement

The land acquisition and resettlement implementation agency will be responsible for assisting resettlers at every aspect during the entire process of the resettlement:

1) Understand and try to satisfy the resettlers’ needs before the resettlement.
2) Help the resettlers dealing with their troubles such as arranging the vehicles and assisting the remove during the process of resettlement.
3) To know that whether resettlers satisfies with the living conditions in their new houses and where are their difficulties and try to solve their problems in time after the resettlement.

5.4 Livelihood Rehabilitation of Resettlers

5.4.1 Environmental Capacity Analysis

The environmental capacity of resettlement area is refers to the number of resettlers that an area can support and absorb with normal economic and ecological sustainability. The scope of this investigation on resettlement’s environmental capacity is based on the rehabilitation scheme that is proposed in Resettlement Plan.

As majority of the farmland in project areas have been in possession of others, the agricultural populations who finally need rehabilitation by land have to share original land resources with residents in the same villages, and are guaranteed to get mutual benefit with local residents. To achieve this objective, a series of measures should
be taken to increase agricultural income, such as increase investment on agriculture, improve fertility of field, change variety of crops, transform low-yield fields and change dry farm lands into paddy fields.

The analysis on the change of land holding among affected villages and groups (Table 5.2.1) indicates: the current cultivated land per person in 1 village is 0.32mu, which will be reduced to 0.25mu after land acquisition, decreased by 0.07mu per capita or 20.92%. Of which:

After land acquisition, among affected 1 village and 2 groups, the surplus cultivated land per capita is below 0.5mu. The main reason for such a situation is that as all these villages are located in the urban planning area of Luxi County, so in recent years most of cultivated land among these villages had been acquired following the rapid development and expansion of Luxi County. Since for those agricultural populations who need rehabilitation by farmland, they have to share limited land resources with residents in the affected villages, the limited land holding makes it hard to guarantee mutual benefit for both resettlers and local residents. Concerning this, other related measures should be carried out to provide economic rehabilitation for those village groups with per capita farmland below 0.5 mu/person after land acquisition, which include providing cash compensation to the affected persons for other economic activities development (such as green house vegetables development) or non-agricultural economic development (such as developing the second and tertiary industries), so as to increase their income, as well as improve their poverty situation.

Therefore, the Resettlement Plan shall be established based on the land and developmental resettlement, and encouraging the resettlers to engage in original sectors, so as to create a favorable condition for development of secondary and tertiary industries, and consequently satisfy the environment capacity in the project affected area.

5.4.2 Economic Rehabilitation Objective for Resettlers

The reconstruction and rehabilitation of production and livelihood is the key standard to judge the feasibility of resettlement. In order to ensure that the livelihood of resettlers will not decrease, the rehabilitation and improvement of resettlers’ current net income per capita as the objective of resettlement planning.

In March 2008, with the assistance of county PMO and government at each level, the resettlement design unit investigated the affected farmers on their household properties, income and expenditure conditions, and listed the information household by household. According to the analysis on the income and expenses of agricultural family, in 2006, the net income per capita in project area was RMB 1832 yuan. No matter with or without the project, the social economic level of the project area has been increased, and the per capita net income has been increased too. During 2004~2006, the growth rate of the annual per capita net income of rural persons in the project area is 4.3%. In order to guarantee that the resettlers will reach or exceed their former living standard after relocation, till the works completion (calculated by four years), the net income per capita must reach or exceed RMB 2168 yuan.

5.4.3 Economic Rehabilitation Standard

According to the agricultural means of production status and local agricultural production level in project area, the input and output level analysis has been conducted for the economic rehabilitation project for resettlers in project area, and the economic rehabilitation standard is comprehensively determined as follows: The vegetable greenhouse shall be developed at the standard of 1 greenhouse per person (viz.0.25mu/person); according to land loss degree of affected persons and similar works in the district, the input standard of the development of the secondary and tertiary industries is determined as 10000 yuan /person.

5.4.4 Economic Rehabilitation Planning

In March 2008, the resettlement design unit and the county PMO, together with the relevant department, conducted the on-site survey on the project affected land, water surface, and other natural resources. In the course of resettlement planning and project impact investigation, the consultation meeting with the project affected town (sub-district), village cadres, and some resettler representatives have been held, and the economic rehabilitation schemes for resettlers was discussed.

Through the analysis on the geographic locations, land resources ownership, income structure of local residents,
and based on the extensive consultation with the resettlers, the overall economic rehabilitation scheme was developed as follows: According to the agricultural means of production status and local agricultural production level in project area, the input and output level analysis has been conducted for the economic rehabilitation project for resettlers in project area. The general economic rehabilitation scheme is as follows: development of green house vegetable of 7mu to resettle 28 persons; development of the secondary and tertiary industries to resettle 209 persons.

1) Developing Green House Vegetable
As the cultivated land occupation is few within the project area, no rural households will lose the cultivated land and living sources after land occupation, according to the selection of most resettlers, direct cash compensation resettlement will be adopted for the affected farmers, and no cultivated land adjustment will be carried out. The affected farmers plan to utilize the compensation fee for developing green house vegetables land, which can meet the urban residents' requirement in one hand, and in the other hand, the economic production of resettlers can be well solved and their income can be increased. It is planned to develop 7 mu of green house vegetables land, by which 28 persons can be resettled.

2) Developing the Second and Tertiary Industries
Based on the investigation, rural households who are affected by land occupation has been included in the urban population plan, many persons with high enthusiasm are engaged in secondary and tertiary industries, so such secondary and tertiary industries can be developed by taking the above advantages and providing technical training and guidance, and consequently resettle 209 persons.

See Table 5.4-2 for details about the economic rehabilitation plan for resettlers.
Economic Rehabilitation of Resettlers in Luxi County Urban Flood Control Project

### Table 5.4-2

<table>
<thead>
<tr>
<th>Town</th>
<th>Village</th>
<th>Group</th>
<th>Total Resettled Population (person)</th>
<th>Large-scale Agriculture Greenhouse Vegetable</th>
<th>Second and Tertiary Industries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Area (mu)</td>
<td>Resettled Population (Person)</td>
</tr>
<tr>
<td>Baisha Town</td>
<td>7</td>
<td>2</td>
<td>237</td>
<td>7</td>
<td>28</td>
</tr>
<tr>
<td>Quwang Village</td>
<td>1</td>
<td>237</td>
<td>7</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>Group 1</td>
<td>134</td>
<td>3</td>
<td>12</td>
<td>Building and dining industries</td>
<td>122</td>
</tr>
<tr>
<td>Group 2</td>
<td>103</td>
<td>4</td>
<td>16</td>
<td>Transportation and service industries</td>
<td>88</td>
</tr>
</tbody>
</table>

5.4.5 Investment of Economic Rehabilitation

1) Development of Greenhouse Vegetable

The project area will take the improvement of planting structure and strengthening the field management to offset the loss due to partial cultivate lands occupied. According to the analysis on unit prices for the projects to be developed, four greenhouses can be set on the land of one mu, based on 0.25mu for each greenhouse, and CNY 14685 yuan shall be invested for changing the paddy field of one mu to vegetable greenhouse, based on the construction cost of CNY 3679 for one greenhouse. For details, see Table 5.4-3.

### Table 5.4-3

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Unit price (yuan)</th>
<th>Qty</th>
<th>Amount (yuan)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Project investment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Shed Piece</td>
<td></td>
<td>1850</td>
<td>1</td>
<td>1850</td>
<td></td>
</tr>
<tr>
<td>1.2 Labor force</td>
<td>Work-day</td>
<td>20</td>
<td>10</td>
<td>200</td>
<td>Including site clearance and shed frame erection</td>
</tr>
<tr>
<td>2. Supporting facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 Water resource facilities</td>
<td>Yuan</td>
<td>120</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Operation cost</td>
<td></td>
<td></td>
<td></td>
<td>1168</td>
<td></td>
</tr>
<tr>
<td>3.1 Seed</td>
<td>Yuan</td>
<td></td>
<td></td>
<td>700</td>
<td></td>
</tr>
<tr>
<td>3.2 Farm manure</td>
<td>T</td>
<td>140</td>
<td>2</td>
<td>280</td>
<td></td>
</tr>
<tr>
<td>3.3 Chemical fertilizer</td>
<td>Kg</td>
<td>1.24</td>
<td>55</td>
<td>69</td>
<td></td>
</tr>
<tr>
<td>3.4 Medicine</td>
<td>kg</td>
<td></td>
<td></td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>4. Technical service fee</td>
<td></td>
<td>166.5</td>
<td>5% of total of Items 1~3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Contingency cost</td>
<td></td>
<td>174.8</td>
<td>5% of total of Items 1~4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Total</td>
<td></td>
<td></td>
<td></td>
<td>3679</td>
<td></td>
</tr>
</tbody>
</table>

A total of 7mu greenhouse vegetable is proposed to be development in project area, with total investment of RMB 0.1028 million yuan.

2) Developing Secondary and Tertiary Industries

The planned development of the secondary and tertiary industries is mainly to adopt the cash compensation, and it will directly paid to affected rural households, and they could use these compensation fees to undertake the secondary and tertiary industries and other activities to create revenues. According to the compensation standard of CNY 10,000 yuan per person, the required investment is CNY 2.09 million totally.

According to above analysis and calculation, the funds of CNY 2.1928 million are needed for economic rehabilitation of the project area. For details, please see Table 5.4-4.
Estimate of Investment for Economic Rehabilitation of Resettlers

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Unit price (yuan)</th>
<th>Qty.</th>
<th>Investment (10000 yuan)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>219.28</td>
</tr>
<tr>
<td>1. Development of Greenhouse Vegetable</td>
<td>mu</td>
<td>14685</td>
<td>7</td>
<td>10.28</td>
<td></td>
</tr>
<tr>
<td>2. Secondary and tertiary industries</td>
<td>person</td>
<td>10000</td>
<td>209</td>
<td>209</td>
<td></td>
</tr>
</tbody>
</table>

5.4.6 Balance between Resettlement Budget and Production Investment

According to the relevant resettlement articles written as follows: "Land compensation fee and resettlement subsidies are used by the units with land acquired for production rehabilitation and development, and arranging the employment for the surplus labor forces caused by the land acquisition and livelihood subsidies for people incapable for work. It can also be contracted to the city (city) and be unifiedly allocated by the city (city) for land exploitation, resettlers' production and livelihood resettlement for resettlers. But these special funds must be specially used. The funds shall not be privately shared or used for other purposes." In case that the land compensation and resettlement subsidies cannot meet the requirements of resettlers' production and resettlement, the resettlement subsidies can be increased according to the situation. Therefore, the land compensation fee and resettlement subsidies, as the only fund resource of the resettlers' production and resettlement, must be equal to or a little more than the total investment of production resettlement.

Based on the economic rehabilitation planning, 237 persons need economic rehabilitation, and the investment of CNY2.1928 million is required for production development (Details are presented in Table 5.4-4). The permanent land acquisition compensation fee for the collectively-owned land in the project area is CNY3.6937 million in total, which is higher than the investment for its economic rehabilitation. This indicates that the land compensation standard is relatively suitable, and can meet the fund requirement of resettlers' production resettlement. The fund margins can be unitedly used for continuous development by each village group, such as launching village-owned enterprises, land resources development and used as fund investment for other projects as improving low-yield farmland and converting dry farmland to paddy fields, etc., so as to ensure the resettlers' living standard to reaches or exceed their original standard.

5.4.7 Forecast of Economic Income Level

Resettlement production development means to combine resettlement with project construction, resource exploitation, soil and water conservation and economic development and make resettlement production reach or exceed intrinsic living condition step by step. Planning scheme of production development is brought out on the basis of natural and social economic characters of project region and collecting opinions of resettlement. Analysis of output profits of its developing items is as followings:

1) Green house vegetables: The production cost of normal year of each green house vegetable is 1160 per year (including operation cost and technical service charge) and each greenhouse can yield 4000kg of counter season vegetables. Each greenhouse can add the annual profit of RMB 2577.5 yuan, which is beyond the net income per capita (RMB 2231 yuan) in project region if the profit of vegetable per kg is calculated as one yuan and the cost and former land profit are deducted (the former land profit is RMB 262.5 yuan if the annual output value of dryland is RMB 1050 yuan /mu and each greenhouse occupies 0.25 mu).

2) The secondary and tertiary industries: Resettlers could undertake business, conveyance, services, and the secondary and tertiary industries, as annual revenues could be higher than 10000 yuan, their original living level could be guaranteed.

5.4.8 Rehabilitation Measures for Resettlers' Economic Income

The project implementation agency will offer help and support to the resettlers as much as possible during the whole course of resettler livelihood recovery in this project. They include:

1) Distribute resettlement subsidy and help resettlers to become self-employed. Any labor output project in the municipal area will give priority to the affected persons.
2) Strengthen the training of production skills for resettlers and invite experienced specialists to train the resettlers to develop cultivation industry and animal husbandry industry.

3) Give first priority to the resettlers when hire labour for the project construction. According to the design of this project construction organization, the project construction will totally take up 0.9785 million working days with labor force, and will afford some employment chances including land levelling and landscape works. Though some project tasks will be temporary, the income of these employees, according to income survey of the same work type in Luxi County, will be CNY800~1200 Yuan/month. So the local resettlers will be given short-term incomes which will be useful for enhancing living level of affected people and restoring their income and livelihoods.

5.5 Rehabilitation Planning for Resettlers of Resettlement Villages

The project land acquisition only affects Quwang village of Baisha town.

1) Basic Situation
Quwang village is an administrative village under jurisdiction of Baisha town of Luxi County, it is located at the right bank of Yuanshui River and the south part of the city. With the distance of 0.5km between the county center, it faces Yuanshui River eastwards, marches with the county town westwards, and leans against Yanping village southwards. Villages are connected by highways, and the traffic is very convenient. There are 2 villager’s groups under jurisdiction of the village, with 1052 households and 3127 persons in total, including 1152 agricultural persons and 1975 non-agricultural persons. In 2006, the per capita net income was 2000 yuan. 185 households with the proportion of 18% in the village engage in the second and third industries such as catering, clothing, goods, etc. The proportion of labor force in the village is 54%, among which 15% (300 persons) are working outside mainly in Guangdong, Shenzhen, Fujian, etc., engaging in the industries such as service, shoe-making, etc.

The paddy and vegetable is the main part of the agriculture of Quwang village, and the paddy is the double cropping rice. For 1152 agricultural population, there are 371.36 mu cultivated land in the village, including paddy field of 130.03mu, dryland of 14.81mu, and vegetable plot of 226.52mu, and the existing per capita cultivated land is 0.32mu. For the whole village including non-agricultural population, there are 938 mu of farmland, averaging 0.3 mu per capita.

2) Impact by Land Requisition and Demolition
The land requisition and demolition in the project will actually affect 102 households with 427 persons, among which 31 households with 155 urban residents are affected by the house demolition, and all of them are urban residents. The project will requisition 77.7mu mu of cultivated land in the village, including paddy field of 45.58mu, dryland of 4.7mu, and vegetable plot of 27.42mu. The per capita remaining cultivated land after land acquisition is 0.25mu among agricultural population, decreased by 0.07mu, with the decrease proportion of 20.92%. For details of the cultivated land acquisition, see Table 5.5-3.

<table>
<thead>
<tr>
<th>Villager Group</th>
<th>Agricultural Population (Person)</th>
<th>Cultivated Land Area (mu)</th>
<th>Occupied Cultivated Land Area (mu)</th>
<th>Reduction Percent of the Cultivated Land Per Capita before and after the Project Land Acquisition (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Paddy Field</td>
<td>Dry Farmland</td>
<td>Vegetable Plot</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>Paddy Field</td>
<td>Dry Farmland</td>
<td>Vegetable Plot</td>
</tr>
<tr>
<td>Group 1</td>
<td>749</td>
<td>230.2</td>
<td>84.7</td>
<td>9.6</td>
</tr>
</tbody>
</table>

Table 5.5-3

Basic Condition for the Cultivated Land in Eacce Villager Group of Quwang Village
3) Resettlement Measures

Based on the extensive consultation with resettlers, through discussion, the committee of the village made a decision based on the actual condition of the village, that the resettlers of the village would be resettled in accordance with the following measures:

- Economic Rehabilitation Measures. For those 69 households and 263 persons, the permanent land acquisition would acquire 0.45 mu of farmland per capita in average, which account for 90% of their current land holding. Due to limited land holding the current village groups or 0.55 mu per capita, it is very difficult to carry out land readjustment. As a result, direct cash compensation will be provided to the affected households, which includes more than 75% of land compensation and 100% of resettlement subsidy and 100% of green crop compensation. Based on estimate, a total of 2.72 million yuan compensation would be disbursed to 69 households, averaging 39,500 yuan per household. At present, majority of households and their villagers are no longer relying on agricultural for their income. At present, the average income was about 5000 yuan per capita with less 15% from agricultural activities. The compensation could allow these households to expand or engage in various non-farm activities in local villages, such as catering, service, transport, construction and so on. It is hoped that through such efforts, the limited negative impacts could be mitigated. For those households who still have some remaining farmland and would like to continue farming, they could use compensation to develop more intensive farming such as building greenhouse vegetable and so on to restore their income loss due to land acquisition. To facilitate rehabilitation process, various skill training will be provided by local PMO for both non-farm skills and farming skill training to the affected people.

- Relocation measures. According to the investigation of resettlers' will, 31 households of 155 persons would like to choose exchange of property rights, they ask for the resettlement houses that occupy the same area as the former one under the uniform arrangement of the government. According to the principle of “unified planning, unified design, unified distribution, unified management and unified construction” in the Urban Planning, the Project Executive Agency and Implementation Agency of land acquisition and house demolition will cooperate with local government to decide and develop new centered resettlement sites, and build the flat-type residents for the resettlers’ selections.

5.6 Planning of Relocation and Reconstruction Special Facilities

5.6.1 Traffic Facilities

The land acquisition due to the project construction will affect 1 pedestrian bridge, and its recovery has been considered in the works design.

5.7 Minority Population Resettlement and Rehabilitation

The project construction will bring about certain impact (negative and positive) on the economy, environment and employment of the minority population, so EA of the project will take corresponding measures to properly resettle the affected minority population:

1) Measures for avoiding or reducing negative impacts:
   a) Construction-related Disturbances. The proposed flood control works and their related facilities will directly affect 12 minority villages in Luxi CountyTown. Some disturbances might occur during project implementation. The total minority population affected by construction noises and other hazards from these residential committees or villages will be about 12600. The environmental impact assessment considers and addresses some, if not all of these potential health hazards identified. For instance, nighttime construction is prohibited thereby mitigating the issue of excessive noise for people living close to the expressway construction sites. The construction of crossings will address the concerns of road safety. The restoration of damaged irrigation and drainage systems will preserve surface water sources of local people from pollution caused by construction.

   b) HIV/AIDS and STIs Awareness and Prevention. Although Luxi County is not a high risk area for HIV/AIDS, in order to ensure that Luxi will continue free of HIV/AIDS, county CDCs (Centre for Disease Control), in
accordance with the PRC Law on Prevention and Treatment of Epidemic Disease, will take measures to prevent the spread of HIV/AIDS and other STIs. The project PMO and the contractors will support CDCs to take prevention measures for workers and local communities during construction and to transport operators and truck drivers during operation of project facilities such as establishment of health clinic at construction camps, HIV/AIDS and STIs prevention posters, HIV/AIDS and STIs education programs, and implementation of the international anti-AIDS programs.

c) Gender Equality. In order to ensure the fair distribution of the project benefit to the women, women’s participation in terms of decision making will be secured in accordance with government laws and regulations during the implementation of Ethnic Minority Action Plan. The Women’s Federation, which has a mandate to advocate women and children rights, and disseminate information of livelihoods improvement through newsletter and regular group meeting, will extend their activities in the project affected area as a part of their regular activities.

d) Resettlement. Local governments will support the development of social infrastructure and local markets, and have incorporated those into local development plans. For new house construction, local customs, agricultural requirements and future development needs will be taken into consideration. House construction will be carried out according to the wishes of households so that the traditional housing styles will be preserved. A special fund will be used to provide necessary help for the vulnerable people when necessary. Vulnerable people include the elderly, disabled, household headed by women, extremely poor households, and monitory people. In addition, the people seriously affected by the land acquisition and resettlement of the Project will be offered training in agricultural techniques and non-agricultural skills according to their different situations in addition to land compensation and livelihood restoration provision. Those affected women (especially minority women) will be given priority in these training so that they can enhance skills and obtain better benefit opportunities by participating in non-agricultural activities. The resettlement organizations at all levels include staffs that are members of minority nationalities. Ethnic minorities and their representatives will be participating in resettlement, and such participation will run through the whole process of resettlement.

2) Measures for enhancing positive impacts:

a) Micro-Credit Program. Under the coordination of county poverty reduction offices, Luxi Women Federation will provide micro-credit service to some 1,500 rural minority women in the 15 townships of Luxi County during the project implementation period. Most of them will be minority women. The average size of the loan is CNY 1000. The loan would be used for the income generating activities. Repayment period ranges from 0.5 to 4 years with annual interest rate of 3.87%. The poverty reduction offices will cover 50% of the credit’s interest charges.

b) Tourism Development. County governments and their tourism agencies will take the following promotion actions for tourism development:
Exhibition of Tujia and Miao cultures and establishing tourism infrastructures; preparation of tourism brochures and posters to distribute and display in the rest and parking areas and service stations of the expressway. They are also to be distributed in various tourism agents in counties.
Introduction of the tourism resources with access map on various websites.

c) Technical Advice and Training. As components of the resettlement plan for income recovery, county technical sectors (i.e., agricultural and forestry bureaus, labor and social security bureau) will provide special technical advices and training to the project affected farmers (men and women) on cash cropping, livestock management, and non-farm skills, as well as job introduction for migrant labors. Skill training will also be provided to enable minority people take employment opportunities from construction of flood control projects.

d) Tax Incentives for Minority Families. To encourage local minority people to engage in secondary and tertiary activities, the local government will provide tax incentives and special policies, such as fixed base, increasing subsidy, and special assistance, waive agricultural tax, and provide priority for the minority households to get small loans.

3) Project benefit measures
It is suggested to take the employment of local minority people as unskilled labors for the construction of the
expressway as a potential contract item between Luxi PMO and contractors. The contract will specify that contractors should employ at minimum, 75% of local unskilled labors. Full wages will be paid to local people employed for the construction of the flood control components. On-the-job training will be provided for workers and special attention will be paid to the illiterate workers by PMO and contractors.

5.8 Vulnerable Groups Resettlement and Rehabilitation

During the course of resettlement process, appropriate department of the project will specially pay attention to the resettlement of vulnerable group. To those affected vulnerable group mainly including elderly living alone, women headed households, and extremely poor families, in addition to standard compensation provided by the project, the project would provide additional financial or physical assistance so that their rehabilitation and restoration of income and livelihood could be completed as soon as possible.

1) The project will afford special allowance for the families under the poverty line to help them construct houses and keep their living level. The allowance standard shall be subject to the actual situation and their needs. The detailed measures are given as follows: CNY 3000 yuan/household will be provided to the poor families for as the subsidy fee for the construction of houses; and CNY 600 yuan/person will be provided as the subsistence allowance so as to help them overcome the difficulties during the demolition.

2) After implementation of the project, the affected households could apply for loan, and local village collectivities could provide guarantees for such application.

3) During the course of implementation of the project, local village collectives will help those vulnerable families with selecting new housing site, rebuilding new houses, and transferring to new houses construction. They include those elderly living alone, disabled, and women headed households.

For the 6 affected households with 30 persons, the allowance standard will be determined by the real situation and their needs. Allowance for the vulnerable group will be calculated by 1% of the total cost of occupied land compensation and resettlement for the project, which will be used to provide support compensation of house and accessorail facility and used for the cost of providing all kinds of assistance or life support to the vulnerable group affected by the project.
6. Institution and Responsibilities

6.1 Resettlement Engaging in the Resettlement Planning

The investigation of demolition and resettlement planning of the project are completed jointly by the resettlement consultation unit organized by Key Project Management Office of Hunan Province Water Resources Department and related resettlement design units. Luxi County People's Government and Water Resource Bureau assigned their staff to join in the work of investigation and planning. Township (town, sub-district), village (residential committee) and group affected by the project arranged the leaders and the masses to join in the investigation and planning.

6.2 Institutions and Responsibilities of Resettlement Implementation Management

6.2.1 Institutions

Special resettlement Offices shall be set up in Hunan Provincial Project Office and Luxi County PMO in order to manage the resettlement implementation work. There are about 1 to 8 persons in Project Resettlement Office. Because of the high sociality of the resettlement work, the Project Management Office at all levels should be formed by the persons from government, land administration, planning department and agricultural department. A person with rich management work experience will be the leader of the project resettlement office (PRO).

There will be 1 to 2 main leaders in the townships (towns, Sub-Districts) and villages (residential committee) affected by the Project. One government leader and Land Administration Station leader will take charge of it in town, township and Sub-District, and village head or director will take charge of it in village and residential committee.

See Fig. 6.2-1 for the Frame of Project Resettlement Institutions.

6.2.2 Responsibilities

1) Project Resettlement Leading Group of Hunan Province

Leaders from Hunan Provincial People's Government, Hunan Plan Committee, Hunan Water Resources Department and Provincial Loans Project Execution Office who are in charge of the project will be appointed to constitute the "Project Resettlement Leading Group of Hunan Province". And its main responsibility is to strengthen the leadership in the project, and to coordinate and to organize the relation of resettlement institutions at all levels.
Fig. 6.2-1 Frame of Project Resettlement Institution
2) ADB Loans Project Office of Hunan Province
The main responsibilities of ADB Loans Project Office of Hunan Province are to organize the work of project Resettlement and the planning, to take charge of the policy compilation of resettlement activities of the project, and to organize and coordinate the relation of resettlement institutions at all levels. Provincial Project Management Office will be set up under Provincial ADB Loans Project Office to deal with everyday affairs.

3) Resettlement Management Office of Hunan Province
Resettlement Management Office of Hunan Province is constituted by Loans Project Execution Office, and its main responsibilities are to strengthen the leadership in the course of project implementation in Hunan Province, and to coordinate the working relation among the cities in Hunan Province and guarantee the construction of main body of project and the smoothness of land acquisition resettlement.

4) Project Resettlement Leading Group of Luxi County
Project Resettlement Leading Group of Luxi County is managed by leaders of Luxi County People’s Government in charge of the project directly, and its main responsibilities are to strengthen the leadership during the course of project implementation in the city, to coordinate the working relation of towns (townships or Sub-District), and to guarantee the smoothness of the construction of main body project, land acquisition resettlement. City PMO shall be set up under the leading group to deal with everyday affairs.

5) Luxi County ADB Loans Project Office
The main responsibilities of Luxi County ADB Loans Project Office are to strengthen the leadership of the project, take charge of policy compilation of resettlement activities, and to organize and coordinate the relations of resettlement institutions at all levels. City Resettlement Implementation Management Office will be set up under it to deal with daily affairs.

6) Luxi County Project Resettlement Implementation Management Office
The main responsibilities of it are to fulfill management, planning, implementation, coordination and supervision and monitoring of the resettlement:

- Work out the land acquisition of the project, demolition and resettlement policy;
- Entrust the design unit to determine the range affected by the project, to investigate the physical index of the impact of the land acquisition and demolition, and to preserve the data;
- Apply for the land using and planning, and license on land using and construction;
- Be in charge of service training of main resettlement leader of Land Acquisition, Demolition, and Resettlement Office;
- Organize and coordinate the compilation and execution of Resettlement Planning Report;
- Be responsible for management and allocation of funds, and supervision the using of funds;
- Guide, coordinate and supervise the resettlement implementation and progress;
- Preside over and check the internal monitoring activities, and be in charge of compilation of the report on land acquisition, demolition and resettlement;
- Determine the external monitoring institution and assist with the external monitoring activities.

7) Town (township, Sub-District) Resettlement Implementation Management Office
It is led by Town (township, Sub-District) leader in charge of this project and composed of the main leaders of Land Administration Station, Police Office, Civil Administration Station and villages. The main responsibilities are as follows:

- Take part in the project investigation and assist in the compilation of Resettlement Action Plan;
- Organize the masses to join in and publicize the resettlement policies;
- Implement, check, monitor and record all of the resettlement activities in the township or town;
- Go through the demolition and rebuilding procedures for resettler's houses;
- Be responsible for the payment and management of land compensation funds;
- Supervise the land acquisition, demolition of houses and attachment, and the rebuilding and demolition of buildings;
- Report the conditions of the land acquisition, demolition and resettlement to City Land Bureau and Resettlement Management Office;
8) Village, Residential Committees and Villager Group

Village Committee or Residential Committee and Villager’s group Resettlement Group of Village Committee or Residential Committee and Villager’s group is composed of main leaders of Village Committee and Villager’s group, and its main responsibilities are as follows:

① Take part in the investigation of social economy and the project impact;
② Organize the masses to negotiate and to publicize the land acquisition and demolition policies;
③ Select the resettlement site, and allocate housing plot for the demolition household;
④ Carry out land reclamation, adjustment and allocation, and organize the resettlement activities such as production development;
⑤ Be responsible for the funds management and allocation;
⑥ Report the opinions and advice of resettlers to the higher authorities;
⑦ Report the progress of resettlement implementation;
⑧ Provide help for the households with difficulties in demolition.

9) Responsibilities of Design Unit

During the planning design stage, survey the physical index of demolition, environmental capacity, developable and available resources exactly, to assist the government in the project area to work out the resettlement scheme, to compile the budgetary estimate of compensation and investigation for demolition and the report on demolition and resettlement planning, and to work out the related drawings.

In the implementation period, provide design document, technology regulations, drawings and notice for the City PMO in time, report the design technical explanation to project Offices at all levels by phase, assist each settlement Office with the settlement demolition and settlement production arrangement and improve settlement arrangement planning schedule according to the actual conditions.

10) Responsibilities of Independent Institution for External Monitoring and Evaluation

Qualified monitoring evaluation institution shall be hired to be the resettlement monitoring unit by the City PMO, and its main duties are:

As an independent institution for monitoring and evaluation, its main responsibilities are to observe each aspect of the resettlement plan and its implementation, to monitor and evaluate the resettlement work, the implementation result and the social adaptability of the resettlers, and provide resettlement monitoring and evaluation report to the ADB through the PRO.

Provide technical consultation for Project Resettlement Office in the aspects of investigation and process of the data.

6.3 Supervision Institutions

Luxi County Project Rettlement Office within LPMO is the supervision institution, and it shall preside and check the internal monitoring, compile project land acquisition resettlement progress report, report resettlement implementation progress, problem and advice for the Provincial Project Office regularly to maintain the good function of resettlement institution at all levels in the course of project implementation, coordinate work of all aspects and master the resettlement implementation conditions.

At the same time, County PMO shall hire qualified and independent external monitoring unit to take the charge of the project land-cover demolition and compensatory monitoring evaluation work of resettlement. Independent monitoring unit shall provide technology consultation for internal monitoring and management, provide overall resettlement implementation information for County PMO and report resettlement progress, problem and disposal advice for County PMO.

6.4 Resettlement Management System

Employer responsibility system, project supervision system, project bidding system and contract management
system is used in resettlement project management. Luxi Municipal PMO is in charge of the bidding work of resettlement implementation, special and basic facilities. And independent supervision units shall be invited to monitor and evaluate the resettlement.

What's more, computers shall be used to manage the information and keep all archives of resettlement and materials in the course of implementation in PMO at all levels.

6.5 Personnel and Facilities of Resettlement Institution

6.5.1 Personnel Arrangement

In order to maintain the resettlement work to be carried out smoothly, special personnel shall be arranged for resettlement management institution at all levels to form a smooth information transmission channel. Personnel of resettlement institution consist of administrators and professional technical staff who own certain profession level and management qualification and land acquisition demolition working experience. See table 6.5-1 for details of related institution personnel conditions.

### Personnel of Resettlement Implementation and Management of Luxi County Urban Flood Control Project

**Table 6.5-1**

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Total</th>
<th>Administrator</th>
<th>Finance Staff</th>
<th>Technical Staff</th>
<th>Political Worker</th>
<th>Logistics Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Resettlement Implementation Management Institution</td>
<td>8</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Township (District) Resettlement Implementation Management Institution</td>
<td>16</td>
<td>6</td>
<td>9</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>8</td>
<td>2</td>
<td>11</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

6.5.2 Facilities

The facilities equipped with the institution mainly refer to the resource arrangement of resettlement implementation institutions such as office buildings for resettlement institution at all levels, transportation tools, office facilities and communication facilities (see Table 6.5-2 for details). Total amount of facilities management as planned for resettlement institution is CNY0.4286 million, and the funds are open-fee of resettlement implementation institution of general budgetary estimate of resettlement investment.

### Facilities Arrangement of Resettlement Implementation Institution of Luxi County Urban Flood Control Project

**Table 6.5-2**

<table>
<thead>
<tr>
<th>Project</th>
<th>Type</th>
<th>Unit</th>
<th>Unit Price (Yuan)</th>
<th>Amount</th>
<th>Investment (CNY 10^4)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>County Resettlement Office</td>
<td>Township Resettlement Office</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Office</td>
<td>Room</td>
<td>6</td>
<td>9600</td>
<td>4</td>
<td>2</td>
<td>5.76</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Transportation Tools</td>
<td>Sanling V6 CFA-6400A</td>
<td>1</td>
<td>210000</td>
<td>1</td>
<td>1</td>
<td>21</td>
</tr>
</tbody>
</table>

200 yuan/room, hire for 40 years
Facilities Arrangement of Resettlement Implementation Institution of Luxi County Urban Flood Control Project

Table 6.5-2

<table>
<thead>
<tr>
<th>Project</th>
<th>Type</th>
<th>Unit</th>
<th>Unit Price (Yuan)</th>
<th>Amount</th>
<th>Investment (CNY 10^4)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Office equipments</td>
<td>Lenovo Yangtian M6000</td>
<td>Set</td>
<td>8499</td>
<td>5</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>3.1 Computer</td>
<td></td>
<td></td>
<td>15.92</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>HP8000</td>
<td>Set</td>
<td>8260</td>
<td>5</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>3.2 Printer</td>
<td></td>
<td></td>
<td>4.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Panasonic EP-7818</td>
<td>Set</td>
<td>13600</td>
<td>1</td>
<td>1</td>
<td>1.36</td>
</tr>
<tr>
<td></td>
<td>3.3 Duplicator</td>
<td></td>
<td></td>
<td>4880</td>
<td>2</td>
<td>0.98</td>
</tr>
<tr>
<td></td>
<td>SONY DSC-V1</td>
<td>Set</td>
<td></td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>3.4 Digital Camera</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Green 50ST/Type</td>
<td>Set</td>
<td>4000</td>
<td>5</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>3.5 Air conditioner</td>
<td></td>
<td></td>
<td>4.07</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.6 Table and Chair</td>
<td></td>
<td></td>
<td>1000</td>
<td>6</td>
<td>0.6</td>
</tr>
<tr>
<td></td>
<td>3.7 Scanner</td>
<td></td>
<td></td>
<td>3000</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>3.8 Fax</td>
<td></td>
<td></td>
<td>1680</td>
<td>2</td>
<td>0.34</td>
</tr>
<tr>
<td></td>
<td>3.9 Telephone</td>
<td></td>
<td></td>
<td>128</td>
<td>6</td>
<td>0.08</td>
</tr>
<tr>
<td></td>
<td>Toshiba PA100</td>
<td>Set</td>
<td>15800</td>
<td>1</td>
<td>1</td>
<td>1.58</td>
</tr>
<tr>
<td>4. Total Investment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>42.68</td>
</tr>
</tbody>
</table>

6.6 Training Plan

To guarantee the work of project implementation can be carried out smoothly, the resettlers should be trained and the training plan should be formulated. Resettlement training plan contains of two aspects: training plan for resettlement administrator and production skills to be mastered by the resettlers.

6.6.1 Resettlement Administrator Training Plan

Plan and establish city-level, township-level and village-level resettlement institution personnel training and human resource development system. Resettlement administrator training work can be carried out by inviting leader or expert to give the lecture, starting technology training class in each units, visiting and studying in resettlement project, training the administrators on the spot. Training content contains:

1) Resettlement principle and policy;
2) Resettlement planning management training;
3) Resettlement implementation planning design;
4) Resettlement implementation progress management;
5) Resettlement finance management;
6) Resettlement project quality control;
7) Management information system;
8) Resettlement monitoring evaluation;
9) Resettlement project management.
6.6.2 Production Skills Training for Resettlers

Resettlement production skill training plan mainly is aimed to train the resettlement household in the aspect of knowledge and practical technology. The training mode of integrating long-term training, short-term training and key technology training together shall be adopted, and also some young person with certain quality shall be sent to study in Hunan Agricultural University and Hunan Agricultural Science Academy in order to provide a number of technical backbones for the project area: Regarding the provincial and city training center as the carrier, we shall hold all kind of practical technology training in order to make a number of resettlement master one to two kinds of practical technology and lead other resettlement households to rich life by science. Based on discussion with resettlers affected by the project, the training content of production skills for resettlers shall include:

1) Training for resettlement backbone: It is planned that we will recommend and sent some resettler’s children or resettlement backbone who is qualified and is active to receive long-term training and education in Hunan Agricultural University in order to make them the pioneers of resettlement development.

2) Training on planning technology: carry out the training on big-shed vegetable production technology, high quality cross hybrid rice, two-low rape technology promotion by inviting agricultural science experts to have class fixedly and demonstrate on the spot.

3) Training on aquaculture technology: carry out the training on poultry feeding skill and livestock aquaculture skill by inviting agricultural science experts to have class fixedly and demonstrate on the spot.

6.6.3 Investment on Resettlement Training and Planning

A total of 14 semesters of resettlement training class will be carried out with 22 persons. Among them, 11 semasters will be targeted to resettlers with 10 participants; and three semasters will be for resettlement staff with 12 participants at cost of CNY28,200. The training cost is included in the total resettlement budget. See Table 6.6-1 for details.

6.7 Measures for Institution Consummating

1) Make the responsibility and obligation range of resettlement institution clear and definite, and strengthen the supervision and management;

2) Enrich the forces of resettlement institution at all levels, and especially strengthen the profession technology forces. All of the personnel must own certain profession level and management ability, and strengthen the skills in computer, testing equipment and transportation tools;

3) Select the working personnel strictly, and strengthen the service skill training and carry out the training for administrator and technical staff in order to improve the service ability and management level;

4) Arrange women leaders with proper quantity and make them play a role in resettlement;

5) Establish database and strengthen the information feedback to guarantee the smoothness of information both from the higher to the lower and from lower to the higher, and important problems shall be solved by resettlement leading group.

6) Strengthen the report system and internal monitoring, and solve the problem in time.

7) Establish external monitoring evaluation mechanism and pre-alarm system.
## Resettlement Implementation Training Plan Table of Luxi County Urban Flood Control Project

Table 6.6-1

<table>
<thead>
<tr>
<th>Project</th>
<th>Training Place</th>
<th>Training Mode</th>
<th>Lecturer</th>
<th>Training Object</th>
<th>Amount of Person (person)</th>
<th>Training Content</th>
<th>Training Semesters</th>
<th>Training period (day)</th>
<th>Funds arrangement (10^4 yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Luxi County Project</td>
<td>Lecture by Expert</td>
<td>Hunan PMO Resettlement Expert</td>
<td>County PMO Administrator</td>
<td>2</td>
<td>1. Administrator of Sub-district PMO 2. Administrator of Each Village 3. The same with above</td>
<td>1</td>
<td>5</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td>Resettlement Office</td>
<td>Class</td>
<td>Provincial PMO Expert</td>
<td>Main Service Personnel of PMO</td>
<td>6</td>
<td>Resettlement Implementation and Monitoring Management</td>
<td>1</td>
<td>10</td>
<td>0.2</td>
</tr>
<tr>
<td>II. Resettlement Production Skill Training</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1. Production technology management; 2. Agricultural technology</td>
<td>1</td>
<td>11</td>
<td>1.45</td>
</tr>
<tr>
<td></td>
<td>Hunan Agricultural</td>
<td>Refresher course and</td>
<td>Teachers of Agricultural University</td>
<td>Resettlement backbone and</td>
<td>3</td>
<td>1. Production technology management; 2. Agricultural technology</td>
<td>1</td>
<td>11</td>
<td>1.45</td>
</tr>
<tr>
<td></td>
<td>University</td>
<td>entrusting</td>
<td>University</td>
<td>resettlement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### III. Total

<table>
<thead>
<tr>
<th>Education</th>
<th>Class</th>
<th>Administrator of City Resettlement Office and agricultural Technology expert</th>
<th>Children</th>
<th>Management; 3. Agricultural production multi-operation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township (Sub-district) PMO</td>
<td>7</td>
<td>Representative of each town, township and village</td>
<td>22</td>
<td>10</td>
</tr>
<tr>
<td>Class</td>
<td></td>
<td></td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0.52</td>
<td></td>
</tr>
</tbody>
</table>

| III. Total | 14 | 2.82 |

- 1. Planting technology training
- 2. Aquaculture training
7. Public Participation and Harmonization with Residents in Resettlement Area

7.1 Public Participation Strategies

According to relative relocation resettlement policies and code of nation, province and city, in order to maintain lawful rights and interests of resettlers and removed units to be removed and reduce complaints and dispute, work out the policies and implementation detailed rules of removing and allocation of project, compile resettlement plan, do well the implementation and organization work aiming at the rebuilding character of the project. In order to accomplish appropriate resettlement, a great deal of efforts has been made on increase participation and consultation by the resettlers during stages of preparation and implementation of the RP.

7.2 Approaches and Measures of Public Participation

7.2.1 Participation Approaches

Before launching investigation work, compile general work outline, listen and accept local government’s opinion for the investigation content, approaches and requirement, etc. Local government dispatches staff to take part in investigation group and work together.

In the period of investigation at large, invite principle and representatives of township, village and group to participate in investigation work, and propagate to them the project necessity, project effect, project influence, compensation principle and resettlement schedule, and deliberate over the possible direction of the resettlement together.

In the phase of resettlement planning, the work staff of resettlement deliberate with all levels of leaders of city, township (town, Sub-District), listen to and accept opinions, requirements, and existent problems, choose resettlement area. When investigating on the spot, local mass and concerned leaders shall participate in choosing resettlement location. It is proved that the consultative work has active significance to choosing resettlement location of long term potential and establishing scheme which is easy to be accepted by resettlers.

7.2.2 Participation and Consultation Measures

Public participation and consultation mainly adopts two ways of small group discussion and spot check of resettlers' opinion. Illustrate project building purpose, content and importance to the resettler representatives and discuss the matters concerned the resettlement planning together through these manners. Through investigation, a great deal of efforts shall be made on public participation and consultation opinions by design units. On the basis of no prejudice to the collectivity planning principle, house-building scheme for resettlement and production resettlement modes should be consistent with mass opinions so that programming is in reason and resettlers are satisfied.

In the stage of resettlement implementation, still adopt the ways of colloquia and spot check of resettlers' opinions, collect resettlers' information, investigate resettlers' desire, and perfect resettlement plan ulteriorly.

To ensure that the resettlers and local government in the affected area understand the detailed information of the resettlement plan and the resettlement and compensation plan of the project, propaganda to the resettlers the laws and regulations on national resettlement through public participation (colloquia) or local media (such as TV) from the start to the implementation of resettlement plan, so resettlers will know exactly practicality index quantities, the computation method of compensation standard and methods, resettlement measures, appropriation and usage of the resettlement compensation and assistance fund, the rights and compensation method of the resettlers, etc. At the same time, similar information should also be disclosed to the residents in the resettlement area to make them know more about land acquisition information, land compensation standard, fund usage and resettlement information. Disclose resettlement work to gain the support and confidence from both groups to ensure the success of resettlement work.

7.3 Public Participation in the Compilation of Resettlement Planning Report

In the stages of preparation and compilation of Resettlement Plan, all levels of local government and resettlers
should take part in the following item of work:

1) In March, 2008, the investigation on physical indices of relocation and demolition by land acquisition in the project was conducted by Luxi County Project Resettlement Office, resettlement design units, Villagers’ groups and resettler representatives. In the process of resettlement planning, project resettlement office and resettlement design units go deep into every village and Villager’s group, adopt the form of holding colloquia participated by cadres of village group and resettlers representatives or discuss with resettlers randomly, further solicit their opinions and suggestions on resettlement (including their choice of resettlement location, production rehabilitation measures, house tearing down and building and compensation policies for land acquisition. For details, see 7.3-1.

2) Luxi County resettlement office and design office successively organize and hold consultation meeting participated by all levels of local cadres and all classes of influencing people. Consultation the all classes of existing policies on resettlement of country, province and city. Accept and consult widely their opinions on how to decrease project impact, how to resettle the demolition resettlements for land acquisition and compensation standard for all level of affected people. For details, see 7.3-2.
### Table 7.3-1 Questionnaire of Public Attitudes toward the Project

<table>
<thead>
<tr>
<th>Time</th>
<th>Location</th>
<th>Participant</th>
<th>Participant Number</th>
<th>Discussion Content</th>
<th>Final Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008.3</td>
<td>Quwang residential community</td>
<td>The three backbone cadres from Quwang residential community; Huang Fugui and Man Yiqiang from Xiangxi Prefecture Hydro &amp; Power Design Institute; and representatives of resettlers</td>
<td>78 (35 female)</td>
<td>Project introduction, affected area and tentative resettlement scheme</td>
<td>Support project building, agree with resettlement plan tentatively.</td>
</tr>
<tr>
<td>2008.12</td>
<td>Luxi County urban flood control project headquarter meeting room</td>
<td>Fu Jianmin from the County Planning committee, town leader of Baisha Town; Director of the county planning office; relevant persons of the County Land Resources Bureau and representatives of resettlers</td>
<td>19 (5 female)</td>
<td>Project introduction, affected area and tentative resettlement scheme</td>
<td>Support project building, agree with resettlement plan in principle.</td>
</tr>
<tr>
<td>2009.3</td>
<td>Luxi County urban flood control project headquarter meeting room</td>
<td>Vice president of the County Government, Li Shouxing; town leader of Baisha Town; Director of the county planning office; relevant persons of the County Land Resources Bureau and representatives of resettlers</td>
<td>27 (4 female)</td>
<td>Solicit project opinions on compensation, resettlement plan and land acquisition</td>
<td>Defining every item of compensation standards, resettlement policies and land acquisition policies.</td>
</tr>
</tbody>
</table>

### Table 7.3-2 Policies Disclosure

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Content</th>
<th>Who and with whom</th>
<th>When</th>
<th>Where</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project impact in social-economy survey</td>
<td>1. Project influence all kinds of quantities of index in kind and land acquisition of project.</td>
<td>Survey group consists of County Urban Flood Control Project Headquarter and the design unit of resettlement</td>
<td>2008.12</td>
<td>Baisha Town Government and Quwang Residential Community</td>
</tr>
<tr>
<td>Tentative consultation for the compensation policies and demolition scheme in the preparation of resettlement plan</td>
<td>1. Accept the opinions and suggestions of every relative party of project scheme, demolition and resettlement work.</td>
<td>County Government, County Urban Flood Control Project Headquarter and affected persons</td>
<td>2009.1</td>
<td>Demolition Location (Quwang community)</td>
</tr>
<tr>
<td>Further consultation of compensation policies and rehabilitation plan in revising resettlement plan</td>
<td>1. Hold consultation meeting, concentrate on introducing conditions and go on accepting opinions and suggestions. 2. Hold mobilization demolition work meeting, explain resettlement plan, compensation standards and answer the relocatee’s question.</td>
<td>County Government, County Land Resource Bureau, County Urban Flood Control Project Headquarter and representatives of relocated households</td>
<td>2009.3</td>
<td>Demolition Location (Quwang community)</td>
</tr>
</tbody>
</table>
3) In the process of resettlement plan, the project publicizes relative resettlement information to the residents in resettlement area, through holding the discussions with village officials and resettlers representatives or talk with resettlers randomly. Then they can know more about the land acquisition, land compensation standards, fund usage and resettlement information.

<table>
<thead>
<tr>
<th>Table 7.3-3 Information Disclosure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Document</strong></td>
</tr>
<tr>
<td>Situation introduction of the project (including land acquisition)</td>
</tr>
<tr>
<td>Introduction of the project of land acquisition and removal</td>
</tr>
<tr>
<td>Disclose the bulletin of resettlement plan</td>
</tr>
<tr>
<td>Disclose the report of resettlement plan</td>
</tr>
<tr>
<td>Submission to ADB</td>
</tr>
</tbody>
</table>

4) In March, 2008, staff of the resettlement planning team conducted survey of willingness among affected households with the assistance and corporation of relevant department of project. The results are listed:

1. Have knowledge with the project: 100% of the affected people claimed that they had knowledge of the project.
2. Sources of information: 98.7% of the affected people get known from the investigation persons and 1.3% from the residents of the neighboring villages.
3. Support attitude: All affected people hold an attitude of supporting to the project.
4. Views on Impact: 96.5% of the affected people think the flood control benefit is obvious, and by the way of the reasonable compensation, the negative impacts can be alleviated; 3.5% think the flood control benefit is obvious, while the negative impacts are big.
5. Resettlement Approach: About 3.2% of resettlers in urban area would like to choose the cash compensation mode and to purchase houses by themselves; and 96.8% of resettlers would like to choose the property right exchange, and hope the government to arrange the houses with the same size as the former one.
6. Economic rehabilitation: 89.4% of the affected people ask for cash compensation, and 10.6% ask for compensation through land adjustment.

7.4 Public Participation and Plan in Implementation of Resettlement Plan

Resettlers should be encouraged to participate in the whole process of implementation of resettlement planning of the project.

7.4.1 Participation in the Houses Rebuilding and Resettlement

1) Houses Compensation Standards
The houses compensation standard is very important to the resettlers’ benefits. Before the houses are removed, relative organs should consult and sign contracts on houses compensation standard with resettlers. Consultation results should be publicized before signing agreements so as to accept mass supervision.

2) Houses Rebuilding Location and Method
In the stage of preparation and compilation of Resettlement Plan, relative department survey the resettlement houses rebuilding location and method. According to the investigation results of the relocatees’ opinions, most relocatees are willing to stay within their original villager’s group by way of self demolition and building of their houses. Local government will offer help in every stage of resettlement and building houses.

3) Dealing with the Old Houses
All the removed houses will receive houses compensation according to replacement value. The removed household can first remove then build or first build then remove according to their own willingness in the prescribed time. Old materials of the formal houses can be used by removed household.
7.4.2 Participation in Production Resettlement

All the villagers of every village and group should participate in the adjustment and distribution of land and start-up of other agricultural development project, especially take care of resettlers who have special requirements of land.

7.4.3 Participation in the Usage and Management of Land Compensation Fee

Land compensation fee should be owned by collectivity of villages and groups, any unit and individual should not withhold and appropriate. After the compensation funds have been given to collectivity of villages and groups, it should be planned as a whole in order to ensure special funds for special purposes. The funds cannot be used until the usage is talked over and agreed in every group of villagers meeting and be supervised by villager representative.

7.4.4 Participation in Project Construction

The project construction more or less affect local. In order to ensure the affected people can benefit from the project, mass are encouraged to participate in the project construction and provide convenience in materials and labor services.

7.5 Women Participation

From the start of the project, a great effort has been made on the function of women by the implementation institution of the project and local government. Concern women and families where women are the householder and bring women into play in the process of implementation of resettlement plan.

In the affected area, women's rights, interests and status should be the same as that of men. Women play an important role in economic development activities and housework. Especially in the country, most women stay at home, more men go into the city to find jobs. So besides family responsibility women play an important role in tilling and non-farm work. So in the area affected by the project, women will pay more attention to the project than women, they not only take part in every stage of work of resettlement but also give fineness rein to the direction and method of resettlement.

In the period of surveying the project at large, all Women Directors of resettlement villages are invited to participate in surveying work group to propaganda and communicate with affected women; In the small colloquia of resettlers, more than 50% is female, besides they support the project actively, they showed that they pay closer attention to the correctness of surveyed index in kind, rationality of compensation standard and whether the compensation fee can reach in time etc.

In the resettlement planning stage, resettlement design unit actively invite female resettlers representatives to discuss together, accept their opinions, requirements and existing problems on production resettlement and resettlement of demolition and houses building. The consultation work has positive significance in releasing women from the worry of living source and traditional production pattern and achieving equal proceeds in the production.

Meantime, arrange for at least one-woman cadre in all levels of setup of the project; encourage women to participate in the implementation of the resettlement planning. A great deal of effort will be made on the women's demolition activities, especially the livelihood rehabilittation by resettlement implementation setup and local government in the process of implementation of the project. Give priority to women and provide more opportunities in the project construction.

7.6 Harmonization with the Residents in Resettlement Area

The resettlement modes of the relocatees mainly include self purchasing of their houses and concentrated building of houses. The relocatees in choice of the former are optional, so they will readily adapt to the new residential livelihood; whilst the relocatees in choice of the latter will, without large change in the living
environment, have the common living styles, habits and customs, and readily merge into the livelihood of the resettlement communities. Of course, it doesn't mean that there is no estrangement and conflict between the resettlers and former residents. In order to establish good relationship between them, the following work should be done:

1) Before removal, resettlers and residents in the resettlement area should take part in the resettlement planning. If you want to get cooperation, participation and feedback opinions of resettlement area and resettlers, introduce to them their rights and schemes they can choose. They can have their own choice from a number of resettlement schemes. They can consult with them directly or define through formal or informal leaders and representatives. In most conditions, do some system arrangement such as project official holds regular meetings with local groups so that resettlers and residents in the resettlement area can show their opinions in the whole period of planning and implementation of the project. Must make effort to see that vulnerable populations express their opinions adequately.

2) Try to decrease the impact on the residents in resettlement area. There may be conflict between resettlers and residents in the resettlement area if resettlers need more land, water sources, wood land and society services, or society and houses facilities provided for resettlers succeed the level of residents in resettlement area. So in order to avoid such conflict, the livelihood condition and society service of the residents in resettlement area should be improved, at least avoid deterioration. Try to provide for two groups the perfect education, water supply and medical service and create better social atmosphere for their permeation.
8. Appeal Procedure

8.1 Possible Complaint and Problems Solving Methods

Resettlement Plan makes overall plan for resettlement scheme from the angle of the affected area of the whole project. In the implementation process, resettlers’ complaint may appear because of the change of actual situation and deviation of operation. According to resettlement experiences got from the constructing and constructed projects, the resettlers’ complaint may be the several following kinds:

1) Index Problem
Because of the error in the process of surveying, statistics and computation, the occupied and removed index in kind may be missed out, without entry and wrongly entered to affect resettlers benefits. When such problems happen, the affected people through village committee can report to Luxi County project Office in oral or written form. After processed by Luxi County resettlement Office, the problems should be submitted to City project Office and supervision unit. Under the leadership of City project Office, organize professional personnel to verify on the spot, sign and issue disposal opinions, ratify and register the missed out item, wrongly entered or missed out index in kind and compensate according to the standard.

2) Compensation Standard
A number of resettlers might have concerns on the compensation could not meet rehabilitation needs due to lack clear understanding about national resettlement policies and compensation. Prior to implementation of resettlement project, the design personnel should cooperate with all levels of government and resettlement office, do the technical explanation, explain national resettlement policies and computation process of compensation standard in order to make resettlers understand that compensation standard is compiled according to the national laws and regulations document, which can ensure resettlers move out, live comfortably, develop so as to release their misgiving.

3) Funds
In the construction process, due to slow allocation of resettlement funds, houses building, and economic rehabilitation might be affected. Such questions require managers of implementation of resettlement control funds, schedule and quality to ensure resettlement funds can be used effectively as designated. The resettlement fund allocation should be in accordance with the schedule every month and resettlement project proceed according to the schedule.

8.2 Appeal Channel and Procedure

Resettlers enjoy rights and obligations, which are endowed by constitution and law. The exiting laws and codes of our nation can guarantee resettlers lawful rights are not violated. Appeal until getting it, if the lawful rights and interests are violated.

1) Appeal Channel
   ─ Complaint Office (including resettlement) is set in city, city and province of the resettlements and can investigate and deal with general appeal question of resettlement;
   ─ Establish all levels of local resettlement management setup according to the law, every lever has the authority to supervise the lower level from province, city to city and can accept appeal case in the way of resettlement;
   ─ Self-governed resettlement monitoring setup works according to relative regulations of nation, is responsible for maintaining resettler’s lawful rights and interests. The appeal problems of the violation of the rights of resettlers can also be accepted and reflected;
   ─ The violation laws and discipline case relating to resettlement appeal can be accepted in the law departments such as administrative supervision, auditing, discipline inspection, judiciary and prosecutorial department.

For the resettlement appeal system of the whole project, see figure 8.2-1.

2) Appeal Procedure
   If any resettler does not agree with resettlement plan, he/she can reflect to village committee (residential
committee), which could consult with local resettlement office directly, or appeal to superior resettlement office in oral form or written form. After superior resettlement Office accept the appeal, keep records and consult with village committee and local resettlement office within 10 days. If the contradiction and dispute can not be solved, in accordance with appeal channel, village committee can appeal to administrative setups step by step such as project office, resettlement management setup, resettlement monitoring setup, complaint office, administrative supervision, disciplinary inspection and procuratorial department etc.) According to Administrative Procedure Law of People’s Republic of China. If resettlers are still not satisfactory, appeal to people’s court directly. Resettlement Office is responsible for keeping records of all appeal problems and solving process and keeps in the archives.
Figure 8.2-1 Appeal System Figure of Project Resettlement
9. Environment Protection and Management

9.1 The Necessity of Environment Protection

The environment evaluation of main body of resettlement investment project shall include the impact of resettlement on the environment. The planning of resettlement shall be conducted with environment evaluation. It is necessary to demarcate the line of resettlement area and calculate the increment of population density in unit area. In agricultural project, if the number of the resettlers is larger than the original number of this resettlement area, the aggravating environment problems will come along, such as deforestation, excessive depasturing, the water and soil loss and the pollution of the hygienic conditions etc. Therefore, appropriate eased measures (including the training of resettlers) shall be included in the resettlement planning, besides other resettlement places can also be chosen. And the urban resettlers will cause the relevant problems related to the population density (such as communication capacity, drinking-water source, hygienic system and medical & healthy treatment etc.). Constructive environmental management methods can supply both good opportunities and benefits to the resettlers and the residents in the resettlement area. If the resettlement causes an unacceptable consequence, we must find another resettlement site or add the resettlement points.

9.2 Liquidation of Relocation

All kinds of rubbish, which are produced during the demolition of the various buildings and their attachments within the project range shall all be spoiled in the place designated by the Luxi County Environmental Hygiene Administration.

The houses and their attachments within the project range shall be demolished; their walls shall be torn down and leveled. And the interior pollution source within the project range shall be removed and disinfected. The existing wastewater of the industrial enterprises within the project range shall be drained off according to the stipulations. Poisonous waste slag shall be delivered to the appointed place and buried. And the warehouse used for storing the chemical materials shall be treated by poison elimination and neutralisation, so that the soil can meet the hygiene standard.

9.3 The Environment Management of the Resettlement Area

The environment protection shall be fully considered during the planning and construction of resettlement area, we shall try our best to make the surroundings beautiful and comfortable.

(1) Level the land of the cutting faces when excavating the new soil, and set up drainage ditches on the cutting faces when necessary to reduce the water scouring to the cutting faces; the waste area shall be forested as soon as possible so as to avoid the water and soil loss; houses and public facilities shall be constructed with the least damage to the forestry vegetation; and trees shall be planted on both sides along the roads.

(2) Do a good job of the new houses cleaning: Renovate the environment and spray pesticide before the resettlers move in, and clean the weed and wastewater container or other things both in front and back of the house after settling in.

(3) Choose a healthy and clean water source: set up a solid reservoir if it is required to take the spring as the water source, such pollution source as toilet, filter pit, manure pit, livestock barn, waste pit, rubbish pit and waste slag pit etc. are not allowed to be set up in the area 20~30m around the water source.
10. Monitoring and Evaluation

10.1 Internal Monitoring

10.1.1 Internal Monitoring Agency Organization

In this project, the Luxi County PMO is authorized as internal monitoring agency, this agency shall be appointed a special leader to be responsible for the relevant problems of resettlement. The leader shall be experienced in resettlement and authorized to coordinate with the relevant departments involved with the resettlement. And the agency shall be appointed the sufficient personnel, and the personnel shall be qualified for experiences of resettlement work and social problems, so as to carry out the right responsibilities.

10.1.2 The Objective of Internal Monitoring

The objective of internal monitoring is to maintain the good function of resettlement agencies at all levels during the project implementation process, and coordinate and cooperate with each unit in order to grasp the situation of resettlement implementation timely.

10.1.3 The Content of Internal Monitoring

1) The relocation, allocation of housing locations and housing reconstructions;

2) The implementation schedule and quality of development project of resettlers’ production;

3) The investigation, coordination and proposals for the main problems existing in resettlement and implementation agencies during the implementation process;

4) The family income rehabilitation after resettlers’ relocation;

5) The rehabilitation of vulnerable group;

6) The payment and usage of the resettlement compensation and the situation of fund in place;

7) Resettlers’ participations and consultation during the implementation period;

8) The resettlers' training and effects;

9) Agencies, training, working timetable and efficiency of the local RO.

10.1.4 The Responsibilities of Internal Monitoring

1) Cooperate with resettlement implementation agencies, departments in charge and external monitoring units.

2) Work out the corresponding tables according to the monitoring contents, and ask the implementation units to fill in and submit the tables to the department in charge and City PMO;

3) The monitoring personnel shall check and investigate on the spot once a month, and they shall participate in the completion acceptance of the resettlement project once a month.

4) Supervise the implementation of the annual work plan, fund utilization; the annual fund shall be audited by the provincial department in charge of resettlement;

5) Submit the working schedule report to PPMO in July and December of each year;

6) Report the implementation situation to Provincial PMO and ADB every periodically.

10.2 External Monitoring

10.2.1 Independent Monitoring & Evaluation Agency

For this project, the qualified monitoring unit shall be invited to undertake resettlement monitoring and evaluation. The independent monitoring unit shall provide the comprehensive information on implementation of resettlement to the PMO, including implementation progress, the existing problems and suggestions to the PMO.

Through negotiation, ADB and HPMO finally determined that the external monitoring and evaluation for the 19 subprojects among the 35 subprojects will be undertaken by Changsha Xinghuan Water & Electricity Engineering Technology Development Co., Ltd, which include 8 core subprojects (i.e. Loudi City, Xinhua County, Wugang City, Sangzhi County, Chenxi County, Yongzhou City, Huaihua City and Leiyang City) and 11 non-core subprojects (i.e. Cili County, Xiangtan City, Xupu County, Shimen County, Jishou City, Hengyang City, Hengyang County, Fenghuang County, Baojing County, Zhongfang County and Luxi County) among the 27 non-core subprojects. And the external monitoring and evaluation for the other 16 non-core subprojects will be carried out by Hunan Hydropower Consultation Co., Ltd.
The Luxi County PMO proposes Hunan Hydropower Consultation Co., Ltd as the resettlement monitoring & evaluation agency in this project. Hunan Hydropower Consultation Co., Ltd will establish Luxisubproject monitoring unit to work closely with Luxi Resettlement Management Office on resettlement monitoring and evaluation. They will carry out independent monitoring and evaluation by providing the technical assistance to LPMO and conducting detailed survey among affected people. It is proposed to form Luxisubproject monitoring & evaluation unit with staff who are experienced in resettlement planning and resettlement monitoring & evaluation, etc.

10.2.2 The Objective of Independent Monitoring & Evaluation

The Monitoring & Evaluation of resettlement is an efficient management method in resettlement project management, and the objective of independent monitoring & evaluation is to provide the evaluation on the resettlement works. At the same time, the independent monitoring agency will consult with APs to acquire the knowledge, preferences and hopes of their livelihood, and report these findings to the Project RO. To check all the implementation works with an eye of long term. The independent monitoring & evaluation agency shall trace the resettlement activities, and give evaluation and proposes to the whole process of resettlement and the recovery of the resettlers' living standards, and provide alarm system to engineering management department, and supply the report channels for resettlers' suggestions, so as to ensure the planning and implementation of resettlement in conformity with the laws, regulations and rules issued by PRC, and to ensure the whole project to achieve the objective as expected.

10.2.3 The Contents of Independent Monitoring & Evaluation

The independent monitoring units shall conduct the monitoring and evaluation to the implementation effects of rural resettlers’ relocation, the demolition and construction of special facilities and infrastructural facilities, and utilization effects of resettlement fund.

1) Monitoring & Evaluation of resettlement implementation schedule is as follows:
   ① The schedule of land acquisition and the finalized situation of land for new resettlement area;
   ② The schedule of the housing demolition and reconstruction;
   ③ The schedule of resettlers’ relocation;
   ④ The schedule of employment allocation for the labors;
   ⑤ The construction schedule of public infrastructural facilities and special works.

2) Monitoring & Evaluation of the payment and utilization of resettlement fund is as follows:
   ① The situation of the fund being in place;
   ② The fund input and its utilization;
   ③ The evaluation of social and economic effects about the fund input.

3) Monitoring & Evaluation of resettlement production resettlement is as follows:
   ① The planning objective of resettlement production resettlement;
   ② The basic production situation before and after removal (including the employment situation);
   ③ The comparisons of main technical and economic evaluation indices before and after removal. If the evaluation fulfills the planning objective degree, the experience and lessons shall be summarized.

4) Monitoring & Evaluation of resettlers’ livelihood relocation is as follows:
   ① The planning objective of resettlement livelihood relocation;
   ② The housing condition and residential environment before and after removal;
   ③ The economic income and expenditure as well as composition before and after removal;
   ④ The comparisons of main livelihood evaluation indices before and after removal, evaluate the resettlers’ livelihood quality, and summarize the experience and lessons.

10.2.4 The Methods of Independent Monitoring & Evaluation

The monitoring and evaluation activities are conducted on the basis of the investigation data provided by
agencies in charge of investigation design and relocation implementation. The evaluation is conducted on the basis of all-around understanding and adopted the combined methods of spot-checking and quick evaluation. Choose a typical model (resettlement household/village), set up the corresponding evaluation index system according to the different affected objects, and invite the experienced resettlement expert to determine the weighting of each index by the way of “back-to-back”, and take the latest livelihood quality research at home and abroad as reference, manage the indices by dimension treatment, analyze and calculate the investigation achievements, and contrastively evaluate the calculation achievements.

1) Evaluation of Livelihood Standard
The independent monitoring agency shall propose and conduct the investigation on basic living standard before implementation of resettlement, and set up a control group according to the random samples of APs. The investigation on living standard shall be repeated annually (it shall be conducted twice at least after implementation completion) so as to measure the change of APs’ living standards. This activity is one of the methods of determining the changes of APs’ living standards. The investigation table of living standard consists of every index used to measure production level and living standard, reflects the changes of production and livelihood by the developing changes of the same index before and after removal. Whether the design of the index will reflect the change of production and living standard of the resettlers truly will be showed in the base investigation. And the design of the index will be improved according to the actual conditions, so as to ensure the acquired information to fully and truly reflect the quantity and quality of resettlers’ production and living standard.

2) Public Consultation
The independent monitoring & evaluation unit will participate in the public consultations held by village and township (town) periodically, and evaluate the effects of APs’ participation and the cooperative degree of APs during the implementation course of resettlement planning by monitoring these consultation meetings. These activities shall be conducted over and over again during the period of resettlement implementation and after implementation.

3) Complaints
The independent monitoring agency shall visit the affected places at the fixed time, and adopt the way of holding talks with local RO and APs to ask about and understand the complaints. Moreover, the independent monitoring agency shall monitor the efficiency of disposal of the complaints continuously. As for the possible changes, the independent monitoring agency shall propose the suggestions if necessary to make the process of resettlement more effective.

4) Other Responsibilities
The independent monitoring agency shall propose the suggestions to the project RO during the period of preparation for RP plan and implementation; meanwhile, it is also responsible for the monitoring of the following indicative items:

(1) The payment and amount of the compensation;
(2) The preparation and sufficiency of the relocation sites;
(3) The housing reconstruction;
(4) The APs’ removal;
(5) Training;
(6) The support to the vulnerable group;
(7) The recovery and reconstruction of infrastructural facilities and special facilities;
(8) The deployment and recovery of production;
(9) The compensation of property loss;
(10) The compensation of working time loss;
(11) The transition allowance;
(12) The compensation of repurchase fee of property loss;
(13) The timetable of the above-mentioned activities (it can be used at any time);
(14) The setup of resettlement network;
(15) The utilization of collective land compensation fee and the resettlers’ incomes;
(16) The situation of labor employment and incremental incomes.
10.2.5 The Procedure of Independent Monitoring & Evaluation

Establish a project, and clarify the objectives, content and requirements of monitoring and evaluation;

Work out detailed general outline of monitoring and evaluation;

Study the technical line and working methods of monitoring and evaluation;

Work out the investigation outline and tables;

Design typical resettlement trail investigation plan for monitoring system.

Give an all-around investigation for the socioeconomic materials of resettlement households and their villagers.

Give all-around investigation for the schedule of the resettlers’ relocation and the situation of the fund in place;

Collect the information on typical resettlement households at the fixed time;

Check the random samples.

Conduct the inside liquidation, analysis, calculation, evaluation, and conclude a conclusion;

Compile monitoring and evaluation report and submit the report to the City PMO and ADB.

10.2.6 The Period, Frequency and Standard of Monitoring & Evaluation

1) The period of monitoring: The working time of independent monitoring unit includes the engineering construction period and the two years after the completion of the project.

2) The frequency of monitoring: The frequency shall be reported at least twice a year at peak period and once in other years according to the schedule of resettlement implementation and arrangement of implementation intensity. And it shall supply consultation for City PMO.

3) The standard of monitoring: The investigation and sampling standard of IME: 5% APs in land acquisition and relocation; 20% affected village in land acquisition and relocation; 20% of the enterprises and institutions.

4) The time of monitoring report: Submit the monitoring report to the higher level twice at peak period (in July and December every year), and in other years submit it once in July.

10.3 The Evaluation of Resettlement

After the completion of the project, on the basis of monitoring and evaluation, conduct an evaluation for the
resettlement by means of after-project evaluation theories and methods. The content mainly includes the evaluation of successful experience and the useful lessons in the aspects of housing demolitions, enterprises and institutions, and land acquisition etc. And the evaluation will provide the referenced experience for the future resettlement. After resettlement, the evaluation unit shall undertake preparation of the evaluation outline, setup of the evaluation index system, the analysis and investigation on social economy, compilation of *The Evaluation Report after the Resettlement Implementation of Luxi County Urban Flood Control Project*, and then submit the report to Provincial PMO and ADB.
11. Resettlement Budget

11.1 Compilation Reference and Principle

11.1.1 Main References
1) Land Administration Law of the People’s Republic of China (1999);
2) Methods of Hunan Province for Implementing the Land Administration Law of the People’s Republic of China (2000);
3) Houses Demolition Administration Regulations of the PRC, starting implementation since November 1, 2001;
4) Methods of Hunan Province for Implementing the Urban Houses Demolition Administration Regulations, starting implementation since September 1, 2002
5) Provisional Regulations on Cultivated Land Occupancy Tax of the PRC;
6) Methods of Hunan Province for Implementing the Cultivated Land Occupancy Tax (Revision);
7) A Notice by Hunan Provincial Commodity Price Bureau and Financial Department about Reissuing Administration Institutional Charging Items and Standards of Hunan Province National Land Resource System (XJF[2003] No.42);
8) Hunan Provincial Implementation Methods for Expropriation, Utilization and Administration of Forest Vegetation Recovery Fee (XCZ [2003] No.10 Document)
10) Regulations about Land Acquisition and Resettlement for Hydraulic and Hydropower Project (SD290--2003);
11) Relative procedures and specifications of each professional department;
12) Investigation on tangible materials index affected by the project and achievements of resettlement planning.

11.1.2 Compilation Principle
1) For the following items such as production resettlement, demolition relocation, demolition and reconstruction for the special facilities which are planned and designed with reference to the relevant national policies, regulations and standards, calculate the investment according to the design program and the corresponding works quantities (or physical materials amount).

2) Standards for land compensation fee and relocation subsidies, and compensation fee for young crops shall be calculated and determined according to the relevant regulations from Methods of Hunan Province for Implementing the Land Administration Law of the People’s Republic of China;

3) Housing compensation standard shall be determined according to typical unit price analysis on the houses in the project-affected area; compensation standards for auxiliary facilities, scattered trees, and demolition subsidies shall be determined comprehensively according to the compensation standards for the typical design or the similar project.

4) Compensation fee for the special facilities shall be determined on the basis of “original scale, original standard and original function” according to the actual rehabilitation situation.

11.2 Resettlement Compensation Fee

11.2.1 Land Compensation
1) Project-involved Permanent Land Occupation
The land compensation, resettlement subsidies and production compensation fee are calculated as CNY3.6297 million according to various kinds of the acquired land quantities and compensation standards.

2) Project-involved Temporary Land Occupation
The project temporarily uses 18mu land, including 2mu dry farmland and 16mu waste land. According to the compensation standards for various temporary land Acquisition, the temporary compensation fee of this project is calculated as CNY11,400.
11.2.2 Compensation for Houses and Auxiliary Facilities

The compensation for houses and auxiliary facilities in this project mainly includes the compensation fees for residential houses, non-residential houses and the auxiliary facilities. The compensation fees for the houses and auxiliary buildings are totally calculated as CNY13.4244 million yuan according to the demolition physical material indices and standards for compensation subsidies.

11.2.3 Compensation for Infrastructures

The compensation for infrastructures in this project mainly covers the fee for the site leveling, water drinking, illumination and roads in concentrated and scattered resettlement sites. The demolition and resettlement is planned to relocate 155 persons in 31 households. The investment, according to the compensation standard of CNY 1500 per capita, totals CNY 0.2325 million.

11.2.4 Relocation Transportation Fee

The transportation fee of this project mainly includes transportation fee, livelihood subsidies, temporary housing subsidies and secondary transportation fee, etc. The investment is totally calculated to be CNY93,000 yuan, according to the required relocation and removal of 155 persons from 31 households.

11.2.5 Compensation for Scattered Trees

Under the project, 3768 mature trees of various kinds will be cut down, including 3761 fruit trees and 7 timber trees. Based on the relevant standard, the compensation for mature scattered totals CNY 0.7853 million.

11.2.6 Compensation for Tombs

A total of 9 tombs shall be affected under the project, whose compensation is estimated at CNY 27,000 according to the standard (CNY 3000 each).

11.2.7 Compensation for Vulnerable Group

The subsidies for the vulnerable group in this project is calculated as 1% of compensation fee for the land acquisition and for the houses and auxiliary facilities, the investment is CNY44,500 million, and mainly used for offering various kinds of help or livelihood support fees for the vulnerable group affected by the project.

11.2.8 Resettlement Compensation Investment

The resettlement compensation investment of this project is the sum of Item 11.2.1–Item 11.2.7, totally calculated as CNY5.7017 million yuan. For details, see Table 11.2-1.
## Budget for Resettlement Compensation Investment

of Luxi County Urban Flood Control Project

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<th>Quantity</th>
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## Budget for Resettlement Compensation Investment

of Luxi County Urban Flood Control Project

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<td></td>
<td></td>
<td>23.25</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Site levelling, drinking and lighting</td>
<td>Person</td>
<td>1500</td>
<td>155</td>
<td>23.25</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>IV. Removal and transportation fees</td>
<td></td>
<td></td>
<td></td>
<td>9.30</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. Transportation fee for materials</td>
<td>Person</td>
<td>100</td>
<td>155</td>
<td>1.55</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Life subsidy</td>
<td>Person</td>
<td>100</td>
<td>155</td>
<td>1.55</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Subsidy for temporary houses</td>
<td>Person</td>
<td>300</td>
<td>155</td>
<td>4.65</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Second transportation fee</td>
<td>Person</td>
<td>100</td>
<td>155</td>
<td>1.55</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>V. Scattered trees</td>
<td></td>
<td></td>
<td></td>
<td>78.53</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. Fruit trees</td>
<td></td>
<td></td>
<td></td>
<td>78.42</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Orange trees</td>
<td>Piece</td>
<td>210</td>
<td>3667</td>
<td>77.01</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Miscellaneous fruit trees</td>
<td>Piece</td>
<td>150</td>
<td>94</td>
<td>1.41</td>
<td></td>
</tr>
</tbody>
</table>
# Budget for Resettlement Compensation Investment

of Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Item</th>
<th>Sub-item</th>
<th>Sub-sub-item</th>
<th>Unit</th>
<th>Unit Price (yuan)</th>
<th>Quantity</th>
<th>Investment (10^4 yuan)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Timber wood</td>
<td></td>
<td>Piece</td>
<td>150</td>
<td>7</td>
<td>0.11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VI. Tombs</td>
<td></td>
<td>Piece</td>
<td>3000</td>
<td>9</td>
<td>2.70</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VII. Compensation for vulnerable group</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.45</td>
<td>Calculated as 1% of the land acquisition compensation fee and the compensation for houses and auxiliary facilities.</td>
</tr>
</tbody>
</table>


11.3 Compensation for Special Facilities

As the relevant professional department in charge of the project-affected special facilities will conduct rebuilding planning and undertake the construction, the rebuilding compensation investment in this budget is temporarily calculated according to the quantities actually affected by the project.

1) Compensation for traffic facilities: mainly includes compensation fees for the reconstruction of small bridges with the investment equivalent to CNY8,000 yuan.

The compensation for the above-mentioned special facilities is CNY8,000 yuan as shown in Table 11.3-1.

| Budget for the Compensation Investment for Affected Special Facilities in Luxi County Urban Flood Control Project |
|---|---|---|
| Item | Unit | Unit Price (yuan) | Total Investment (in Y'0000) | Quantity | Investment (in Y'0000) |
| Total | | 0.80 | 0.80 |
| 1. Traffic Facility | | 0.80 | 0.80 |
| 1.1 Pedestrian bridge | Piece | 8000 | 0.80 | 1 | 0.80 |

11.4 Other Costs

1) Cost for survey, design and scientific research: The cost of required survey, layout, design and scientific research for land acquisition and resettlement design, is calculated to be CNY0.1694 million yuan as 3% of the sum of the resettlement compensation fee and compensation investment on special facilities.

2) Implementation Management Cost: Including the routine management cost for resettlement implementation agency, such as salary, official business and eviction, etc., it is calculated to be CNY0.1694 million yuan as 3% of the sum of cost for resettlement compensation and compensation investment for special facilities.

3) Implementation Agency Initiation Cost: Including cost for official rooms, vehicles and equipment procurement and other required costs for the start-up and operation of the resettlement implementation agency, which is calculated to be CNY0.4268 million yuan.

4) Technical Training Cost: Required cost for enhancing the production skills and cultural accomplishment of the rural resettlers and the management level of resettlement cadres. The cost is calculated to be CNY0.0282 million yuan as 0.5% of resettlement compensation investment.

5) Supervision and M & E Cost: Cost for resettlement comprehensive supervision, monitoring and evaluation. The cost is calculated to be CNY0.0565 million yuan as 1.5% of the sum of the cost for rural resettlement compensation and compensation investment for special facilities.

Through calculation, the other costs for the above-mentioned items total up to CNY0.8503 million yuan.

11.5 Basic Contingency Fee

The basic contingency fee is calculated to be CNY0.6495 million yuan as 10% of the investment sum of resettlement compensation, compensation for special facilities and other costs.

11.6 Relevant Tax

1) Cultivated land occupancy tax: According to the statistical materials of Luxi County in 2006, the cultivated land
area per capita of agricultural population in the project area is 0.78 mu. According to *Methods of Hunan Province for Implementing the Cultivated Land Occupancy Tax*, for areas where the cultivated land area per capita is above 0.5mu and below 1mu, the tax standard for paddy field and dry farmland is 4~8 yuan/m², 6 yuan/m² is adopted here. The taxation standard for commercial vegetable plot is 10 yuan/m².

2) Cultivation Fee for Cultivated Land: According to the XJF[2003] No.42 Document and GTZF[2001] 355 issued by Hunan Provincial Commodity Bureau and Hunan Provincial Financial Department, Luxi County belongs to Grade I District, and the cultivation fee standard: paddy field and vegetable plot, 5600 yuan/mu; and dry farmland, 3500 yuan/mu.

The above-mentioned relevant tax is calculated to be CNY1.1380 million yuan in total. See Table 11.6-1 for details.

### Table 11.6-1

#### Calculation for Relevant Tax of Land
#### Acquisition in Luxi County Urban Flood Control Project

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Unit Price (yuan)</th>
<th>Quantity</th>
<th>Investment (10⁴ yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>113.80</td>
</tr>
<tr>
<td>I. Cultivated Land Occupancy Tax</td>
<td></td>
<td></td>
<td></td>
<td>71.27</td>
</tr>
<tr>
<td>1. Cultivated Land</td>
<td>m²</td>
<td></td>
<td></td>
<td>39.35</td>
</tr>
<tr>
<td>Paddy field</td>
<td>m²</td>
<td>6</td>
<td>30401.86</td>
<td>18.24</td>
</tr>
<tr>
<td>Dry farmland</td>
<td>m²</td>
<td>9</td>
<td>3134.9</td>
<td>2.82</td>
</tr>
<tr>
<td>Vegetable plot</td>
<td>m²</td>
<td>10</td>
<td>18289.14</td>
<td>18.29</td>
</tr>
<tr>
<td>2. Garden land</td>
<td>m²</td>
<td>10</td>
<td>30715.35</td>
<td>30.72</td>
</tr>
<tr>
<td>3. Pond</td>
<td>m²</td>
<td>10</td>
<td>1200.6</td>
<td>1.20</td>
</tr>
<tr>
<td>II. Cultivation Fee for Cultivated Land</td>
<td></td>
<td></td>
<td></td>
<td>42.53</td>
</tr>
<tr>
<td>1. Paddy field</td>
<td>mu</td>
<td>5600</td>
<td>45.58</td>
<td>25.52</td>
</tr>
<tr>
<td>2. Dry farmland</td>
<td>mu</td>
<td>3500</td>
<td>4.7</td>
<td>1.65</td>
</tr>
<tr>
<td>3. Vegetable plot</td>
<td>mu</td>
<td>5600</td>
<td>27.42</td>
<td>15.36</td>
</tr>
</tbody>
</table>
11.7 Total Budget

The total budget of compensation investment on land acquisition, demolition and resettlement in this project is CNY8.2828 million yuan (the total investment excluding the relevant tax is CNY7.1448 million yuan) and will be entirely listed into the total budget of the project and undertaken by the Project Construction Unit. For details of the total resettlement budget, see Table 11.7-1.

Total Budgetary Estimation for the Compensation Investment due to the Project Land Acquisition and House Removal in Luxi County Urban Flood Control Project

| Table 11.7-1 |
|---|---|---|---|
| Item | Sub-item | Total Investment (10^4 yuan) | Remarks |
| I. Resettlement Compensation Fee | 563.70 | | |
| 1. Land compensation | 364.11 | | |
| 2. Compensation for houses and auxiliary facilities | 81.36 | | |
| 3. Compensation for infrastructures | 23.25 | | |
| 4. Transportation fee | 9.30 | | |
| 5. Compensation for scattered trees | 78.53 | | |
| 6. Tombs | 2.70 | | |
| 7. Subsidy for vulnerable groups | 4.45 | | |
| II. Compensation for Special Facilities | 0.80 | | |
| 1. Compensation for traffic facilities | 0.80 | | |
| III. Other expenses | 85.03 | | |
| 1. Cost for Survey, Design and Scientific Research | 16.94 | 3% of the sum of Item I and II |
| 2. Implementation Management Cost | 16.94 | 3% of the sum of Item I and II |
| 3. Implementation Agency Initiation Cost | 42.68 | | |
| 4. Technical Training Cost | 2.82 | 0.5% of Item I |
| 5. M&E Cost | 5.65 | 1.5% of the sum of Item I and II |
| IV. Basic Contingency Cost | 64.95 | 10% of the sum of Item I to Item III |
| V. Total Investment (excluding tax) | 714.48 | | |
| VI. Relevant Tax | 113.80 | | |
| 1. Cultivated Land Occupancy Tax | 71.27 | | |
| 2. Cultivation Fee for Cultivated Land | 42.53 | | |
| VII. Total Investment (including tax) | 828.28 | | |

11.8 Fund Flow

The compensation fund shall be paid and used according to the compensation policies and standards determined in the resettlement activity plan. The funds shall be appropriated under the supervision and management of the interior monitoring agency and checked by the exterior monitoring agency.

Luxi County PMO will sign Contract Agreement of Resettlement Task Investment in Luxi County Urban Flood Control Project with City Project RO, and pay city RO in batches according to resettlement implementation progress. City Project RO then appropriates in classifications according to construction projects:
1) Land Acquisition: City Project RO sign Agreement of Land Acquisition Compensation and Attachments on Field with townships (management section) and villager committees affected by the project. The payment of compensation funds shall be paid to the Township (management section) Resettlement Office by City Project Resettlement Office via the bank according to the compensation items, quantity, time and expenses regulated in Agreement of Land Acquisition Compensation. Then the Township (management section) Resettlement Office pays the villager committee or villager’s group. The relative villager committee uses the land compensation fee for developing the production. The resettlement subsidies shall be paid to the rural collectivity. Then the rural collectivity will pay the resettlement subsidies to institutions or individuals according to resettlement scheme. Compensation fee for the attachments on field will be paid to the owner through the villager committee.

2) Residential Houses: City Project RO will sign Agreement of Demolition Compensation for Project Resettlement Families with the involved and affected demolition resettlement households according to the following contents as basic conditions of the demolished houses, compensation amount, subsidies, payment mode and deadline, and demolition time limit, etc. The compensation fund is appropriated directly to the affected households by City Project RO.

3) Non-residential Houses: City Project RO will sign agreements with the relocatee on the contents of compensation standard, resettlement mode and demolition time limit, etc. The compensation fund is appropriated directly to the relocatee by City Project RO.

4) Compensation Fee for Public Infrastructural Facilities: City Project RO sign the Agreement of Compensation for Public Infrastructure with the project-affected township (management section) and the villager committee, or the Contract of Resettlement Project Construction with the construction unit directly. The compensation fund shall be paid to the relative townships, the villager’s groups and the undertaking units in batches according to the stipulations of the contractual agreement.

5) Special Facilities: City Project RO will sign Agreement of Compensation for Rehabilitation and Rebuilding of Special Facilities with each special department. For details of resettlement compensation fund flow of this project, see Fig. 11.8-1.
Fig.11.8-1 Fund Flow Chart of Resettlement Compensation in Luxi County Urban Flood Control Project
11.9 Fund Appropriation

11.9.1 Appropriation Principle

1) All the expenses related to land acquisition demolition will be listed into the project engineering total budget, and compensation fees for land acquisition demolition and other expenses will be paid by PMO via the City (District) RO to the relevant units and individuals;

2) The land acquisition fees will be paid by City (District) RO via the bank to the administrative villages, which will use them in principle for production rehabilitation of the villagers’ groups that are directly affected by the project or absorb the resettlers;

3) The compensation fees for the resettlers’ houses will be paid by the City (District) RO to the resettlement households before their building houses. If the compensation fee for houses will be paid by installment to the resettlers, the last sum of amount shall be paid to them before the completion of building houses;

4) The land compensation fee will be paid three months before the acquisition of the land.

5) In order to ensure the smooth implementation of resettlement of land acquisition demolition, the project office shall establish finance and supervision organs at various levels, so as to ensure the timely appropriation of all the funds in place.

11.9.2 The Organ in Charge of Resettlement Finance

1) The organs in charge of compensation fund for the rural land acquisition are special finance organs of the City (District) RO, LAB, and township (town) as well as village committee.

2) The organs in charge of compensation fund for rural housing demolition and special facilities are the special finance organs under the the City (District) RO.

3) For the resettlement fund, carry out the level-by-level appropriation mechanism from the above to below. The organs at the various levels will strictly carry out the financial settlement and auditing system, examine and report the fund fulfillment and utilization to the higher level at the fixed time, and put forward the rectification and remedy measures to unexpected conditions, so as to ensure the appropriation and utilization of the fund as planned.

4) Ensure the resettlement fund in exclusive use. No permission for the holdback by any intermediate organs or misappropriation for other purposes.

11.9.3 Annual Fund Use Plan

The annual investment plan of each resettlement compensation fee is worked out on the basis of resettlement progress arrangement. The annual fund use plan is arranged as follows: for the first year, CNY4,436.2 million yuan, accounting for 53.56% of the total investment; for the second year, CNY3,435.7 million yuan, accounting for 41.48% of total investment; for the third year, CNY0.4109 million yuan, accounting for 4.96% of the total investment. For details of annual fund use plan, see Table 11.9-1.

**Phased Investment Plan Statement**

<table>
<thead>
<tr>
<th>Item</th>
<th>Sub-item</th>
<th>Total Investment (In Y’0000)</th>
<th>1st Year (In Y’0000)</th>
<th>2nd Year (In Y’0000)</th>
<th>3rd Year (In Y’0000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Resettlement Compensation Fee</td>
<td>1. Land Compensation</td>
<td>364.11</td>
<td>221.51</td>
<td>142.6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Compensation for Houses and Auxiliary Facilities</td>
<td>81.36</td>
<td>36.61</td>
<td>44.75</td>
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</tr>
<tr>
<td></td>
<td>3. Compensation for Infrastructural Facilities</td>
<td>23.25</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Relocation Transportation Fee</td>
<td>9.3</td>
<td>9.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Compensation for Scattered Trees</td>
<td>78.53</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

106
<table>
<thead>
<tr>
<th>Item</th>
<th>Sub-item</th>
<th>Total Investment (In Y’0000)</th>
<th>1st Year(In Y’0000)</th>
<th>2nd Year(In Y’0000)</th>
<th>3rd Year(In Y’0000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Combs</td>
<td></td>
<td>2.7</td>
<td>2.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Subsidy for vulnerable groups</td>
<td></td>
<td>4.45</td>
<td>4.45</td>
<td></td>
<td></td>
</tr>
<tr>
<td>II. Compensation for Special Facilities</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1. Compensation for Traffic Facilities</td>
<td></td>
<td>0.8</td>
<td>0.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>III. Other Costs</td>
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<td></td>
</tr>
<tr>
<td>2. Implementation Management Cost</td>
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<td>16.94</td>
<td>4.24</td>
<td>7.62</td>
<td>5.08</td>
</tr>
<tr>
<td>3. Implementation Agency Initiation Cost</td>
<td></td>
<td>42.68</td>
<td>10</td>
<td>32.68</td>
<td></td>
</tr>
<tr>
<td>4. Technical Training Cost</td>
<td></td>
<td>2.82</td>
<td>2.82</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. M &amp; E Cost</td>
<td></td>
<td>5.65</td>
<td>1.41</td>
<td>2.54</td>
<td>1.7</td>
</tr>
<tr>
<td>IV. Basic Contingency Cost</td>
<td></td>
<td>64.95</td>
<td>35.72</td>
<td>29.23</td>
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<tr>
<td>V. Total investment (excluding tax)</td>
<td></td>
<td>714.48</td>
<td>399.86</td>
<td>273.53</td>
<td>41.09</td>
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<td>VI. Relevant Tax</td>
<td></td>
<td>113.8</td>
<td>43.76</td>
<td>70.04</td>
<td></td>
</tr>
<tr>
<td>1 Cultivated Land Occupancy Tax</td>
<td></td>
<td>71.27</td>
<td>18.24</td>
<td>53.03</td>
<td></td>
</tr>
<tr>
<td>2. Cultivation Fee of Cultivated Land</td>
<td></td>
<td>42.53</td>
<td>25.52</td>
<td>17.01</td>
<td></td>
</tr>
<tr>
<td>VII. Total investment (including tax)</td>
<td></td>
<td>828.28</td>
<td>443.62</td>
<td>343.57</td>
<td>41.09</td>
</tr>
</tbody>
</table>
12. Resettlement Progress Arrangement

The schedule of resettlement progress arrangement should be worked out in terms of the construction contents, works quantities, time limit, resettlement objects and modes, and other factors.

12.1 Principles of Resettlement Progress Arrangement

1) For the rural resettlers' land acquisition demolition, at the time of arranging the implementation progress, houses within the range of land acquisition demolition, in collaboration with the characteristics of agricultural production, should be arranged in slack season as much as possible, so as to minimize impact on agricultural production.

2) Demolition of the resettlers' houses shall be phased, but should be finished before the commencement of each bid section works;

3) Notify the resettlers whose houses are required to be demolished at least 3 months ahead of time, and give them at least 2 months to build new houses from the notified date to the ultimate time limit of demolition. Those affected persons may live in their former houses until completion of the new ones;

4) House building time should be arranged according to the schedule of project, and could be prolonged if necessary;

5) To minimize impact on resettlers' livelihood, the public and infrastructural facilities should be completed at least 20 days before constructing houses for resettlement.

6) To lessen the effect on reconstructed special facilities, its reconstruction should be arranged in phase of completing each bid section works.

7) Resettlers' training should be carried out four times in slack season with each time lasting 5 days, and start respectively when agricultural production resettlement goes through its 1/3 course and at its ending.

8) Demolition and re-establishment of enterprises and public institutions should be arranged by their principal departments in accordance with project schedule.

12.2 Progress Plan

12.2.1 Project Implementation Schedule

The preparation period, from September of the first year, targets the construction bidding, the land acquisition and the available electricity, water supply and leveled ground.

The overall project is proposed to last for 3 years, the first year for the bridge from waterworks to Tieshan River, the second year for a length of 1.0km, and the third year for the works in a total length of 0.715km from the county's Party School to county's Port Authority Station.

The construction period of main works lasts from September of the first year to the end of October in next year, and the round-off work is from November of the second year to August of the third year.

12.2.2 Resettlement Implementation Schedule

According to construction design and organization, land acquisition and resettlement should be completed in advance to ensure civil works could proceed in accordance with the project design schedule, which is the basis for formulating the resettlement implementation schedule.

1) The detailed time for the investigation on the relocation impacts is March, 2008.

2) Resettlement Plan is prepared and submitted to ADB in April 2009;

3) Selection of external monitoring and evaluation agency in April of 2009 and sign compensation agreements with affected parties in March 2009;

4) Rehabilitation program for the production and life of resettlers will be started from May 2009 and
completed in by the end of October 2010;
5) Restoration plan of the affected infrastructures will be started from June 2009 to completed by the end of September, 2010;
6) Resettlement job training and resettlement staff training program will be started from August 2009;
7) Preparation and submission of internal and external resettlement monitoring and evaluation reports in July and December every year;
8) The acceptance of resettlement works will be carried out in November 2010; and resettlement completion report will be carried out in December 2010.

Detailed implementation schedule is shown in the Table below:
### 表12.2-1 泸溪县城市防洪项目征地和安置实施进度计划表

<table>
<thead>
<tr>
<th>项目</th>
<th>2008</th>
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<th></th>
<th>2010</th>
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<td>详细移民影响调查</td>
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</tr>
<tr>
<td>与受影响人口协商</td>
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</tr>
<tr>
<td>制定移民安置计划</td>
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<tr>
<td>发放移民安置信息手册</td>
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<td>地方项目办审批RP</td>
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<tr>
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<tr>
<td>签订补偿协议</td>
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13. Appendix 1: Resettlement Information Booklet

1. Project Background

The areas in Hunan Province, which are brought into this urban flood control project, are limited to the cities above city grade in hilly sections with relatively serious flood disaster. All the cities are considered as the areas with developed economy, dense population and centralized wealth. If the cities are submerged, the loss will be great, and the economic development will be supportless. At present, the urban flood control standard in the project area is low. Flood disaster happens in successive years, seriously restricts the urban economic development and affects the live and property safety of urban people.

For Luxi County, as the sub-project city of the urban flood control project under ADB loans, its flood and waterlogging control capacity can be absolutely improved through the project implementation. The flood control standard will be enhanced from the current 5-year occurrence to 20-year occurrence; and the waterlogging control will be enhanced from the current 3-year occurrence to 10-year occurrence. That can greatly reduce the urban flood control burden of Luxi County and benefit the normal social development. The main engineering measures involved in land acquisition and relocation of Luxi County Urban Flood Control Project are: reinforcing and new-building of embankment, re-new, reconstruction and new-building of culvert sluices and power allocation station, and there also is temporary land acquisition as project construction site and borrow area, etc. The areas in the project land acquisition, with the residents’ production and living seriously affected by the project construction, are considered as the affected areas of the project land acquisition and relocation. The final land acquisition and relocation range may be partially adjusted with the deepening of the designed depth. However, due to detailed survey conducted, such adjustment will be very limited and final scope of impact figures will not expect any major changes.

2. Project Affected Area and Quantity

The investigation indicates that the permanent land acquisition will involve 2 villager groups in one village of one town. The land permanently requisitioned totals 290.45mu (including farmland of 77.7mu, accounting for 26.7%), and that temporarily requisitioned is 18mu (including dryland of 2mu and waste land of 16mu). Under the project, the residential houses of 2345.78m² will be demolished, including the brick-wood structure of 2168.76m² (82.52%) and the simple structure of 177.02m² (17.48%). Moreover, 31 households affected will be relocated.

3. Resettlement Plan

The project resettlement plan is organized and guided by Key Project Office of Water Resources Department of Hunan Province and the local People's Governments of various grades; and is compiled by the technical assistance professionals according to particular affection investigation, on the basis of sufficiently soliciting the villagers' opinions. To execute the principle of “Resettlement for Development”, adopt the rehabilitation strategy of: “basing on the land and agriculture” for the resettlement plan. Through re-adjusting and developing the big-shed vegetable and stockbreeding, the resettlement plan offers the production basis for short-term livelihood ensurence and long-term developing potential, which will combine the resettlement, rehabilitation and the regional economic development brought by this project, and make the resettlers' livelihood reach or surpass the living level before resettlement.

4. Policy Bases and Objectives of Resettlement Plan

4.1 Policy Bases

1) Land Administration Law of the People's Republic of China (NO.8 Decree by Chairman of the PRC issued on August 29, 1998, starting implementation since January 1, 1999)
2) Implementation Regulations for the Land Administration Law of the People's Republic of China (NO. 256 Decree by the State Council of the PRC issued on December 27, 1998, starting implementation since January 1, 1999)
3) Houses Demolition Administration Regulations of the PRC (NO. 305 Decree by the State Council of the PRC issued on June 13, 2001, starting implementation since November 1, 2001)
4) A Decision by the State Council about Deepening Reformation and Strictly Enforcing Land Administration (The GF [2004] NO.28 issued by the State Council on October 21, 2004)
4.2 Policy Objectives

1) Avoid or reduce to the minimum the tangible material quantity of land acquisition relocation and resettlement by adopting measures of engineering, technique and economy, etc.; when the land acquisition is unavoidable, effective measures shall be adopted to best reduce the affection caused by the land acquisition relocation to the production and livelihood of local residents.

2) In the preparation period of this project, process the social economic investigation and compile corresponding resettlement plan;

3) Resettlement shall be on the basis of relocation tangible material indexes and compensation standards, to aim at improving or at least recovering the original living level of the resettlers;

4) Advocate resettlement of development. The rural resettlement shall adopt the policy of: making the land as the basis, depending on the second and third industries of the local area to widen the employment access;

5) Encourage the affected personnel to participate in the resettlement plan;

6) The resettlers shall be considered in priority to be resettled in the original community;

7) The resettlers and original residents in the resettlement area will get benefit from the project.

4.3 Compensation Standards

4.3.1. Rural Houses and Attachments

1) The compensation of all the houses shall be obtained according to replacement value, and no depreciation charge is allowed. Available materials belong to the relocatees, and they also can use them to build new house. These compensation rates will be used by resettlement office as lowest limit. The implemented compensation rates will be based on actual appraised values in the project areas.

2) Resettlement institution shall help the rural relocatees to move into the new house, and each person shall get the compensation for infrastructures, including water drinking and lighting, etc. Such compensation should be based on topographical condition and followed the relevant provincial regulations.

3) The moving allowance for the relocatees should include moving expense, living subsidy, transfer allowance for temporary housing, and secondary moving expense. The actual expense will be based on distance of moving and length of transfer period.

5) Effective measures shall be employed by the resettlement institution in the course of implementation to help the vulnerable (the old, the handicapped, the weak and woman-headed households).

4.3.2 Scattered Trees

The Project should provide compensation for removed trees or compensation for relocating trees.

4.3.3 Tombs

The tombs to be relocated will be compensated under the project.

4.3.4: Land Acquisition and Occupation

4.3.4.1: Collectively Owned Land

1) For the acquired land or cultivated land, the affected villages will be provided with land compensation,
resettlement subsidy, and green crop compensations. In addition, for those villages with adequate land holding, they will carry out land readjustment so that all affected people could get sufficient farmland or production means. While land compensation and resettlement subsidy will be used by the affected village groups. For those village groups with limited land holding, and could not carry out land readjustment, the affected people will receive full resettlement subsidy and not less than 75% of land compensation fee.

2) The average annual output value for the acquired farmland will follow Hunan Government No. 47 Decree in 2005; and compensation multiples will follow relevant national laws and provincial regulations. The land compensation will be set at 10 times of AAOV and resettlement subsidy will be set at 6 times of AAOV. For acquired fruit garden, residential plot, and other rural lands, the compensation will follow relevant regulations for adequate compensation.

4.3.4.2: Temporary Land Occupation

1) Compensation for temporary land occupation include compensation for green crop, compensation for land occupation, and compensation for land restoration. The length of temporary land occupation will be 2 years, if temporary land occupation exceeds 2 years, temporary land occupation should be re-applied.

2) Compensation for land occupation will be mainly used to compensate the total outputs lost during the land occupation, which will be based on original average annual output value and length of land occupation.

3) When temporary land occupation is completed, the occupied land areas should be restored and returned to the affected villages. For the affected dry farmland, they should be restored into original condition and cost of land restoration should be based on actual cost.

4.3.5: Special Infrastructure Facilities

For the affected different types of infrastructure facilities, they will be rehabilitated or reconstructed based on actual conditions, and original scale and functions. Based on amount of investment for different affected infrastructure facilities, the project sponsor will provide compensation to the relevant department agencies in charge of these facilities and organize the implementation.

4.4 Payment of Compensation Fee

1) The relocation compensation for land acquisition and other costs will be paid to the affected collectivities and individuals by the project Office through the city's resettlement Office;
2) Compensation for houses will be paid before the resettlers start building; in case of paying in terms, the final expense shall be paid before the building completion;
3) The compensation for land and other facilities shall be paid to the relevant communities and individuals before land acquisition.

4.5 Rehabilitation Strategy

To mitigate the economic impacts incurred due to the project, the project group will conduct the land adjustment within the scope of villages; develop the shed vegetables as well as breeding, or directly issue the compensation fees to the APs. The relocatees shall relocate within the original villager's group or by way of the concentrated exchange of property right replacement.

5. Responsible Institution for Resettlement

To ensure the successful and effective implementation of the resettlement plan, institution net-work will be set in government of various grades to benefit for being responsible for planning, coordinating, implementing and monitoring the resettlement activities. The institutions set or involved in the land acquisition and relocation of this project are:

1) Provincial Project Resettlement Leading Group
2) Provincial Project Resettlement Office
3) City Project Resettlement Leading Group
4) City Project Resettlement Office
5) Township (Sub-District) Resettlement Office
6) Village Committee or Residential Committee
7) External Individual M&E Institution

6. Appeal Disposal

The resettlement plan is considered for the affected area of the overall project and generally planned for the resettlement scheme. In the implementation, it may arouse the resettlers’ complaints because of the changing of the actual situation and the deviations in operation. To effectively resolve these problems for successfully implementing the project construction and land acquisition, the open and effective appeal channel has been established.

1) Appeal Channel

Offices for citizens’ complaint letter and visit (including resettlement), which can receive, investigate and process the common appeal problems of resettlers’ appealing to higher authorities for help, are established in the city (city), city and province of the resettlers.

The resettlement management institutions which are set up according to the laws, have the grade-to-grade authority, from the province, city to city, to supervise the subordinate for whether processing the resettlement according to the laws; can process the appeal affairs of the resettlement.

Independent Resettlement M&E Institution supervises the resettlement implementation according to the relative national regulations and is responsible for protecting the legal right and benefit of the resettlers; and can process and reflect to the relevant department the appeal problems of right injuria for the resettlers;
Jural departments of administration supervision, audit, disciplinary inspection, judicial administration, inspection are established in various grades of State, province, city and city. They can process the cases about irregularity and principle violation appealed by the resettlers.

2) Appeal Procedures

If the resettlers are not satisfied with the resettlement, they can reflect to the village (residential) committee, who can consult directly with the local resettlement Office for solvation, or can appeal to the superior resettlement Office in oral or written form. After receiving the appeal, the superior resettlement Office will take that on record, research and resolve the problem with the village committee and local resettlement Office within 10 days. In case of encountering with confliction and dispute which cannot be resolved by consultation, the villager committee can appeal to the administration institutions (such as the project Office, resettlement administration institutions, resettlement monitoring institutions, Office for citizens’ complaint letter and visit, administration inspection and disciplinary inspection, etc.) with domination authority grade by grade in appeal channel according to Administration Appeal Law of the PRC. In case of refusing to accept as final, the committee can appeal to People’s Court directly. The resettlement Office shall be responsible for keeping all the appeal problems and resolving courses on the file.
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