Resettlement Planning Document

Resettlement Plan
Document Stage: Final
Project Number: 40665
July 2008

PRC: Songhua River Basin Water Pollution Control and Management Project – Huinan County Sanitary Landfill Project

Prepared by Huinan County Development and Reform Bureau

The resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB’s Board of Directors, Management, or staff, and may be preliminary in nature.
Endorsement Letter for the Resettlement Plan

Jilin Provincial Development and Reform Commission (JCDRC) has been licensed by relevant departments to develop Huinan Sanitary Landfill Project. The project is due to begin in August 2008. JCDRC will rely on ADB’s loans for partial project costs through the China’s Treasure. And the project will has to be implemented in accordance with the social security policies of ADB. Among them, a resettlement report (RP), as a critical requirement by ADB, is needed. And the RP can also act as policy basis for land acquisition. The RP is also subject to the laws and regulations of PRC and China’s local governments, including some improvement measures and arrangements for implementation and monitoring in order to increase effects of the resettlement.

The contents of the report will be confirmed by JCDRC to ensure the resettlement budget will be in place when it is due. JCDRC and Huinan County government discussed the RP and the latter has proved the plan. According to the plan, Huinan Chaoyang Town Huashu Soilid Waste Management Company was authorized to be responsible for the project implementation, including the RP implementation.

Time:

Signature by:        Director

Unit
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Executive Summary

1. Land Acquisition and resettlement Impacts

The proposed Huinan Chaoyang Town Sanitary Landfill Project will be located in Qing’an Group, Huashu Village, Chaoyang Town of Huinan County. It will involve acquisition of 150 mu of woodland. During the construction of the first phase of landfill site, a total of 30 mu of land areas had already been acquired. The proposed Project is the second phase of construction of the project, which will permanently acquire a total of 120 mu of woodland in Huashu Village. The acquired woodland is owned collectively by Huashu Village. No individuals will be directly affected.

2. Resettlement Principle

The resettlement plan is prepared by following relevant laws and regulations of PRC, Jilin Province and Huinan County, as well as relevant policies of ADB. The basic resettlement principles for the proposed Project are as follow:

(1) Through comparison and selection of different design schemes to minimize the land acquisition and resettlement;
(2) Resettlement implementation should strictly follow relevant compensation policies;
(3) The preparation of resettlement plan should coordinate with regional economic development plan;
(4) The formulation of compensation standards should be based on extensive consultation with affected communities and participation of the affected persons should be encouraged.

3. Compensation Policy of the Resettlement Plan

The resettlement implementation will strictly follow relevant policies of PRC, Jilin Provincial Government, and ADB by providing compensation and assistance to those farmers who will be directly or indirectly affected by the project to ensure that after the resettlement, their income and livelihood will not be lower than that before the resettlement.

4. Participation and Appeals Redress

In formulating the policies and preparing the resettlement plan, participation by and consultation with affected people were encouraged. Their desires and opinions on resettlement and compensation have been included in the RP. Huinan County Development and Reform Bureau will be responsible to supervise the execution of the resettlement plan, which includes further consultation and dealing with appeals by the affected persons. As for the grievance procedures, it is clearly spelled out in the present resettlement plan.

5. Plan for Rehabilitation

According to the actual impacts of the project on the local areas, the basic rehabilitation plan is to provide woodland compensation to Huashu Village Committee.
6. Institutions

The Huinan Project Leading Group includes Huinan County Government, County Development and Reform Bureau, Huashu Living Garbage Treatment Company, County Land Resources Bureau, County Forest Bureau and County Construction Commission.

7. Budget for Resettlement

The resettlement budget for the project is RMB 2.57 million CNY, including 10% of physical contingency.

8. Monitoring and Evaluation

Monitoring and evaluation include the internal monitoring and external monitoring. The internal monitoring will ensure that every responsible institution will closely follow the principles and schedule of the resettlement plan.

As for the external monitoring, an independent monitoring institution will be selected to monitor the resettlement activities of the project, and evaluate performance of resettlement implementation. Based on their findings, the independent monitoring institution will provide suggestions to the Project Office, so that the problems encountered in the resettlement implementation could be resolved in a timely manner.

<table>
<thead>
<tr>
<th>No.</th>
<th>Resettlement Tasks</th>
<th>Target</th>
<th>Responsible Agency</th>
<th>Completion Deadline</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Disclosure</td>
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<td>Huashu village</td>
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<tr>
<td>No.</td>
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<td>Target</td>
<td>Responsible Agency</td>
<td>Completion Deadline</td>
<td>Status</td>
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<td></td>
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<td>Development and Reform Committee</td>
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<td>7.</td>
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<td>The Project Owner</td>
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<td>According to Resettlement Plan</td>
<td>The Project Owner</td>
<td>2008.7</td>
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<td>Annual</td>
<td>The external monitor</td>
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<td>7.7</td>
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<td></td>
<td>The Project Owner /The Monitoring Agency</td>
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</tr>
<tr>
<td>8.</td>
<td>Documentation of Consultation</td>
<td>According to RP</td>
<td></td>
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</tr>
<tr>
<td>9.</td>
<td>Documentation of Grievances</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>10.</td>
<td>Flow of Funds/Compensation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.1</td>
<td>To affected villages</td>
<td>Huashu Village</td>
<td>According to Resettlement Plan</td>
<td>2008.11</td>
<td></td>
</tr>
</tbody>
</table>
1. INTRODUCTION

Project Background

Huinan County is located in the southeast of Jilin Province and in the western part of Changbai Mountain. It covers an area of 2,272.3 square kilometers and an arable land area of 52,323 hectares. There is a population of 354,000 with 10 towns and 1 township.

The proposed landfill project will have capacity of treating 180 tons of municipal waste each day. The landfill site with 150 mu of land areas will have a tenure of 15 years. The first phase construction of the project acquired 30 mu with a storage capacity of 280,000 cubic meters, which is going to be filled up soon. The first phase landfill site construction was completed in November 2006 and has been in operation ever since. The second phase construction will cover an area of 120 mu with a garbage storage capacity of 1.6 million cubic meters. The construction of the second phase landfill site will take 14 months with a total investment of RMB 37.81 million Yuan. A loan of RMB 26 million Yuan is being applied from Asian Development Bank and the remaining RMB 11.81 million Yuan will be financed locally. The area affected and benefited by the project is Huinan County in Jilin Province. The proposed landfill site is shown in figure 1.

![Figure 1: Proposed Huinan Sanitary Landfill Site](image)

1.2 Scope of Land Acquisition and Resettlement

The proposed landfill site is located in Qing'an Group of Huashu Village with an area of 120 mu of woodland to be acquired. The acquired woodlands are owned collectively by Huashu Village with timber storing capacity being 743 cubic meters.

1.3 Basis for the Resettlement Plan

The resettlement plan is prepared based on key national laws and regulations, ADB resettlement policy, project feasibility study report, extensive consultation with affected villages and individuals, and detailed impact survey of affected assets.
(1) Objective of Resettlement Plan

Based on the standards of land acquisition and resettlement compensation, the objective of resettlement plan is to improve the living standard of affected persons or at least to restore their income and livelihood to the original level. The affected people are encouraged to participate in the process of resettlement plan preparation.

(2) Method and Process of Resettlement Plan Preparation

Based on the feasibility study report, the project affected areas have been determined by the design institute. Under the cooperation from the project sponsor and affected individuals and villages, detailed impact survey of material objectives was carried out within the affected areas.

Following consultation with the affected persons, the Project Office of Huinan County Garbage Treatment Company will formulate compensation policies in accordance with relevant national, provincial and local regulations and requirements of ADB.

After consulting with the affected persons, the resettlement plan will be submitted to ADB for approval. Based on comment and suggestions of ADB, the resettlement plan will be revised. After amending the resettlement plan, it will be disclosed to people and uploaded on ADB website.
2. IMPACT AND SOCIAL AND ECONOMIC SURVEY

In order to develop a feasible resettlement plan, China Northeast Municipal Engineering Design Institute entrusted by Huinan County Development and Reform Bureau, carried out detailed impact survey and social economic survey in the project areas, which include meeting with officials from relevant county agencies, and having discussions in Huashu Village.

2.1 Documents concerning Resettlement Policies

To prepare the resettlement plan, the task team from DI also collected relevant national, provincial and local regulations and decrees on land acquisition and compensation for attachments, which is the legal basis for the RP.

2.2 Participation and Negotiation in the Resettlement Plan

As for resettlement plan, it was prepared under leadership of county government and assisted by DI. The resettlement plan will be finally determined based on the extensively consultation with affected communities.

2.3 Economic Situation in Huinan County

Huinan County is located in the southeast of Jilin Province and in the western part of Changbai Mountain. It covers an area of 2,272.3 square kilometers of land areas with 52,323 hectares of arable land. There are 354,000 persons in the county. The county has 10 towns and 1 township. Chaoyang Town is the political, economic and cultural center of the county.

Huinan County is listed among the fifteen counties in Jilin Province, which have the strongest comprehensive economic strength. In 2006, the total output value of the county reached RMB 2.66 billion Yuan, which surpassed that of the former year by 15%. The fiscal revenue in 2006 reached RMB 510 million Yuan, with an increase of 34.9%. The rural per capita income was RMB 3,862.36 Yuan, which had an increase of 11.1%.

2.4 Scope of Impacts of the Project

2.4.1 Impacts from Land Acquisition

The proposed Huinan Sanitary Landfill Project will acquire a total of 150 mu of woodland from Qing'an Village Group of Huashu Village. Among them, the first phase construction of landfill site had acquired an area of 30 mu. The present construction is the second phase with an area of 120 mu of woodland, which is located next to the first phase landfill site.

<table>
<thead>
<tr>
<th>Phases of Project</th>
<th>Type of the Land Acquired</th>
<th>Quantity (mu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>First-Period Construction</td>
<td>Woodland</td>
<td>26.2</td>
</tr>
<tr>
<td></td>
<td>Paddy field</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td>Wasteland</td>
<td>0.8</td>
</tr>
<tr>
<td>Second-Period Construction</td>
<td>Woodland</td>
<td>120</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>150</td>
</tr>
</tbody>
</table>
The land acquisition for the first phase landfill site was completed in 2006, and landfill site was completed along with access road and in operation ever since. The construction of the second phase landfill site will maximize existing facilities to minimize additional land acquisition and occupation. For example, the existing access road for the first phase landfill site will be used to avoid construction of additional access road, and all construction equipments will be stored within the site so that no new temporary land occupation will be required and impacts on surrounding residents could be minimized.

The second-phase construction of Huinan Landfill Site will cover an area of 120 mu of woodland with timber storage of 743 cubic meters. Compensation for acquired woodland and lost trees will be used by Huashu Village to build village roads and improve other village public infrastructure, which could improve their living conditions and convenience and promote economic development in the local areas.

### 2.4.2 Affected Village and Village Group

The project construction will affect only woodland from Huashu Village. The basic social economic conditions of affected village and Qing’an Village Group where the woodland is located are listed in the following table.

<table>
<thead>
<tr>
<th>Table 2.2 Village and Village Group Affected by the Land Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Group</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Qing’an Group in Huashu Village</td>
</tr>
<tr>
<td>Huashu Village</td>
</tr>
</tbody>
</table>

Huashu Village has six village groups with 620 households and 2,480 persons. At present, there are no any enterprises in the village. In 2006, the per capita income was 3,000 Yuan/year. The main sources of their earnings came from farming activities and doing manual work outside the village. Thus, the acquisition of the woodland will have no impact on residents’ earnings.

For affected village group, where the acquired woodland is located, since the project will only acquire the village owned woodland, no impacts will be made on any arable land from the village group. Huashu Village has agreed with proposed compensation. It is hoped that the compensation will be used collectively to set up some farming enterprises or to build roads and other public welfare undertakings.

Huashu village has a total of 620 households and 2,480 persons. The per capita farmland is 2.02 mu, and average per capita income in 2007 was about 3,000 CNY. Most of their incomes came from farming and migrant labors. There are 9,000 mu of woodland in the village, with about 800 mu being maintained by Qing’an village Group. Since most these woodlands have not been logged, no income has been obtained for both Huashu Village and Qing’an Village Group from these lands. Therefore, land acquisition will not have impact on their income and livelihood. The compensation for the acquired woodland, including land compensation, resettlement subsidy and lost trees compensation will be paid directly to Huashu Village Committee.
2.4.3 Land Acquisition and Rehabilitation for Phase 1 Landfill Site

For the first phase landfill site, a total of 30 mu of land areas were acquired, including 26.2 mu of woodland, 0.8 mu of wasteland, and 3 mu of paddy land. The land acquisition affected one household with four persons. For the first phase land acquisition, the project owner – Huinan County Environment Sanitary Department had paid all compensations funds to Huashu Village Collective. The compensation for acquired farmland had all been delivered to affected household, who was pleased with compensation and delivery. After land acquisition, the household still has 15 mu of farmland, averaging 3.75 mu per person. His average income in 2007 was 3,750 CNY, 25% higher than village average. Among total compensation received by Huashu Village, most of them or 260,000 CNY were used to build a village road linking Qing’an Group with other groups. The individuals from Qing’an Group were pleased to have cement road connecting to all their houses.
3. LEGAL FRAMEWORK AND POLICIES

3.1 Framework of Policies

The key legal basis of the RP includes the following:

(1) Forest Law of the People’s Republic of China
(2) Land Administration Law of PRC;
(3) Jilin Provincial Implementation Regulation of Land Administration Law of PRC
(3) Collective Forest Administration Regulations of Jilin Province

3.2 Compensation Eligibility

Any group or person that will be affected by the project will obtain corresponding compensation. The compensation target for the present project is the collective of Huashu Village.

3.3 Compensation Principles

(1) We will try our best to make detailed investigation and establish good communication channel with the affected persons. We will negotiate compensation issues with them, trying to meet their requirements.
(2) If after resettlement and giving compensation, the former living standard of the affected people cannot be rehabilitated, we will offer new source of earning to the affected people.
(3) All the affected persons should be notified of their rights, compensation standards, plans to rehabilitate their earnings for livelihood and schedule of the project.
(4) During the process of resettlement, we will apply the method of monitoring and evaluation.

3.4 Compensation Standards for Woodland

Compensation standard for woodland includes four parts: (1) compensation for woodland; (2) resettlement subsidy; compensation for lost trees; and (4) compensation for forest restoration fee. Among them, except for vegetable restoration fee, which will be collected by county forest bureau, all three other compensations will be paid directly to the land owner or Huashu Village Committee. The amount of compensations for these four items is set in the following:

(1) Woodland Compensation Expenditures

According to Jilin Provinicial Implementation Regulation of Land Administration Law (Version in 2005), the compensation for woodland will be set at 4 to 6 times of the average annual output value of dryland in the past three years. According to Huinan County Land Resources Bureau, the average annual output value of dryland in Chaoyang Town is RMB 936 Yuan per mu. Therefore, the woodland compensation of this project will take the standard of six times of AAOV or RMB 5,616 Yuan per mu.

(2) Resettlement Subsidy

Following the same regulation by Jilin government, the resettlement subsidy for the acquired woodland is set at 5 times AAOV of dryland or RMB 4,680 Yuan per mu.
(3) Compensation for Affected Trees

According to the Jinlin Provincial Regulation on Compensation Standards for Land Acquisition and Wood Cutting, compensation for middle-aged wood will be calculated depending on the 90% to 100% of the value of the timber to be added from the time of being cut to their maturity period. As for the value of the timbers to be added from the time of being cut to their maturity period, they could be calculated by the value of the timbers in the maturity subtracting the value of the timbers at the time of being cut. For the proposed Project, based on above provisions, the compensation standard for lost trees is set at RMB 4,025 Yuan per mu.

(4) Vegetation Restoration Fee

According to the *Jilin Provincial Administration Method on collecting and Using the Vegetation Restoration Fee*, the vegetation restoration fee for the proposed Project will be set RMB 4,000 Yuan per mu to be collected by relevant forest bureaus. As for the compensation rate of woodland in the present project, see Table 3.1.

### Table 3.1 Rate of Woodland Compensation

<table>
<thead>
<tr>
<th>No.</th>
<th>Items</th>
<th>Unit</th>
<th>Compensation Rate</th>
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<tr>
<td>1</td>
<td>Woodland Compensation</td>
<td>RMB Yuan per mu</td>
<td>5,616</td>
</tr>
<tr>
<td>2</td>
<td>Resettlement Subsidy</td>
<td>RMB Yuan per mu</td>
<td>4,680</td>
</tr>
<tr>
<td>3</td>
<td>Vegetation Restoration Fees</td>
<td>RMB Yuan per mu</td>
<td>4,000</td>
</tr>
<tr>
<td>4</td>
<td>Compensation for lost trees</td>
<td>RMB Yuan per mu</td>
<td>4,025</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>RMB Yuan per mu</td>
<td>18,312</td>
</tr>
</tbody>
</table>

3.5 Table of Entitlement Matrix

As for the impacts of land acquisition on the affected targets, they are mainly reflected by losses. Thus, the following table of entitlement matrix is prepared to guide the paying of the compensation. Please see Table 3.2.
<table>
<thead>
<tr>
<th>Types of Impacts</th>
<th>Affected Targets</th>
<th>Degree of Affection</th>
<th>Compensation Standards</th>
<th>Execution Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of Woodland Collective of Huashu Village</td>
<td>120 mu of Woodland to be Acquired</td>
<td></td>
<td>Total compensation is RMB18,312 per mu; including: RMB 5,616 Yuan for woodland compensation, RMB4,680 per mu for resettlement subsidy: RMB 4,000 Yuan per mu for vegetation rehabilitation fee: and RMB 4,025 Yuan per mu</td>
<td>Woodland compensation, resettlement subsidy, and lost tree compensation will be directly given to the collective of Huashu Village. Compensation for vegetation rehabilitation fee will be given to forest administration institution.</td>
</tr>
</tbody>
</table>

All related compensations for woodland acquisition will be paid by the project sponsor. As for the capital appropriation of the project, it will be executed according to the agreement signed by the construction institution and the affected group. Its deadline is fixed at the time when the detailed surveying investigation is made.
4. **RESETTLEMENT AND REHABILITATION PLAN**

The DI, the project owner and the local government based on the compensation and rehabilitation options suggested by the project-affected village, jointly prepared the rehabilitation plan in full compliance with the current policies, laws, regulations and ADB Policy on Involuntary Resettlement.

**4.1 General Plan for Resettlement**

According to the opinions and suggestions of the affected people and with analysis of the realistic situation in the corresponding areas affected by the project, the basic rehabilitation option for the acquired woodland is to provide cash compensation to the affected Huashu Village.

**4.2 Resettlement Plan for the Livelihood and Production of the Affected People**

Huashu Village has a total of 6 village groups. The per capita income was RMB3,000 in 2007. There are no any enterprises in the village. The main sources of their earnings come from agricultural production and migrant labors. Thus, the acquisition of the woodland will have no affection on residents’ earnings.

The construction of the second-phase of landfill site will acquire an area of 120 mu woodland from the collective of Qing'an Village Group of Huashu Village. According to the current compensation plan, Qing'an Community of Huashu Village will obtain equivalent currency compensation for its loss, which will be provided by the project owner.

The compensation paid will be used for developing animal husbandry activities in the village or improving village infrastructures, such as village roads and other welfare undertakings. Meanwhile, People’s Government of the County will offer short-term training on the breeding industry, which will promote the economic development in the local area, make it more convenient for the residents to go outside and to communicate with the outside world. Thus, it will offer necessary guarantee for the outside selling of agricultural and secondary products, which will further increase the earnings of the local residents.

Along with the progress of the first phase landfill site, the completed landfill site will be rehabilitated by the project owner as woodland and returned to local villages, including Huashu Village.

For the acquired woodland, the compensation of 1.72 million CNY will be paid directly to Huashu Village, which will be used collectively. Following consultations and discussions among representatives in the village, Huashu Village Collective is planning to use 600,000 CNY to complete all village roads within the village, and to use 100,000 CNY on skill training for village members. The remaining funds will be used to promote animal husbandry enterprises to be developed in the village.

The village has good condition to develop animal husbandry activities. The village committee is planning to use the part of the compensation fund to set a cattle farm with 150 cattle with initial investment of 600,000CNY. A total of 50 villagers will be employed in the cattle farm with average wage being 600CNY per month. In addition, most village members will also get income by selling corn straws to the cattle farm at 180CNY per ton, and planting cattle feed. The annual
profit of cattle farm will be 139,200CNY or 460 per capita. It is estimated that in average per capita income in the village group could increase by 500CNY with such development.

The training will target to all village members of Huashu Village, particular those from Qing’an Group. The main content of training is on animal husbandry techniques to be taught by technician from county agricultural bureau animal husbandry department. It is hoped that through skill training on animal husbandry in the village, their knowledge and understanding of animal husbandry activities could be improved and risk of operating animal husbandry activities could be reduced. As a result, their income from animal husbandry activity could be increased and livelihood improved.
5. RESETTLEMENT INSTITUTIONS

(1) List of Institutions and Responsibilities

During the project implementation, the institutions involved into the resettlement activities planning, management and monitoring are:

- Project Resettlement Leading Group
- Huinan County Chaoyang Town Huashu Solid Waste Treatment Company
- Huinan County Land Resources Bureau
- Huinan County Forest Bureau
- The External Monitoring Agency

(1) Project Resettlement Leading Group

The Project Resettlement Leading Group consists of officials from Huinan County Government, Huinan County Development and Reform Committee, Huinan County Land Resources Bureau, Huinan County Forest Bureau and Huinan County Chaoyang Town Huashu Solid Waste Treatment Company. The major responsibilities of the leading group are to supervise the project implementation, make the resettlement and land acquisition policies and coordinate inter-agency activities to ensure the resettlement and land acquisition smoothly. Under the leading group, a project resettlement office is established.

(2) Chaoyang Town Huashu Solid Waste Treatment Company

A project resettlement office is established within Chaoyang Town Huashu Solid Waste Treatment Company. Its major responsibilities are:

- To hold the technical trainings for staffs at the subordinate resettlement offices;
- To organize and coordinate the preparation and the implementation of RP;
- To organize the public participation and consultation and promote the RP policies;
- To supervise the utilization of resettlement fund;
- To guide, coordinate and supervise the resettlement implementation and the progress made;
- To be responsible for internal monitoring activities, prepare the internal monitoring report and participate in the annual financial audit;
- to contract the external monitoring agency.

(3) The major responsibilities of the external monitoring agency are:

- To monitor the resettlement implementation at all aspects and prepare and submit the resettlement M&E report to ADB bi-annually as an independent M&E agency.

5.2 Relationship among Institutions

In the process of land acquisition, the relevant agreements and contracts are signed between institutions to define their tasks and responsibilities. The agreements and contracts are including:

- Chaoyang Town Huashu Solid Waste Treatment Company will prepare and submit land use application to the local land resources bureau and forest bureau. The local governments will
review and approve the land acquisition application according to relevant laws and regulations.

- Chaoyang Town Huashu Solid Waste Treatment Company will sign the land acquisition compensation agreement with the affected Huashu Village.

- Chaoyang Town Huashu Solid Waste Treatment Company will contract the qualified independent external M&E agency.

5.3 Measures to Strengthening the Capacity Building

In order to guarantee the resettlement implementation smoothly, the project resettlement office will take the following measures to strengthen the capacity building:

- To optimize the staff structure. The staff composition in each resettlement office should have two types: one is the technical engineer and the other one is administrative staff. They should be qualified in technical background and managing capacity.

- To organize the technical trainings for the major staffs working in the each office to better understand the PRC resettlement policies and ADB Policies on Involuntary Resettlement and other safeguard requirements.

- To set up the database and improve the information communication in two-way manners

- To strengthen the reporting process and the internal monitoring. Any issues identified should be resolved in timely manner to have a coordination mechanism between the internal monitoring and external monitoring.
6. PUBLIC PARTICIPATION

6.1 Strategies for Public Participation

In order to better work out the resettlement plan and reduce dissatisfaction and dissensions, during the designing process of the resettlement policies, planning and execution, the present project has emphasized on the participation and coordination of the affected persons and has extensively listened to the opinions and suggestions of the affected people.

6.2 Public Participation in the Resettlement Plan

Since May 2005, People’s Government of Huinan County, Development and Reform Bureau of Huinan County, Huinan County Environmental Hygiene Institution and Huashu Community Residents’ Committee have had informal discussion with the affected residents for many times and taken their suggestions and opinions into full consideration.

Through full discussion and coordination, in July 2005, Huinan County Environmental Hygiene Institution and Huashu Village signed an agreement on land acquisition. The first-phase construction in May 2006 passed the detailed investigation by the forest administration institution and after that, all the compensation had been appropriated to Huashu Village and affected residents. And all the relevant affected residents were satisfied with the compensation and resettlement in the first-phase constructed project.

The second-phase construction will also pay attention to the participation and coordination of the affected persons. Opinions of the affected persons will be extensively listened to. As for the plan for public participation and consultation, see Table 6.1.
<table>
<thead>
<tr>
<th>Aims of the Activity</th>
<th>Form of Institution</th>
<th>Time Schedule</th>
<th>Execution Institution</th>
<th>Participants</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Issue booklets concerning the affected persons.</td>
<td>Public and the Community meeting s and key collective discussions</td>
<td>June 2008</td>
<td>Huinan County Chaoyang Town Huashu Solid Waste Treatment Company and Huashu Village</td>
<td>The residents of Qing’an Community of Huashu Village</td>
<td>Issue information booklets about the resettlement plan to all the persons affected by the project and discuss relevant contents concerning the resettlement plan.</td>
</tr>
<tr>
<td>2. Carry out final detailed investigation.</td>
<td>Detailed Investigation</td>
<td>Oct. 2008</td>
<td>Huinan Forest Administration Bureau, Huinan County Chaoyang Town Huashu solid Waste Treatment Company, and Huashu Village</td>
<td>The residents of Qing’an Community of Huashu Village</td>
<td>List for the woodland acquisition and all the economic data.</td>
</tr>
<tr>
<td>3. Offer the final draft of the resettlement plan to the</td>
<td>Public and Community meeting</td>
<td>June 2008</td>
<td>Huinan County Chaoyang Town Huashu</td>
<td>The residents of Qing’an Community of Huashu</td>
<td>Issue the resettlement plan draft to all the residents</td>
</tr>
<tr>
<td></td>
<td>residents affected by the project. and key collective discussions.</td>
<td></td>
<td>solid Waste Treatment Company, People’s Government of Huinan County and Huashu Village</td>
<td>Village</td>
<td>affected by the project and discuss the resettlement plan concerning relevant contents and drawbacks. Carry out discussion with every important group to obtain opinions and suggestions.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>4.</td>
<td>Notification of the adopted the compensation in the project and the final design and the time schedule of the construction.</td>
<td>Public and Community meetings and key collective discussions</td>
<td>Continuously</td>
<td>Huinan County Chaoyang Town Huashu Solid Waste Treatment Company, Huinan County PMO, and Huashu Village</td>
<td>The residents of Qing’an Community of Huashu Village</td>
</tr>
<tr>
<td>5.</td>
<td>Notification of the rights of the targets affected and the date for delivery compensation</td>
<td>Public and Community meetings.</td>
<td>Nov. 2008</td>
<td>Huinan County Chaoyang Town Huashu Solid Waste Treatment Company and</td>
<td>The residents of Qing’an Community of Huashu Village</td>
</tr>
</tbody>
</table>
6. Monitor the compensation execution situation of the affected persons.

<table>
<thead>
<tr>
<th>Follow-up visits</th>
<th>Nov. 2008 to Jan. 2009</th>
</tr>
</thead>
</table>

Huashu Village

Huinan County Chaoyang Town Huashu solid Waste Treatment Company, People's Government of Huinan County and Huashu Village
6.3 Grievance Procedures

Therefore, Chaoyang Town Huashu Solid Waste Treatment Company should consult with affected organizations in formulating compensation standards and rehabilitation measures in order to avoid any grievance. A highly open and practical grievance procedure should be set up so that the grievance could be dealt with objectively, fairly and effectively. As a result, the project progress could be accelerated.

Appeals Content

The appeals could include any aspects of the resettlement, such as amount of land acquisition, compensation policy, compensation standards and so on.

Appeals Procedure

Stage I: The affected person or village could first raise his oral or written complaint to the Resettlement Office in Huinan Chaoyang Town Huashu Solid Waste Treatment Company. If it’s oral grievance, the Resettlement Office must write it down, and give specific reply in two weeks.

Stage II: If the affected person is not satisfied with the reply made by the Resettlement Office, he could appeal to ADB PMO of Huinan County, which will give their reply in 4 weeks.

Stage III: If the affected individual does not satisfy with the reply made by the ADB’s PMO of Huinan County, he can appeal to Huinan County Government, which will give their reply in 4 weeks.

Stage IV: If he is not happy with the reply in Stage IV, they can appeal to civil court.

Principles of dealing with appeals: the Resettlement Office must undertake field investigation on affected individuals’ grievance, and consulting with them patiently. The resolution scheme should be developed objectively and fairly according to the national laws and regulations and the principles and criterions of the Resettlement Plan. To those grievances that the Resettlement Office could not resolve, it should be submitted to upper level department timely, and should assist to make investigation.

Appeals Content and Manner Replied:

i. The content of reply for the complaint should include brief introduction on individuals’ grievance, investigation result, related national regulations, principles and criterions of the RP, resolution measure and its basis. The individuals who have grievance have the rights to appeal to upper level department or civil court. The legal fee should be paid by the project unit.

ii. Method of reply to appeals: To some isolated grievance, the reply should be handed to the related individuals in writing.

Appeals Report

During resettlement implementation, the related department should document and manage the grievance case materials carefully and submit them to the ADB’s PMO each month.
7. MONITORING AND EVALUATION

In order to ensure the resettlement plan implemented smoothly and achieve the proposed objectives of resettlement and rehabilitation, the monitoring and evaluation are required according to the ADB requirements. The resettlement monitoring will be divided into two parts: internal monitoring (by the resettlement offices) and the external independent monitoring.

7.1 Internal Monitoring

The internal monitoring for the whole project will be undertaken by Jilin Provincial Project Management Office, and relevant subproject offices in the project cities or counties. For proposed Huinan Sanitary Landfill Project, the internal monitoring will be mainly carried out by project sponsor – Huinan Chaoyang Town Huashu Solid Waste Treatment Company with support from Huinan County Construction Bureau, Land Resources Bureau, Forestry Bureau, as well as Chaoyang Town and Huashu Village. They will ensure that all the concerned agencies abide by the RP. Based on information collected, a progress report should be prepared and submit to the Provincial Project Management Office in a timely manner.

7.2 External Monitoring

The external monitoring and evaluation will be undertaken by an independent M&E agency. This external M&E agency should be independent and have rich resettlement M&E experiences and qualified staffs.

Huinan Chaoyang Town Huashu Solid Waste Treatment Company will select a qualified independent external M&E agency with County PMO.

The external M&E monitor undertakes the resettlement M&E every six month. During the resettlement implementation, the external monitoring agency reports to Huinan Chaoyang Town Huashu Solid Waste Treatment Company and Huinan County PMO, the project leading group and the concerned organizations every six-month. This will last until the resettlement completion. At the same time, the external M&E monitor should report the English resettlement M&E report to ADB bi-annually.

Huinan Chaoyang Town Huashu Solid Waste Treatment Company with Huinan County PMO will submit to Provincial Management Office the external resettlement M&E report prepared by the external monitor. These two agencies should provide the external monitor with the genuine information with respect to the resettlement and land acquisition (consistent with the engineering progress). At the same time, they should submit to ADB the resettlement completion report and the resettlement evaluation report through Provincial Project Management Office. The report should have a summary of the project impacts and measures taken to mitigate or minimize the negative impacts as before the proposed project implementation.
8. BUDGET AND FINANCING PLAN

8.1 Budget

The total investment of the project is RMB 37,812,000 Yuan. And the resettlement budget is RMB 2,572,269 Yuan, including 10% for contingencies. As for specific budget, see Table 8.1.

<table>
<thead>
<tr>
<th>Items</th>
<th>Compensation standard (RMB/mu)</th>
<th>Quantity</th>
<th>Cost in total (Yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Basic Costs</td>
<td>18,312</td>
<td>120</td>
<td>2,198,520</td>
</tr>
<tr>
<td>Compensation for woodland</td>
<td>RMB 5,616</td>
<td>120 mu</td>
<td>673,920</td>
</tr>
<tr>
<td>Compensation for lost trees</td>
<td>RMB 4,025</td>
<td>120 mu</td>
<td>483,000</td>
</tr>
<tr>
<td>Vegetation restoration fee</td>
<td>RMB 4,000</td>
<td>120 mu</td>
<td>480,000</td>
</tr>
<tr>
<td>Resettlement subsidy</td>
<td>RMB 4,680</td>
<td>120 mu</td>
<td>561,600</td>
</tr>
<tr>
<td>2. The Other Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resettlement management</td>
<td>3%</td>
<td></td>
<td>65,956</td>
</tr>
<tr>
<td>Monitoring and Evaluation</td>
<td>4%</td>
<td></td>
<td>87,941</td>
</tr>
<tr>
<td>3. Contingency</td>
<td>10%</td>
<td></td>
<td>219,852</td>
</tr>
<tr>
<td>Total Cost</td>
<td></td>
<td></td>
<td>2,572,269</td>
</tr>
</tbody>
</table>

8.2 Annual Budget

According to the progress of the project construction, the execution of the project will take 13 months, starting from August 2008 to September 2009. In the first year of implementation, 80% of the resettlement budget will be spent. In the second year, the cost will be approximately 18% of the total budget. In the third year, the cash cost will be 2% of the total budget. In Table 8.2, budget and resettlement cost in different years have been shown.

<table>
<thead>
<tr>
<th>Annual</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget (10,000 Yuan)</td>
<td>205.8</td>
<td>46.3</td>
<td>5.1</td>
<td>257.2</td>
</tr>
<tr>
<td>Proportion of the budget (%)</td>
<td>80%</td>
<td>18%</td>
<td>2%</td>
<td>100%</td>
</tr>
</tbody>
</table>

8.3 Capital Flow

Financial Bureau of Huinan County will provide budget for the Huinan Chaoyang Town Huashu Sanitary Landfill Project and the government will fill up any gap in the budget and make sure that before the land acquisition, there will be sufficient funds for disbursement. For various compensation expenditures, they will be delivered to the affected Haishu Village through Huinan Chaoyang Town Huashu Solid Waste Management Company.
9. SCHEDULE FOR THE RESETTLEMENT PLAN

9.1 Principles

The implementation schedule for cutting down trees and acquiring woodland will be arranged according to implementation of the project. According to the schedule, the progress of resettlement should be in accordance with the progress of the project construction. As for the progress of land in use, it should be determined according to the starting time of the execution of the corresponding project in Huinan County.

In order to guarantee the execution of every aspect of work of the resettlement plan, the woodland acquisition work in the resettlement plan would be finished one month ahead of the starting time of the construction of the proposed Huinan Solid Waste Management Project, which include consulting with Huashu Village and signing relevant compensation contract.

9.2 Implementation Schedule of the Resettlement Plan

The resettlement plan will be submitted to Asian Development Bank in June 2008; and the final resettlement plan will be approved by the People’s Government of Huinan County in June 2008.
Table 9-1: Resettlement Implementation Schedule

<table>
<thead>
<tr>
<th>Main Items</th>
<th>Time</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>RP Approval</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADB Approval</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclose RIB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detailed measurement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Survey</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirm Rehabilitation Plant</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Compensation Agreements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disburse Funds</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Acquisition</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commencement of Civil works</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Set up Internal Monitoring and Evaluation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring fund disbursement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Contract with ME Agency</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>External Monitoring and Evaluation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ANNEX 1: Relevant Laws and Regulations on Resettlement

1. Forest Law of People’s Republic of China

   Article 32: the deforestation must apply the permit first and it must be implemented strictly according to the permit. This excludes the deforestation activities by farmers in their own lands and the scattered trees growing the rear and the front of the private houses.

   The Forestry Administration Agencies at the county or above level approve the permit when the state-owned forestry enterprises and institutions, the relevant organizations, the Army, Schools and other types of the state-owned have the deforestation.

   The relevant forestry administration agencies approve the permit when the tree belts along the railways and expressways and the urban scenic trees have deforestation.

   The Forestry Administration Agency at county level approves the permit when the rural collective groups have the deforestation.

   The County Forestry Administration Agency or the Township/Town Government empowered by the former approve the permit when farmers have the deforestation in their tenured mountain areas and in their contracted Forest Farm with the collective ownership.

   All the above-mentioned are applicable to the bamboo forestry that is to produce the bamboos.

   Article 33: The approving agencies are not allowed to approve the deforestation permit, which have exceeded the annual quotas.

   Article 34: when the state-owned forestry enterprises and institutions apply for the deforestation permit, they have to also submit the relevant survey and design document in the deforestation areas; other organizations apply for the permit, they have to also attach the relevant document detailing the deforestation purposes, location, type of trees, areas, the reserve, forms and the renewal measures etc.

   For those organizations that don’t comply with the relevant regulations, the approving agencies are authorized to take the permit and terminate their deforestation. They could continue the deforestation only when they have adopted the corrective measures.

   Article 35: The organization or individuals, who have the deforestation, must replant trees required by the permit such as the forestry areas, numbers of trees, types of trees, and timeframe. The afforestation area and numbers of trees should at least same with the deforestation.

2. ADB Policy on Involuntary Resettlement

   The ADB Involuntary Resettlement Policy includes the following principles:

   (1) Involuntary resettlement should be avoided whenever feasible.

   (2) Where population displacement is unavoidable, it should be minimized by providing viable livelihood options.

   (3) If individuals or a community must lose all or part of their land, means of livelihood, or social support systems, so that a project might proceed, they will be compensated and assisted through replacement of land, housing, infrastructure, resources, income sources, and services, in cash or kind, so that their economic and social circumstances will be at least restored to the pre-project level.

   (4) Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socioeconomic rehabilitation.

   (5) Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically
and socially into host communities so that adverse impacts on the host communities are minimized and socially harmony is promoted.

(6) Indigenous groups, ethnic minorities, pastoralists, migrants/floating population, people who claim for such land without formal legal rights, and others, who may have usufruct or customary rights to affected land or other resources, often have no formal legal title to their lands. The absence of a formal legal title to land is not a bar to ADB policy entitlements.

(7) Each involuntary resettlement is conceived and executed as part of a development project or program.

(8) Where adversely affected people are particularly vulnerable groups, resettlement planning decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning, and implementation.

3. Jilin Provincial Implementation Regulation of Land Administration Law

Article 25: the compensation standards for land acquisition are shown as following:

(1) Urban and the suburban vegetable land, the vegetable land in the industrial and mining areas and the fishpond: the compensation standards are 9~10 times of AAOV of the acquired in the past three years;

(2) Paddy field, orchard and the vegetable land exclusive item (1) mentioned, the compensation standards are 8~9 times of AAOV of the acquired in the past three years;

(3) Day land and man-made grassland: 6~8 times of AAOV of the acquired in the past three years;

(4) Forestry land, reed pond and grassland excluded man-made grassland and the breeding aquatics water area excluded fishpond: the compensation standards are 4~6 times of AAOV of the dry land adjacent to the acquired in the past three years.

(5) Other land: the compensation standards are 2~4 times of AAOV of the dry land adjacent to the acquired in the past three years.

Article 26: The resettlement subsidies for other productive lands excluded the farmland: the compensation standards are 4~6 times of AAOV of the acquired in the past three years. It is paid once for all.

4. Jilin Province Administrative Regulation Collective Owned Forest

Article 9: the collective-owned organization should sign the relevant agreements and register the ownership changes in the approving agency when the ownership of the forestry land is changed. The purpose of forestry land must not be changed.

Article 17: the deforestation has to apply for the permit to the County Forestry Administration Bureau. The deforestation must be implemented strictly in line with the permit. The deforestation without permit is forbidden. This excludes the deforestation activities by farmers in their own lands and the scattered trees growing the rear and the front of the private houses.

Under any emergency situations, the deforested organizations have to report to the Forestry Administration Bureau at County or above-county level for the information within 30 days since the deforestation happened. The local government provide with the certain compensation.

Article 19: Theft deforestation, denudations are strictly forbidden.