

# Resettlement Planning Document

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## PRC: Hunan Roads Development Project II Zhangjiajie Section of Zhangjiajie-Yuanling Highway (Local Road Component)

Prepared by Zhangjiajie City Zhangyuan Highway Construction and Development Co. Ltd.

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.

## **PREFACE**

This Resettlement Plan (RP) has been prepared by the Zhangjiajie City Zhang-Yuan Highway Construction Co. Ltd. (ZYCC). The RP has been formulated based on the PRC laws and local regulations and the Asian Development Bank's (ADB's) Policy on Involuntary Resettlement. The policy framework and compensation standards used in the RP is as same as that in the RP of Hunan Road Development Project II: Changde-Jishou Expressway. This RP addresses the land acquisition and resettlement aspects of the Zhang-Yuan Highway Project (the Local Road). The overall impacts reported here are based on the reliable Detailed Measurement survey. The RP is based on DMS results and 145 households sample surveys of affected persons (APs) within the right-of-way. After concurrence from ADB, the RP will then be approved by Zhangjiajie City Government on behalf of Hunan People's Government.

## ENDORSEMENT LETTER OF THE RP

HPCD has received, through MOC/MOF, a loan (Loan No 2089-PRC) from ADB to finance Hunan Road Development Project II. Zhangjiajie-Yuanling highway improvement is one of the local road integrated into the Project. Accordingly, the implementation of the local road improvement shall be in compliance with ADB policies. This RP is prepared by Zhangjiajie Zhang-Yuan Co Ltd in accordance with PRC laws and local regulations as well as ADB social safeguard policies. This RP represents a key requirement of ADB and will constitute the basis for land acquisition, compensation and resettlement. The RP complies with PRC laws and local regulations but includes some additional enhancement measures and implementation and monitoring arrangements to ensure high quality resettlement results.

ZYCC has discussed the draft RP with relevant local officials and has obtained their concurrence. ZYCC and Yongding District Government make commitment that the implementation of the RP and related resettlement activities will be carried out as scheduled.

Endorsed on June\_,2007 by:

**Chen Jing**  
Governor, Yongding District

And

**He Qiguo**  
Manager, ZYCC

## 安置计划的批准

湖南省交通厅通过交通部和财经部从亚行申请了一笔贷款（贷款号：**Loan 2089-PRC**）用于湖南道路II项目的建设，张沅公路改建项目为该项目的地方道路成分之一，因此，张沅公路的建设应按亚行的社会保障政策来实施。为此，张沅公司根据中国的法律、地方法规和亚行的政策要求编制了本安置计划，体现了亚行的一些主要要求，是征地拆迁、补偿和安置的基础，但个别地方有所加强并对实施和监督作了具体的安排部署，确保高质量地完成移民安置。

本安置计划的内容已经与地方政府官员进行了讨论，并得到了他们的同意，张沅公司和永定区政府保证将预算中的资金落实到位，并按计划的安排实施和管理相关的安置事项。

同意人

湖南省张家界市永定区区长长： 陈竞\_\_\_\_\_

日期： \_\_\_\_\_

张家界市张沅公司经理： 何其国\_\_\_\_\_

日期： \_\_\_\_\_

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## Abbreviations

ADB	Asian Development Bank
APs	Affected persons
AAOV	Average annual output value
CECC	Changde-Jishou Expressway Construction Company
CRO	County Resettlement Office
DMS	Detailed Measurement Survey
EA	Executive Agency
FS	Feasibility Study
G319	National Road No.319
HPCD	Hunan Provincial Communication Department
HPDI	Hunan Provincial Design Institute for Communications Planning & Survey
HPEC	Hunan Provincial Expressway Construction and Development Co. Ltd.
HPG	Hunan Provincial Government
IA	Implementation Agency
LAR	Land Acquisition and Resettlement
LC	Land Compensation
M&E	Monitoring and Evaluation
MOF	Ministry of Communications
PPTA	Project Preparatory Technical Assistance
RC	Resettlement Subsidy
ROW	Right of Way
RP	Resettlement Plan
PRA	Participatory Rural Appraisal
TOR	Terms of Reference
TRO	Township Resettlement Office
VOC	vehicle operating cost

CN Yuan      Unit of Chinese currency: US\$1.00 = CNY 8.28

Mu      Area of land – 1 hectare = 15 mu



## **Executive Summary**

### **I. Project Area and Impact**

The Local Road Improvement (60.5km) of Zhangjiajie section of Zhangjiajie-Yuanling highway, one of the local roads components integrated into the Hunan Roads Development II Project financed by ADB, will affect 4 townships and 22 administrative villages in Yuanling County. Based on the field survey of detailed design, the Project will permanently occupy land of 1036.7 mu (68.4 hectares). Approximately 6,024 people will be affected. The temporary use of land will amount to 128.6mu (8.6 hectares). 47% of the land to be permanently acquired is currently under cultivation. The number of rural people whose houses will be demolished is 1,050 persons in 266 households, with a total floor space of their house/building 39,390 square meters.

### **II. The Resettlement Plan**

The Resettlement Plan (RP) has been prepared by the Zhangjiajie City Zhang-Yuan Highway Construction and Development Co. Ltd. (ZYCC) with assistance from local resettlement experts. The project detailed design formed the core base for the RP, and the impact data used was the results of detailed measurement survey, which has a high reliability. Meanwhile the resettlement social-economic survey covering 145 households and 614 villagers provided robust base for the formulation of the RP. The draft RP has been reviewed by the affected townships and by ADB, and these comments has been incorporated into the RP by ZYCC. Once approved by ADB, the RP will be implemented by ZYCC. Consultations were conducted with the affected people and their comments and suggestions were reviewed by ZYCC to ensure that any concerns are addressed.

### **III. Policy Framework and Compensation**

For people unavoidably affected by the Project, the resettlement objective is to ensure attainment of equal or better livelihoods and living standards in line with the PRC's Land Administration Law (1998) and the Asian Development Bank's (ADB's) *Policy on Involuntary Resettlement* (1995). The RP is based on the *Implementation Measures for the Land Administration Law of PRC in Hunan Province* (2000) and the *Management Measures on Temporary Land Occupation*, Hunan People's Government, order no. 140 (2001), *Decree 28 for Land Administration Law (Promulgated in October 2004)* and *Hunan Provincial Document No. 24 (February 2005)*. ZYCC will ensure that any people losing land, housing, other assets or other means of production will be assisted in restoring their incomes and living standards to at least the levels without the Project's intervention. Lost assets will either be replaced or their owners compensated at replacement cost.

The RP also stipulates generic eligibility/entitlement provisions for Project Affected People (AP.) losing land, houses and income losses and provides rehabilitation

subsidies. Permanent Land losses and Temporary Land Losses will be directly paid to the AP at a rate stipulated as per the RP. House losses will be directly paid to the APs in cash at replacement cost free of demolition expenses and salvaged materials. Crops and tree losses will be directly paid to the APs in cash at rates stipulated in the RP. Resettlement subsidy will be directly paid to each resettled household for transport costs, work loss, transfer costs, medical expenses and temporary housing.

#### **IV. Relocation and Rehabilitation Assistance**

The relocation site selection has two options of (1) within the same village and (2) outside of the village.

The proposed income rehabilitation measures are mainly the cash compensation, which will place a considerable responsibility for income restoration on APs themselves. The preference of income restoration by APs include, cash crop plantation, livestock breeding, investing in off-farm activities as establishing small business or migrant workers, and training program if required, to develop specific skills for APs. For the vulnerable groups, special social assistance fund will be provided by the project to secure their livelihood.

#### **V. Implementation Framework and Budget**

HNB will be responsible on behalf of the Hunan Provincial Government for the general administration of the project implementation and the monitoring of the work done by project implementation agency to complete the project. The Zhangjiajie City Zhang-Yuan Highway Construction and Development Co. Ltd. (ZYCC) will be the implementation agency in charge of the implementation of the project and the execution and coordination of land acquisition and resettlement (LAR) to resolve problems vital for the implementation of LAR. A LAR division was set up within the ZYCC. A LA&R Coordination division was established in Yongding District, headed by 1 Deputy Governor and consisting of 5 members from different government departments particularly the land administration, municipal construction, environment protection, usually one from each department. The each of affected townships will have a LAR office consisting of 4 persons and the Villager Committees of the villages shall appoint at least one person to join and provide assistance to the LAR work and to carry out the economic rehabilitation plan together with the township government and villager committee. Currently EA has already established a Leading Group for Project Implementation. So far the Leading Group has started coordination and internal policy circulation work for the land acquisition and resettlement of the project.

Resettlement and land acquisition costs for Zhangjiajie section of Local Road Component are estimated at CNY33.39 million (USD4.39 million) including land and buildings compensation, income restoration assistance; management costs; monitoring; and taxes.

## **VI Stakeholder Participation, Disclosure of RP and Grievances**

At various stages of the project planning, affected people have been informed and consulted about the likely impacts of the project. Various stakeholders consulted include (i) heads of households to be affected; (ii) Village Heads and villagers' representatives; (iii) local government agencies and departments and (iv) women and other vulnerable groups. The consultation will continue through the project implementation period.

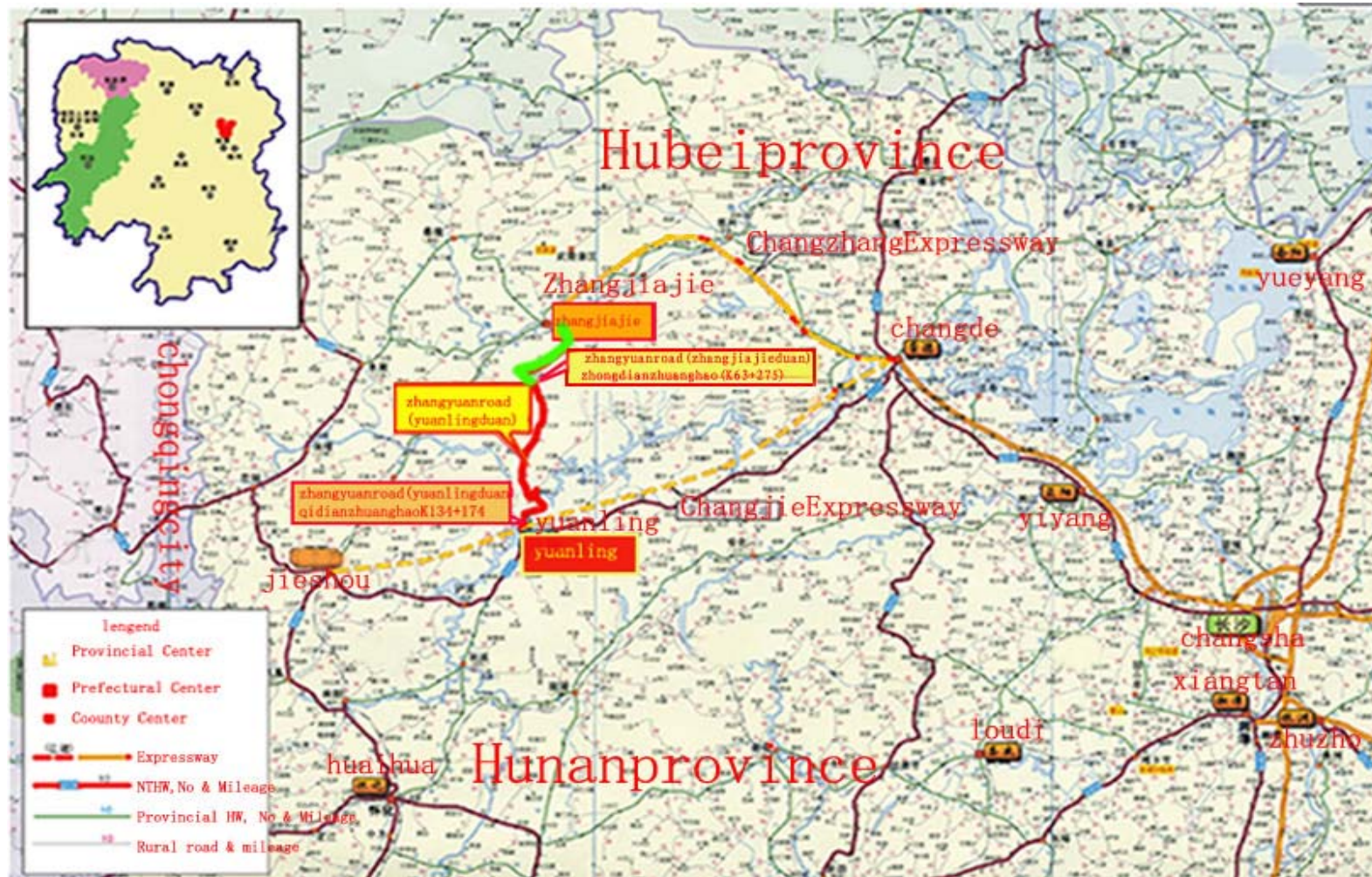
The draft RP prepared by EA is in Chinese, which has been sent to local government agency and stakeholders for review and comments on the policy in general and adequacy of the mitigation measures in particular. Further, EA organized/planned public consultation meetings in each affected townships. Key findings of the consultation indicate full support to the project. The final RP will be summarized and disclosed after the approval from ADB and local government. A working organization for resettlement consisting of officials from Land Administration Bureau and related department, will implement the RP, and claims will be reviewed and resolved within three weeks.

## **VII. Project Monitoring and Evaluation**

The RP will have both internal and external monitoring. EA will take an overall responsibility for the project monitoring during the project implementation phase. The following activities will be monitored by EA: (i) Compensation payments; (ii) House rebuilding/ relocation of APs; and (iii) Grievance Redress.

Internal monitoring will be the overall responsibility of the resettlement implementation agency. ZYCC will carry out internal monitoring of land acquisition and resettlement so as to guarantee timely and well-done land acquisition and resettlement works following the RP and to protect the interest of the affected people. Hunan University, an independent agency from the Ea and the local governments along the alignment, was contracted as the lead agency to carry out the external monitoring and evaluation work under this RP. The tasks include: (i) review and verification of the compensation payments; (ii) status of land acquisition and payments on land compensation; (iii) assessment of the disbursement of compensation procedure; (iv) appraisal of the grievance procedure; (v) APs reaction/satisfaction with the entitlements and compensation; (vi) assessment of the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future policy implementation, formulation and planning. The external monitoring will be carried out every six month during the resettlement implementation and annually after the completion and until the affected people's livelihoods have been adequately restored. The monitoring findings will be shared in the form of reports to EA in Chinese and ADB in English.

Fig 1: Location Map of Zhangjiajie Section, Zhangjiajie-Yuanling Highway



## I. CHAPTER 1 INTRODUCTION AND PROJECT BACKGROUND

### A. 1.1 Introduction

1 This Resettlement Plan (RP) addresses the land acquisition and resettlement aspects of the Zhangjiajie section, Zhangjiajie-Yuanling Class III Highway( hereinafter referred as Zhang-Yuan highway), which is the local road component of Hunan Roads Development II. The RP of Hunan Roads Development II Project, which was prepared in accordance with the ADB's policies on *Involuntary Resettlement*<sup>1</sup>, *Indigenous Peoples*<sup>2</sup>, and other social safeguards and guidelines on social dimensions, the PRC's laws and regulations, local by-laws relating to land acquisition and resettlement, was approved by the Hunan Provincial Government and ADB in June 2004.

2 For both the PRC and the ADB, the over-riding objective of resettlement planning is to ensure that persons unavoidably losing land or property as a result of a development project attain equal or better livelihoods and living standards than if the project had not occurred. All policies, proposals and compensation measures contained in this RP are same as that in the RP of Hunan Roads Development II Project to meet this objective. The Project Executing Agency (EA) is the Zhangjiajie City Zhangyuan Highway Construction Co. Ltd. (ZYCC), directly under the Hunan Highway Administration Bureau (HHB) of Hunan Provincial Communications Department (HCD). On 21 March 2005, ZYCC was established to construct and operate the Zhangjiajie section of Zhangjiajie-Yuanling highway. As the Project Implementation Agency (IA), the ZYCC will be directly responsible for resettlement planning, supervision and funding.

3 The preparation of this RP was based on: (i) the results of detailed measurement survey; (ii) field visits along the proposed alignment; (iii) consultations with various levels of local government, village leaders and APs; and (iv) socio-economic surveys of affected villages carried out during field visits.

4 The impact data used in this RP is based on the Detailed Measurement Survey, completed in May 2007. This data has a high level of reliability as they have been assessed on the selected right of way (ROW). The principles and the resettlement entitlements in this RP, including the compensation packages for the affected households/shops and enterprises, will be the same as that stipulated in the RP of Hunan Roads Development II Project which was approved by the Hunan Provincial Government and ADB.

5 This RP covers the Zhangjiajie Section of Zhang-Yuan Highway, one of the nine local road components integrated into the Hunan Roads Development II Project.

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<sup>1</sup> Asian Development Bank, *Policy on Involuntary Resettlement*, Manila, November 1995; *Handbook on Involuntary Resettlement: A Guide to Good Practice*. ADB Manila, 1998.

<sup>2</sup> Asian Development Bank, *Indigenous Peoples Policy*, Manila, 1998.

## **B. 1.2 Project Background and Description**

### **1. 1.2.1 Project Background**

6 The proposed upgrading of Zhangjiajie-Yuanling highway is one of the local roads components integrated into the Hunan Roads Development II Project financed by ADB. The upgrading of Zhangjiajie-Yuanling Highway will improve the existing Non-class Highway to Class III

7 The upgrading of the highway will be divided into two sections: Zhangjiajie section and Yuanling section. The Zhangjiajie section is schedule to be constructed in November 2007, and Yuanling section was commenced in October 2006.

8 Yongding Distrcit in Zhangjiajie City, the project area, located in the west part of Hunan Province, used to be one of the Poverty Counties designated by the provincial government before 2001. The construction of the proposed project will help to improve the accessibility of the people in the project area, so to increase the agricultural production and benefit the poverty alleviation and promotion of the welfare of minority nationalities in the project area.

9 Zhangjiajie City and its neighboring Xiangxi Prefecture have two primary advantages: mineral deposits and tourism resources. The weak transport links with the outside world severely constrain these advantages. The construction of project will serve as the interconnecting road between Changde-Zhangjiajie Expressway completed in 2005 and the Changde-Jishou Expressway under construction. It will play a vital role of constructing the Golden Triangular Tourist Zone among Zhangjiajie, Fenghuang and Yuanling, and will provide a substantial boost to the economic development of the project area.

### **1.2.2 Project Description**

#### **1.2.2.1 Route Description**

10 The proposed local road improvement is located in Yongding District of Zhangjiajie City, west part of Hunan Province. The alignment starts at K+000 in Yongding District on Highway S228. Then it passes Xixiping Sub-district, Sancha township, Daping town, Siduping township and to the end of the border of Zhangjiajie city/Yuanling county. Total length of the alignment is 60.5 km.

11 In terms of the project RP covered scope, the alignment with a length of 60.5 km will cross 4 towns/townships, 22 villages in Yongding District. The route goes generally along the river of Shenxi, and the topography along the alignment belongs to the mountainous region.

### 1.2.2.2 Principal Technical Indicators and Cost

12 The Zhangjiajie Section of Zhang-Yuan Highway starts at K0+000, and ends at K60+275 with a length of 60.5 km. It will be constructed in Class III Standards with auto load of Class II highway and the designed driving speed of 30km/h. The roadway width is of 7.5m, and pavement of 6.5m. The pavement will be asphalt treated surface, besides that in towns be Portland cement concrete pavement. The major indicators are listed in Table 1.

Table 1 Major Technical Indicators of Zhang-Yuan Highway (Zhangjiajie Section)

No.	Item	Unit	Quantity	Remark
01	Highway class		Class III	
02	Total length	Km	60. 5	
03	Designed driving speed	Km/h	30	
04	Requisitioning land	Mu	1,036.7	
05	Removing buildings	M <sup>2</sup>	38476	
06	Subgrade width	M	7.5	
07	Pavement widths	M	6.5	
08	Bridge	No	143.88/3	
09	Culvert	No.	1255/	

Source: Detailed Design Study. The data for resettlement was adopted from detailed measurement survey.

13 The total cost for the project construction is estimated to be CNY 328.25 million. The MOC, ADB and HPCD will jointly finance the expenditure. The Asian Development Bank will provide a loan amount of CNY 50.05million. It is currently anticipated that contractors will commence civil works in October 2007, and complete at the end of 2010.

### a. 1.2.2.3 Socio-Economic Benefits

14 Zhang-Yuan highway is located between Changde-Zhangjiajie Expressway and Changde-Jishou expressway. It is a part of Highway S228 and plays as an interconnecting road for the expressways. Upgrading the local road will greatly improve efficiency of the expressway and road network. The local road is expected to have the following socio-economic benefits: 1) reduced vehicle operating costs (VOCs) and travel times for traffic in the project area; 2) the removal of constraints to economic growth (especially mineral production and tourism) in the project area resulting from the poor condition of the existing roads; 3) improved environmental conditions and reduced accident risk on the existing road; and 4) increased short-term construction jobs in townships along the local road. In addition, the improvements to the local road network are expected to lead to the following benefits to mountainous communities: 1) reduced transport and agricultural input costs; 2) increased opportunities for cash cropping; 3) increased non-agricultural employment activity; and 4) improved access to markets, schools and health facilities.



15 All the above will contribute to improving the standard of living of the poor and impact favorably on women and ethnic minorities living in the Project Area.

**b. 1.2.2.4 Project Land Acquisition and Resettlement Impacts**

16 Based on the DMS results, the total expected permanent acquisition of land is around 1036.7 mu (68.4 hectares) and the temporary use of land will amount to 128.6mu (8.6hectares). About 47% of the land to be permanently acquired is currently under cultivation. The number of people who will lose some of their land over which they now have user rights will be around 5,352 people. The number of rural people whose residential houses will be demolished is 1,050. No public service facilities as school, hospital, factory, etc will be affected. It is currently estimated that the total number of persons directly affected will be around 6,024 among 1,456 households.

17 The total cost of implementing the Resettlement Plan is estimated at CNY33.39 million (USD4.39 million), including contingencies.

18 Preparatory activities of Land acquisition and resettlement, including public disclosure of the compensation standards for land and assets loss, were commenced in March 2007.



## II. CHAPTER 2 LAND ACQUISITION AND RESETTLEMENT IMPACTS

### A. 2.1 Measures to Reduce Resettlement

19 As the local improvement project is improving the existing road by widening from 3.5m to 7.5m, land acquisition and structure demolition are inevitable.

20 During the stage of preliminary, careful consideration was given to minimize the impact of land and assets loss, especially to avoid affect the public service areas as school, factory, hospital, etc. Table 2 shows that the resultant amount of land loss and house relocation is the lowest among major alignment alternatives with the irrigated land reduced by 2 ha and the house relocation reduced by 250 sq.m

**Table 2 Comparisons of Major Alternatives**

Code	Description of alternative and recommended (bold) sections	Length of Section (km)	Total Earth /stone Work (M <sup>3</sup> )	Concrete Protection (M <sup>3</sup> )	Total Land Acquisition (ha)	of which, irrigated (ha)	House relocation (M <sup>2</sup> )	Total Cost (CNY1,000,000)
F	FK10+424.0561-FK24+000.207	13.576	256,780	22,000	215	78	9,850	39.45
	K10+424.561-K22+471.056	12.046	247,535	21,205	207	81	9,850	38.00
G	GK0+000-GK15+227.984	15.228	698,575	565,400	230	140	9,125	40.59
	K0+000-(F)K10+424.561-FK12+086.218	12.086	693,734	567,422	224	134	8,920	97.14*
(1)	Sum un-recommended sections	28. 804	955,355	587,400	445	218	18,975	80.04
(2)	Sum recommended sections	24. 132	941,269	588,627	431	215	18,725	135.14
(3)	Difference = (2) - (1)	-4. 672	-14,086	+1,227	-14	-3	-250	+55.10

\* The tunnel in the alignment increases the investment by CNY58 million.

\*\*The recommended alignment sections are underlined.

Source: Project Preliminary Design Study, 2004.

### B. 2.2 Requirement for Land and Property

21 According to the Guideline for Design Document Compilation of Highway Engineering Project issued by the Ministry of Communications of PRC, land and structures in the following categories has been estimated:

- Land: irrigated, non-irrigated (dry), orchard, water pond, forest, barren, residential. A distinction is made between land required permanently and temporarily (i.e. during the construction period only).
- Trees and young crops: fruit trees, economic trees and timber trees
- Housing categorized by type of building material: e.g. brick-concrete, brick and tile roof house, clay and tile roof house, wood and tile roof house
- Structures and fixtures: e.g. sunning ground, enclosure wall, water pond, wells, fishpond, biogas digester and tombs
- Infrastructure: e.g. power lines and telecommunication lines
- Non-residential establishments: e.g. schools, government offices, enterprises

22 Table 3 summarizes the principal categories of land and property acquisition. More details, including a breakdown by village, are contained in Annex 1. Around half of the land to be acquired is currently farmed and about 43% of this land is irrigated. Most of the remainders are timber land, bush land and barren land. 266 private households will require demolition of structure. Temporary land to be rented during construction will amount to 128.6(8.6ha).

Table 3 Land and Property Acquisition (summarised)

ITEM	Xixiping Subdistrict	Sancha Township	Daping Town	Sidupong Township	TOTAL
<b>No. of Villages crossed</b>	6	3	7	6	22
Irrigated Land	51.28	86.83	23.11	51.11	212.33
Dry Land	34.43	55.41	167.21	21.08	278.13
<b>Total Cultivated Land</b>	<b>85.71</b>	<b>142.24</b>	<b>190.32</b>	<b>72.19</b>	<b>490.46</b>
% Irrigated	59.8%	61.0%	12.1%	70.8%	43.3%
Housing Plot	0.86	3.09	0	14.17	18.12
Orchard /Economic Forest	7.8	2.37	0	24.5	34.67
Timber Forest	62.1	7.44	0	352.02	421.56
Other *	10.6	16.93	36.15	8.24	71.92
<b>Total land</b>	<b>167.07</b>	<b>172.07</b>	<b>226.47</b>	<b>471.12</b>	<b>1036.73</b>
% Cultivated land	56.0%	84.0%	84.0%	20.5%	50.7%
<b>Temporary Land Requirement (ha)</b>	<b>8.6</b>				
<b>Private Households requiring relocation</b>	<b>42</b>	<b>56</b>	<b>76</b>	<b>92</b>	<b>266</b>
Floor space (m <sup>2</sup> )*	6423.2	7492.9	11226.3	14247.5	39389.9
<b>Infrastructure (km)—single line length</b>	<b>85.635</b>				

\* including simple attached sheds

Source: Detailed Measurement Survey

23 The impact of land and property acquisition will be widely spread over 22 villages in 4 townships losing land or property (see Annex1). Of the 22 affected villages, 3 villages will lose land, and 19 villages will lose both land and property. The impact of farmland loss is among 20 villages, of which, 2 villages having more than 5% of farmland loss and 18 villages with less than 5% of farmland loss. The more sever affected villages are Sancha village and Xiaoping village in Sancha Township, with farmland loss of 8.7% and 8.2% respectively of its total farmland.

24 The infrastructure that will be affected includes power lines, telecommunication lines and cables, in addition, existing roads and irrigation systems will be “cut” by the local road and will require rehabilitation. However, except the power and telecommunication line system, the restoration of the infrastructure will be included in the civil work of local road construction. A condition of these contracts will be that the infrastructure is maintained at all times during the construction period.

## C. 2.3 Impacted Population

25 Based on the DMS results, 266 private households will require resettlement, the total number of persons affected will be around 1,050.

26 No public service area such as school, hospital, factory, etc will be affected.

27 The current estimate of total land required is 1,036.7 mu (69.1ha), the number of affected persons is 5,352 among 1,325 households; while the farmland required is 490.5mu(9.8ha), 0.1mu per capita.

28 The total of APs is estimated to 6,024 people among 1,456 households, details are shown in Table 4.

Table 4 Land and Property Acquisition (summarised)

	Totally Affected by Land Loss		Partially Affected by Land		Affected by Loss of Housing (100%)		Affected by Loss of Housing (Partially)		Loss of Common Property Resources	
	No. of Households	No. of APs	No. of Households	No. of APs	No. of Households	No. of APs	No. of Households	No. of APs	No. of Households	No. of APs
Xixiping Subdistrict	0	0	247	1019	38	137	4	14	N.A	N.A
SAncha Township	0	0	199	1050	50	217	6	23	N.A	N.A
Daping Town	0	0	363	1464	69	273	7	29	N.A	N.A
Siduping Township	0	0	516	1819	83	323	9	34	N.A	N.A
Total			1325	5352	240	950	26	100		

## D. 2.4 Impact on Income Loss

29 In order to fully assess and well understand the project impact so that a robust basis can be provided for the preparation of the RP, related data based on the affected villages were collected and presented in Annex 1. Besides the impact assessment on the physical losses of land and housing property, an income loss was also assessed based on the socio-economic survey. The results (see Table 11 in Chapter 3) indicated that the income losses due to the land acquisition would be quite small in all affected peoples since less than one fifth of household incomes are derived from cropping. This situation can be attributed to the fact that over 60% of the farmer households in the surveyed area had income from off-farm activities and on average accounted for nearly half the household incomes. Table 11 shows that agricultural and forest activities accounted for 17.8% of household incomes, and 69% for non-agricultural activities. The land loss accounted for around 2.7% of total of all villages, which contributes to less than 0.5% of the income, therefore, the land loss would not have significant effect on the livelihood of APs.

### III. CHAPTER 3 SOCIO-ECONOMIC CHARACTERISTICS

#### A. 3.1 The Project Area

30 The project area is in Yongding District, Zhangjiajie City of west Hunan province. It has an area of 2,174 sq.km with 17,330 ha of total farmland. It consists of 27 towns/townships, 40 resident committees and 329 villages.

31 The total population in Yongding District in 2006 is 431,400 among 153,300 households, of which, 310,200 are agricultural people, 121,200 non-agricultural people. The average family size is 2.81 people. Of the total population, female accounts for 48.5%, and the urban population 28.1%.

32 In 2006, the total GDP in Yongding District is CNY5,290.9 million with a growth rate of 12.9%, the GDP per capita is CNY5,433, which is less than half of the average in Hunan Province. Table 5 shows the composition of GDP in Yongding District, the ratios of primary, secondary and tertiary sections are 12.2 percent, 23.2 percent, and 64.4 percent respectively.

Table 5 Basic Economic Indicators in Yongding District (2006)

	GDP	Primary	Secondary	Tertiary	Annual GDP growth rate	GDP per capita (CNY)	Farmland per capita (mu)	Per capita income in rural area (CNY)	Per capita income in urban area (CNY)
Yongding (million CNY)	529088	64552	122739	341797	12.9	5433.5	0.6	2705.0	8981
Hunan (Billion CNY)	749.32	133.13	212.35	303.84	12.1	11830		3389.8	10504.7

33 In 2006, per capita income in rural area in Yongding District is CNY2,705, 47.3% of the average in Hunan Province. The average farmland per capita is 0.6mu, lower than the average in Hunan. The income per capita in urban area is CNY5,929, about 2/3 of average in Hunan province.

#### B. 3.2 Basic Situations of Local road Traversed Town/townships

34 The local road improvement will require land and/or property in the following town/townships: Xixping, Sancha, Daping and Siduping. More than 1/3 of the land will be acquired in Siduping Township. The basic situations of these town/townships are presented in Table 6.

Table 6 Basic Information of Local Road Traversed Town/townships

	Population	Rural population	Ethnic Minority Population	Farmland per capita (mu)	GDP Per capita (CNY)	Income Per capita (CNY)
Xixiping Subdistrict	53800	20500	31500	17200	5800	2770
Sancha township	6558	6426	6558	7940	1852.72	2200
Daping town	7062	7062	7062	7746	1767.39	2100
Siduping Township	10452	10407	10407	9729.32	2902.7	2045

## C. 3.3 Socioeconomic Survey

### 1. 3.3.1 General

35 This Section presents information on the socio-economic characteristics of the population likely to lose land or property to the expressway. The information comes from the following sources:

- (1) The field survey investigations undertaken in parallel to the surveys for the project Engineering Feasibility Study, Preliminary Design by Beijing Jianda Road and Bridge Consultant Co (Jianda RD). from Sept 2001 to Sept 2004 and Detailed Design by Hunan Transportation Design Institute from August 2005 to March 2006
- (2) The socio-economic survey undertaken by the Hunan University in April 2007. and
- (3) the analysis of local township and village statistics in Yongding District in 2006

### 2. 3.3.2 The Jianda RB Survey (2001-2004)

36 The Feasibility Study survey was conducted by collecting information from the Statistical Bureau, the Planning Bureau and the relevant departments, interviewing the local government officials on the alignment by taking consideration of the local social-economic development and environmental projection. Detailed topics included future development industries; the layout of the expressway alignment of the local road; frequency of underpasses and culverts; minimization of fertile land occupation and resettlement, and other related issues to facilitating local economic growth and poverty alleviation.

37 The Preliminary Design survey was conducted by focusing on collecting information from village leaders and the people whose land is likely to be acquired. Likely APs were consulted on resettlement, acquisition and compensation of land and houses. Further, the Detailed Design was conducted with the facilitation of the local officials, by which the minimization of cultivated land occupation and household relocation had been paid due attention.

38 The survey found strong support from government at all levels and villagers along the existing road to be improved, and that income rehabilitation should be focused on further agricultural development and stock husbandry.

### **3. 3.3.3 The Socioeconomic Survey (2007)**

39 This survey was undertaken by the survey team from Hunan University with supervision and instruction from the local resettlement expert during March and April 2007. Its main objectives were: (1) to compile socioeconomic information on the APs likely to lose land or property due to the local road improvement; (2) to obtain information on the extent of AP's knowledge of the local component; (3) to identify APs preferences regarding land re-allocation, house relocation and income restitution measures.

40 The survey involved collecting primary data from all villages to be affected and selected households along the existing road. Two survey instruments were used: (1) a village questionnaire, administered to village leaders, and (2) a household questionnaire administered to individual households. The survey questionnaires were designed by the local resettlement expert with the understanding of the local conditions through the interviews. The county and township officials provided full cooperation.

41 The socioeconomic survey covered 22 villages along the road to be improved. A total of 145 household heads were interviewed containing 614 people, representing about 10% of affected people.

## **D. 3.4 Characteristics of the Affected Population**

### **1. 3.4.1 General**

42 The data collected during the socioeconomic survey has been analyzed using the Household Livelihood Framework. The framework involves consideration of four different aspects of household socioeconomic characteristics:

- 1) Human Resources: demographic and education/skill characteristics
- 2) Natural Resources: land, forests and access to water supply
- 3) Physical Resources: ownership of productive and consumer assets

4) Financial Resources: household incomes, expenditure and access to credit.

43 The following sections examine each of these in turn. An additional section describes the survey findings in respect of APs attitudes towards the construction of local road improvement.

## 2. 3.4.2 Human Resources

44 The people surveyed totals 614, with 50.2% of male and 49.8% of female. The average family size is 4.23 persons. A high proportion of households (77%) have 3 to 5 persons and there are very few small or very large families.

Table 7 Selected Demographic Characteristics

Table 1. Selected Demographic Characteristics

Household size										
Persons	1-2			3-5		6-7		7+		
HHs	13			112		17		3		
	9.0%			77.2%		11.7%		2.1%		
Age Distribution										
Age Group	<5	6-11	12-14	15-17	18-29	30-39	40-49	50-59	60-69	>70
Persons	32	32	26	26	138	88	110	66	57	39
%	5.2%	5.2%	4.2%	4.2%	22.5%	14.3%	17.9%	10.7%	9.3%	6.4%
Occupation by sex										
	Farming + second job			Migrant labor		Non-farming job*		Other occupations**		
Male	177			18		2		5		
Female	168			20		0		1		
Education by sex and Ethnic Groups (excl. under 7 years and school students)										
	Illiterate	Semiliterate	Primary School	Middle school		High school		College and above		
Male	3.4%	0.9%	17.9%	49.6%		22.2%		6.0%		
Female	10.2%	1.3%	24.3%	45.1%		14.5%		4.7%		

\* indicates transport, business/shop operation, etc.

\*\* indicates teachers, doctors and officials, etc

45 Around 19% of the population is aged under 17 years and 16% are over 60 years. 32% of the population is aged 30~50 years indicating a high birth rate between 1960 and 1980. The current trend is for a leveling off as family sizes continue to stabilize. The proportion of older people will however increase.

46 Of the population, 64% is employed with age over 18 years, 13% are students and the remainder is aged, sick or disabled. The overall dependency ratio is 1.6 (persons per worker); this ratio varies little with household size indicating that larger households reflect extended families under one roof (e.g., two or more nuclear families with one common elderly parent). The survey data of occupation indicated 202 males and 189 females were employed, reflecting the equal participation rate between male and female.

47 Virtually all households are farming households although 4 household heads have non-agricultural status, such as local schoolteachers, doctors and government staff. Out of

the 145 households interviewed, 10% (14 HHs) are farmers relying on farming only, 9% (13HHs) are wholly engaged in non-agricultural occupations, the others have income from agricultural and non-agricultural operation. Men are more likely than women to have a second occupation or work outside agriculture. However, compared with men, women have a similar proportion of migrant jobs in this category. The female migrant workers are a little more than male. Other occupations are varied with a preponderance of small business, transportation, and crafts persons including carpentry and, bamboo mat making. The incidence of non-agricultural occupations is similar among different ethnic groups.

48 Over half family has at least one member as migrant worker traveling outside of the county for employment for seasonal or year-round employment. Local officials estimate that 20% of migrant workers are away 1-3 months during periods when farm labor is minimal, 20% are away 4-9 months; and 60% are away from 10-12 months (permanent employment outside or return only for harvest or festivals).

49 Over 90% of the population aged 6 years and over have at least primary education; 47% have been to middle school and 27% to high school or college. Over half of households have at least one member with high school or college education. Proportionately women have same incidence of no education as male (i.e. most illiterate people are elderly), and high incidence of high education. School attendance amongst those aged under 15 years is almost 100%. However less half those aged 15-19 years are currently in education because they join the workforce.

### **3. 3.4.3 Natural Resources**

#### **a. 3.4.3.1 Land Tenure**

50 In the mid-1980s, the collective form of agriculture introduced in the 1950s was replaced by the household responsibility system, which divided land equally amongst households on the basis of their size. Where there were marked variations in the quality of land within the same village, households were allocated plots of different land quality; many households therefore have fragmented land holdings. Households were given contracts (originally for 15 years but since 1998, contract were for 30 years) giving them user rights to cultivate this land; ownership of the land however remained with the original land owning group – administratively the land owning group is also called villagers' group.

51 The original distribution of land was equitable in the extreme. However as time passes, the household situation changes – people die, others are born, some leave to marry out, others marry in. reserve land can be used to accommodate new arrivals. However, given the fact that population is increasing (albeit slowly), the general trends are: (1) for land per capita to decrease; and (2) a growing mismatch between household size and the amount of cultivable land.



**b. 3.4.3.2 Cultivated land, Orchard/Economic Forest**  
**(Table 8)**

52 The households surveyed cultivated a total of over 2,404 mu land. All households had some irrigated land and some dry land. The survey indicates that average irrigated farmland is 3.54 mu per households interviewed, i.e. 0.84mu per capita, and dry farmland is about half of the irrigated farmland. The ownership of farmland is about the same of average in Hunan Province. The largest land owned by the household interviewed is forest land, and smallest is the orchard. Details of the land ownership information of the sampled households are shown in Table 8.

**Table 8 Natural Resources**

	Xixiping Subdistrict			Sancha Township			Daping town			Siduping Township		
	Sub-Total	Average HH	Average per capita	Sub-Total	Average HH	Average per capita	Sub-Total	Average HH	Average per capita	Total	Average HH	Average per capita
Total land	86.06	4.10	1.04	240.27	9.24	2.15	430.7	10.25	2.58	1646.7	29.41	6.53
Irrigated	34.5	1.64	0.42	90.24	3.47	0.81	157.43	3.75	0.94	230.7	4.12	0.92
Dry	11.5	0.55	0.14	36.12	1.39	0.32	45.4	1.08	0.27	135.1	2.41	0.54
Orchard	5.71	0.27	0.07	1.7	0.07	0.02	4	0.10	0.02	14.9	0.27	0.06
Vegetable	22.25	1.06	0.27	14.6	0.56	0.13	7.8	0.19	0.05	22.64	0.40	0.09
Forest land	12	0.57	0.14	99.5	3.83	0.89	216.9	5.16	1.30	1261.2	22.52	5.00

**4. 3.4.4 Housing and Fixtures**

53 The household survey shows that brick house of brick/concrete, brick/brick or combination of the both structures, is the majority (82%) of housing in the affected villages, while the wood house, the typical structure in the west area of Hunan province, accounts for 17%. Infrastructure provision is however good: all houses have electricity and nearly 40% have tap water into the house or yard. About 30% households have home telephone. Over 80% have sunning grounds (often concrete) for drying crops

**Table 9 Composition of Housing in Different Structure style**

Structure	No. of households	%
Wood	24	16.6%
Brick and concrete	41	28.3%
Brick and wood	47	32.4%
Combination of brick/concrete and/or Brick/wood	31	21.4%
Simple structure	2	1.4%
Total	145	100.0%

54 Of the 154 households surveyed, 2 households, 1.4% of total have additional houses with an area of 32 sq.m for renting, and 6 households, 4.1 of total have commercial houses attached.

## **5. 3.4.5 Financial Resources**

### **a. 3.4.5.1 Household Incomes**

55 Table 10 presents the distribution of household incomes in the surveyed villages and households. Income data provided from the villages leaders indicates that around 45% of the households have annual net incomes above Y1,500 per capita and around 11% have annual net incomes of less than Y900 per capita.

Table 10 Distribution of Annual Net Income per Capita

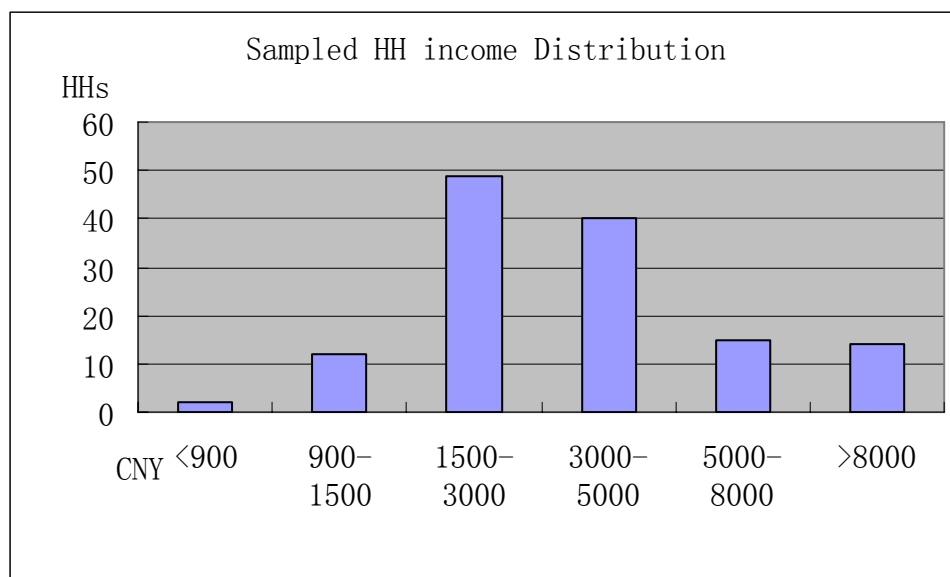
Township	Village	>1500	1500-1300	1300-1100	1100-900	<900	
Xixiping Subdistrict	Xixiping	73%	15%	10%	1%	1%	1830
	Pengjiagang	50%	20%	10%	10%	10%	2347
	Dagutai	80%	10%	5%	4%	1%	1797
	Liangchaxi	60%	10%	15%	10%	5%	2690
	WAngjiashan	10%	15%	40%	25%	10%	1951
Sancha Township	Yiwanshui	50%	10%	10%	20%	10%	1991
	Sancha	15%	40%	25%	15%	5%	1376
	Xiaoping			10%	10%	80%	851
	Caijiayi			10%	10%	80%	906
	Dingfengya	20%	20%	40%	10%	10%	1768
Daping town	Tianmenxi	40%	20%	20%	10%	10%	1679
	Daping	30%	20%	10%	20%	20%	1877
	Baishu	60%	10%	10%	15%	5%	1985
	Wangshenya	30%	20%	20%	10%	10%	1761
	Huangzhuang	40%	20%	15%	20%	5%	2252
Siduping township	Yaojiajie	65%	10%	10%	10%	5%	2564
	Quanshui	40%	31%	13%	8%	6%	1670
	Tianping	36%	25%	12%	17%	10%	1462
	Yanya	38%	30%	10%	10%	12%	3021
	Siduping	12%	18%	58%	10%	2%	1973
	Louzita	12%	19%	30%	32%	7%	2493
	Tongdou	14%	22%	38%	22%	4%	2239
Village Survey Total		<b>45.2%</b>	<b>17.1%</b>	<b>16.2%</b>	<b>10.4%</b>	<b>10.8%</b>	<b>1902</b>
Household Survey Total		<b>89.4%</b>	<b>2.5%</b>	<b>3.2%</b>	<b>3.4%</b>	<b>1.5%</b>	<b>3400</b>

Source: Village Survey 2007<sup>56</sup>

Income data obtained from the individual household surveys reveal the majority of households having incomes over Y1,500, and 20% households having incomes over Y5,000. Overall however, the results are significantly higher than that from the village average: around 90% households have incomes over CNY1,500 and only 1.5% have incomes between less than CNY900, revealing a generally prosperous rural economy with relatively few poor households. Figure 2 represents the household income distribution.

57 The per capita income from the village survey is CNY1,902, while CNY3,400 from household survey. The reason resulting in the great difference of income between the village survey and household survey is estimated the statistics from the village does not reflect the actual conditions of income of non-farming activities, especially the income of wage from migrant workers.

Fig 2: Income Distribution of Surveyed Households (CNY per capita)



Source: Drawn from household survey data. 2007

#### **b. 3.4.5.2 Income Sources**

58 Villages along the alignment derive their income from a wide variety of sources. The relative importance of these is shown in Table 11. The importance of migrant labor earnings is clear: it represents the most important income source in the great majority of villages. The cash crops grown vary considerably within the project area. The most common are fruit and vegetable production, particularly citrus, chestnut, pear and rape. Grain (rice and corn) is of vital importance to the local economy, virtually every household cultivates it, but it is used mainly for domestic consumption (including animal feed) rather than as a cash crop in its own right.

Table 11 Relative Importance of Income Sources in Surveyed Villages

Township	Village	Grain	Cash crop	Orchard	Animal husbandry	Migrant labor	Other non-farming activities
Xixiping Subdistrict	Xixiping	4	6	7	5	1	2
	Pengjiagang	2	3	4	5	1	
	Dagutai	5	1	4	3	2	
	Liangchaxi	1	5	3	4	2	
	Wangjiashan	1	4	5	3	2	
	Yiwanshui	1	4	5	3	2	
Sancha Township	Sancha	2	4	5	6	1	3
	Xiaoping	1	4	5	3	2	6
	Caijiaxi	1	4	5	3	2	6
Daping town	Dingfengya	3	4		5	1	2
	Tianmenxi	3			4	1	2
	Daping	2			3	1	4
	Baishu	2			3	1	4
	Wangshenya	2			4	1	3
	Huangzhuang	2			4	1	3

Township	Village	Grain	Cash crop	Orchard	Animal husbandry	Migrant labor	Other non-farming activities
Siduping township	Yaojiajie	1			3	2	4
	Quanshui	2	4		3	1	5
	Tianping	2	4		3	1	5
	Yanya	2	4	6	3	1	5
	Siduping	3	5	6	4	1	2
	Louzita	2	4	5	3	1	6
	Tongdou	2	6	3	4	1	5

Note: \*1=ranked first, the highest rank. Source: Field Survey, Hunan University, 2003

59 The other non-farming activities as shown in Table 9 are not significant income sources reflecting the temporary employment in the local factories and business. The construction of the local road will create a lot of opportunities of such employment.

60 Table 12 shows the different income sources in the surveyed households. The Table reinforces the variety of economic activity carried out along the local road. In the gross income of the sample households, non-agricultural income accounts for 68.5%, incomes from agriculture and forest, 17.8%, and income from animal husbandry, 13.8%. Among the non-agricultural income, 70% were attributed to migrant worker earnings. This has a significant implication for income rehabilitation of affected households, i.e., the income from agriculture and forest accounted for about 1/6 of total household gross income. Considering the fact that land loss is less than 2.7% of total farmland, the average effect would be minimal. If the affected households lose 20% of their land, the impact on income loss would be only 3.5%.

Table 12 Income Sources and Per Capita Net Income of Surveyed Households

	c.	
Income per household in 2006 (CNY)		%
Income of wage	6748.1	43.8
Income from agriculture and forest	2737.6	17.8
Income from animal husbandry	2122.2	13.8
Business income	2656.5	17.3
Transferred income or income from assets	1135.2	7.4

<b>Total</b>	<b>15399.7</b>	<b>100</b>
Production costs*	1964.2	-
<b>Per capita net income (CNY/Person)</b>	<b>3400</b>	<b>-</b>

\*includes costs for chemical fertilizer, seeds, pesticide, and other costs for animal husbandry and non-farm activity costs.

Source: Household Survey, Hunan University. 2007.

#### **d. 3.4.5.3 Expenditure Patterns and Savings**

61 Based on data of the expenditure of 145 households surveyed, the average household expenditure is CNY 13,652, i.e. each member in sample families spends an average of CNY3,214 in 2006. The largest single item in the APs' average consumption pattern is for basic needs, e.g. food, clothing and housing. This is similar to what is often found in rural areas and may reflect the fact that AP households are predominantly well above poverty levels

62 The per capita net income less the per capita expenditure (3,400-3,214=186) equals the per capita savings plus the value food self-consumed. However, these are average figures and the situation varies considerably from household to household (Table 13). Of the sampled households, 72 households have balance, 14 households have debts and 50 households savings. Table 11 lists the saving model of the sampled households.

Table 13 Average Annual Savings of Affected Households

Savings range (CNY)	<500	500-1000	1000-1500	1500-2000	2000-3000	3000-4000	4000-5000	>5000
HHS	1	1	2	1	8	3	9	25

Source: Household Survey, Hunan University. 2006.

### **6. 3.4.6 Issues related to the Local Road Improvement**

#### **a. 3.4.6.1 Knowledge of the Proposed Local Road**

63 By the time the socio-economic survey was undertaken, all households know of the proposed the local road improvement. The information has been widely diffused in the related regions through meetings of the local officials at various levels, local newspapers and the TV stations, investigation of communications department, and field survey conducted by HPDI.

64 About 90% of the surveyed households recognized that the local road improvement is necessary. The construction of widening the local road will accelerate the flow of people,

material and information as well as bring tremendous economic and social benefits. Of those 145 households surveyed, 22 households will be affected by structure, 77 households by land loss, and 46 households by land loss and structure. Two thirds thought that the Project would affect their livelihood and production conditions, but the adverse impact on them will be minor.

**b. 3.3.6.2 Information and Resettlement/rehabilitation Needs**

65 When households were asked that how well they know the policy on land acquisition and resettlement, nearly 86% have got the information like compensation standards from the Resettlement Information Booklet. When asking about the important needs, over 30% interviewed mentioned of the time of project arrangement, assistance of income restoration as employment in the construction activities, the time of compensation payment, assistance of building reconstruction, and restoring irrigation system.

**c. 3.3.6.3 Attitudes towards the local road improvement**

66 The perception of surveyed households was that the local road improvement would bring advantages in terms of reducing travel time to Zhangjiajie City and would make it much easier to sell their fruit and vegetable produce. The disadvantage of the project and their concerns on land acquisition and relocation were also voiced. While village leaders saw positive impacts as outweighing negative impacts, they were prepared openly to identify the negative impacts they foresaw.

**d. 3.3.6.4 AP's Preferences**

67 Individual households were also asked about their preferences for ways of mitigating the effects of productive land and/or housing loss. Table 14 summarizes the responses of those households. In short, their responses were:

- 87% of sample households preferred that the land compensation fee be distributed directly to those households losing land that they are now farming under usufruct contracts. This was preferred over general land redistribution among all members of the land owning group whereby the loss is equitably shared; 3% of respondent chose this option. Around 1% of respondents intended to all compensation for land reclamation of agricultural production in the community.
- When asked whether APs would like land redistribution within villages after land acquisition, the preference of 3% (4HHs) respondents agreed with this proposal.
- On the other hand, if compensation were to be paid directly to those losing land or

property, most of the respondents prefer to invest in children's education (37%) and housing condition improvement (46%), and small businesses (26%), and savings (17%).

- If their houses were demolished then 68% of respondents would like to build a new house close to their existing home (that is "moving back for a certain distance") and 30% off the existing home within the same village. Only around 2% of respondents would like to move to a suitable site outside their village land.

Table 14 Sampled AP Preferences for Mitigation Measures

AP preferred Strategy to Mitigate Loss of user Right					
a. Land compensation fee to be distributed direct to APs	b. Land redistribution within village	c. All compensation for village development of economy	d. Share the land of compensation between village and household affected		
126	4	1	14		
87%	3%	1%	10%		
Preferred Use of Compensation Paid Directly to APs *					
a. For children's education	b. Improve housing conditions	c. Open small-scale businesses	d. Deposit in a band for old age security	e. For technical training for a new skill	f. Miscellaneous items
54	67	38	24	19	8
37%	46%	26%	17%	13%	6%
AP preferred Site for House Relocation					
a. Very close to old/existing house		b. Within the same village		c. Suitable site outside AP's village land	
73		23		2	
68%		30%		2%	

\* The topic is a multiple-choice question

## 7. 3.4.7 Land Availability

68 Any land for land compensation strategy depends on the availability of more land for cultivation and the feasibility of redistributing the existing land amongst all members of the land-owning groups. Discussions and field observations clearly indicate that, all cultivatable land that has already been distributed to individual households, there is no possibility for land redistribution. In 8 of total 22 villages surveyed, there were some farmland transferring with no rent to their friends or relatives from those families who are lacking of labor due to permanently migrant workers. The village leaders said such land transfer can be made freely



among the farmers, land redistribution within the village would be very difficult, as it requires concurrence from over 2/3 of all villagers.

## E. 3.5 Vulnerable Groups

### 1. 3.5.1 The Poor

69 Yongding District used to be a designated poor county by provincial government before 2001. Here the population is largely the mixture of Han, Miao and Tujia, and while the land is hilly, there is considerable, generally small-scale mining activity. These activities have both direct and accelerator beneficiary effects on this local area. The result is that per capita incomes along the local road are considerably higher than that in the rest of the county.

70 It is difficult to describe the socio-economic characteristics of the poor households, as there are only 2 poor households among the 145 households surveyed. The survey indicates that they or their key income-earning members in the families suffer from some permanent disability (be it physical, mental or social). Indeed, when asking officials what characterizes poor families, the response most often given is that they are 'weak' and cannot, for whatever reason, provide the labor to effectively cultivate their land. The other reason given for poverty is the lack of technical know-how.

71 Besides the poor households supported by the government, taking charging by the township Office of Civil Affairs who ensures that they receive the '5 guarantees' of livelihood (*wubao*) – food, housing, clothing, heating and funeral expenses.

Table 15 Support to Vulnerable Groups

Type of Vulnerable Group	Vulnerable group*		Government Support		Direct Support	Project	Total supported	
	No. of Households	No. of APs	No. of Households	No. of APs	No. of Households	No. of APs	No. of Households	No. of APs
Disabled	44	48	44	48	12	13	44	48
Elderly	57	69	57	69	19	24	57	69
Women headed	32	98	13	39	19	59	32	98
Core poor	96	441	70	264	26	177	96	441
Total	229	656	184	420	76	273	229	656

\*Sourced from results of village survey in 2006

### 2. 3.5.2 Minorities

72 The project area contains a high proportion of people belonging to ethnic minorities, principally Miao and Tujia. 27% of the population are categorized as ethnic minorities. Table 16 presents the distribution of ethnic minorities, totaling 12,834 in the villages along the local road. Most of them are Tujia with a total of 12,703, while Miao with a total of 100. 6 of 22 villages along the road are concentrated by ethnic minorities

Table 16 Information of Villages with Minority Population

Township	Village	Total popu	Ethnic minority	% of Ethnic minority	Miao	Tujia	Other
Xixiping Subdistrict	Xixiping	2702	2654	98%	2	2647	5
	Pengjiagang	1802	1240	69%		1240	
	Dagutai	1558	299	19%		299	
	Liangchaxi	1385	420	30%		420	
	WAngjiashan	515	350	68%		350	
	Yiwanshui	571	57	10%		57	
Sancha Township	Sancha	1178	450	38%	24	400	26
	Xiaoping	840	453	54%		453	
	Caijiaxi	833	72	9%		72	
Daping town	Dingfengya	582	100	17%		100	
	Tianmenxi	907	907	100%		907	
	Daping	1060	1060	100%	6	1054	
	Baishu	957	957	100%		957	
	Wangshenya	528	528	100%		528	
	Huangzhuang	715	715	100%		715	
	Yaojiajie	390	390	100%		390	
Siduping township	Quanshui	533	386	72%	68	318	
	Tianping	1032	601	58%		601	
	Yanya	423	150	35%		150	
	Siduping	967	438	45%		438	
	Louzita	612	207	34%		207	
	Tongdou	573	400	70%		400	
<b>Total</b>		20663	12834	26.57%	100	12703	31

73 In order to accelerate the social and economic development of minority nationality regions the central government has provided them with a series of favorable policies, which have been thoroughly carried out by the local governments. These policies and programs include: (i) finances from special minority development fund are given for projects (i.e., schools, roads, water supply, religious places) in minority areas; (ii) minority groups have special access to relief funds, loans, subsidies and tax relief, including a lower tax on grain, to assist in economic development; (iii) a rural minority couple is allowed to produce 3 children, while the Han are allowed only 1-2; and (iv) minority groups benefit from points score system, which places them in a higher rank than the main stream Han for university

admissions. The Ethnic Minority staffs in counties are responsible for the implementation of minority programs in relevant villages.

74 A separate Ethnic Minority Development Plan has been prepared to ensure project benefits and proposed mitigation measures for ethnic minority communities During PPTA for Hunan Road Development Project II. The provisions of mitigation measures in the EMDP will be applicable for the local road.

**F.**

### **G. 3.6 Gender Aspects**

75 PRC is ideologically committed to gender equality and women and men have enjoyed an equal status by law. Women play an active role in the economy within the project area as well as being responsible for many household tasks. For instance, female participation in agricultural activity is high in the project area. Females have also become migrant workers, and generally venture to distant provinces (e.g., Guangdong and Guangxi) in order to find suitable work. Based on the 22 villages surveyed for this plan, most women work in trades such as clothing, shoes, toy, electronics and food industries. During the survey, some mentioned that as women's status within the family has increased as a result of the increased income from working in these industries.

76 The overall trend is for women to carry out housekeeping activities as childcare, elderly care, animal care and other household chores, and occasionally, especially in crop-harvest season, as farming helper, while men are most engaged in farming activities and finding off-farming or non-farming work in the local area. Their proximity to the home village means that there is more frequent social contact with, and practical assistance given to, their village-based family.

77 Men are more dominant in household decision-making than women. In the surveyed rural areas, divorce rate is low and family relationship is relatively stable. Information and experience are key factors for men and women in their ability to participate in household decision-making (e.g., level of contact with outsiders through the media and non-farm employment). Road development would help women get more information. Similarly, in the villages near main road and cities, women mainly do community management, as more men become migrant workers. The women who undertake this role said the biggest advantage to manage the community affairs is that they can access more information through the government system.

### **H. 3.7 Implications of Socioeconomic Survey Findings to RP Strategy**

78 The population who will be affected by loss of land and property from the local road improvement are relatively prosperous due to a combination of cash cropping and off-farm activities. The annual income per capita of the sampled households is CNY3,400, a little

higher than CNY3,390, rural income per capita of Hunan Province in 2006. The agricultural and forest production contribute a small portion of the rural income.

79 Traditionally, the importance of the rural economy means that most households losing a significant part of their land will lose a substantial portion of their income. In contrast, the resettlement social-economic study revealed that the land acquisition impact of the Project would not be serious since the income contribution from land cultivation only accounted for around 18% of household incomes. As the land loss due to the road improvement is less than 2.7% of total farmland, the average effect on the income would be minimal.

80 Many respondents however stated a preference for a strategy based on full cash compensation giving them the freedom to spend the money as they wish; only 3% preferred land redistribution. Many expressed a willingness to invest in new income generating activities on and off the farm activities, thereby continuing the efforts which have seen the rapid development of cash cropping and small-scale trade and transportation activities in recent years. In the future more opportunities are likely to become available as the improvement of local road gives an additional impetus to economic growth. In general, respondents placed greater emphasis on developing non-agricultural activities than officials.

81 Fortunately the incidence of poverty is low amongst the affected households. The majority of poor households are either poor through indigence or lack of technical knowledge rather than poor productive conditions or infrastructure. Although there are many minority households along the proposed alignment, they are more integrated and better off than other minority groups in more remote, hilly areas. As a precaution, an EMDP has been prepared to ensure that minority nationalities will not experience adverse affects in terms of their cultural identity. Nevertheless, ethnic minority groups will receive the same levels of compensation, and will be eligible for same income restoration strategy as other affected people. Some preferential assistance has been included in the resettlement to meet the additional needs of the more vulnerable and low-income families.

82 It will be important to inform women about compensation payments, training programs and other assistance being proposed under this plan. Access to information for women on land acquisition and resettlement, and subsequent rehabilitation provisions will help minimize the adverse affects of resettlement, while enhancing project benefits for women. Compensation payment and access to rehabilitation activities will not discriminate against either sex. For instance, training programs will help to increase the skills capacity of women, and improve their access external income generating opportunities. Monitoring of resettlement activities (e.g., baseline surveys) should investigate the affects of resettlement on women and men individually. Data should be disaggregated by gender and ethnic minority groups whenever possible.

## **IV. CHAPTER 4 LEGAL FRAMEWORK AND RESETTLEMENT POLICY**

### **A. 4.1 General**

83 The legal framework and resettlement policies for this RP are as same as that for the Chang-Ji expressway, Hunan Road Development Project II, which form the basis for this RP are based on two sets of sources: Chinese Laws /Regulations and local by-laws, and ADB policy requirements. The most relevant provisions of these are summarized in the following sections.

### **B. 4.2 Legal Framework – Overview National/Local By-laws**

84 In PRC, compensation for land and resettlement for project-affected people is governed by the 1999 Land Administration Law (LA Law), which stipulates the ownership and the land use rights, utilization and protection of land and the compensation costs, resettlement subsidies, and the proper measures of resettlement for those affected. According the LA Law (article 8), land in the urban districts are state-owned while land in rural and suburban areas (house plots, farm land, hills) shall be owned by collectives of the peasantry. The collective and its members (by two-thirds majority) can re-distribute or re-allocate land (article 14) or make adjustments to arable or reclaimed land (article 31). The LA Law further stipulates (article 47) that in case land acquisition shall take place, compensation shall be made in accordance with the original usage of the acquired land, which shall include land compensation fee, resettlement subsidies and compensation fee for the attachments on the land and standing crops.

85 The compensation fee for the acquired cultivated land will be multiple times (based on local standards as per the law) of the average annual output value (AAOV) of the land in the previous 3 years before land acquisition. Similarly, the compensation fee for resettlement for each of the agricultural population will be multiple of the AAOV of the land in the previous three years. The provinces or municipalities directly under the central authority determine the standards of compensation for the attachments on the land and standing crops. Articles 48 and 49 require consultation and disclosure of compensation rates and the flow of funds to the land-owning collectives. All compensation monies are typically paid to the land owning unit/collective.

86 **Specific implementation guidelines define eligibility, cut-off date, timing and procedure of information dissemination, resettlement action plan and monitoring. The following laws and regulations will be utilized for this project:**

- ***Implementation Regulations for Land Administration Law of the People's Republic of China, effective January 1999.***
- ***Measures of Information Publicizing for Land Acquisition, No. 10 Order,***

**Ministry of Land and Resources, effective on January 1, 2002.**

- ***Implementation Measures for the Land Administration Law of PRC in Hunan Province, effective as of March 31, 2000).***
- ***Decree 28 for Land Administration Law (Promulgated in October 2004) and Hunan Provincial Document No. 24 (February 2005)***
- ***Management Measures on Temporary Land Occupation, No. 140 Order, Human People's Government, effective 2001.***
- ***Forestry Law.***

#### **C. 4.3 ADB Involuntary Resettlement Policy**

87 The objectives of the Bank's policy on involuntary resettlement should be to (i) avoid involuntary resettlement where feasible; and (ii) minimize resettlement where population displacement is unavoidable, and ensure that displaced people receive assistance, preferably under the project, so that they would be at least as well-off as they would have been in the absence of the project.

88 The three important elements of involuntary resettlement are: (i) compensation for lost assets and loss of livelihood and income: (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services: and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. Some or all of these elements may be present in projects involving involuntary resettlement. For any project that requires relocating people, resettlement should be an integral part of project design and should be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

(i) Involuntary resettlement should be avoided where feasible.

(ii) Where population displacement is unavoidable, it should be minimized by exploring all viable project options.

(iii) Replacing what is lost. 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. All compensation is based on the principle of replacement cost.

(iv) Each involuntary resettlement is conceived and executed as part of a development project or program. ADB and executing agencies or project sponsors, during project preparation, assess opportunities for rehabilitation measures, the affected people need to be

provided with sufficient resources and opportunities to reestablish their livelihoods and homes as soon as possible, with time-bound action in coordination with the civil works.

(v) The affected people are to be fully informed and closely consulted. Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socioeconomic rehabilitation. Pertinent resettlement information is to be disclosed to the affected people at key points, and specific opportunities provided for them to participate in choosing, planning, and implementation options. Grievance redress mechanisms for affected people are to be established. 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.

(vi) Social and cultural institutions. 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 social harmony is promoted.

(vii) No formal title. Indigenous groups, ethnic minorities, pastoralists, 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.

(viii) Confirmation of eligibility. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cutoff date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.

(ix) The Poorest. Particular attention must be paid to the needs of the poorest affected people, and vulnerable groups that may be at high risk of impoverishment. This may include those without legal title to land or other assets, households headed by females, the elderly or disabled and, other vulnerable groups, particularly indigenous peoples. Appropriate assistance must be provided to help them improve their socio-economic status.

(x) The full resettlement costs are to be included in the presentation of project costs and benefits. This includes costs of compensation, relocation and rehabilitation, social preparation and livelihood programs as well as the incremental benefits over the without-project situation (which are included in the presentation of project costs and benefits). The budget also includes costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, and physical and price contingencies. Where loans include subprojects, components or investments prepared only after project approval and loans through financial intermediaries that are likely to cause involuntary resettlement, sufficient contingency allowance must be allocated for resettlement prior to approval of the loan.

Similarly, resettlement plans should also reflect the timeframe for resettlement planning and implementation.

(xi) Eligible costs of compensation. Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure timely availability of the required resources and to ensure compliance with involuntary resettlement procedures during implementation.

## **D. 4.4 Project Resettlement Policy**

### **1. 4.4.1 General Objectives and Principles**

**89 Policies regarding compensation and resettlement for the APs in the project are based on a combination of the PRC laws and regulations and ADB's policy and requirements. The primary objective of the RP is to restore the income and living standards of the APs in post-resettlement period as quickly as possible and with as little disruption possible in their own economic and social environment. The RP has been prepared and will be implemented to meet this objective. Particular attention has been paid to needs of the poorest, ethnic minorities and vulnerable groups to be resettled.**

**90** The resettlement principles adopted in the project reflect the legal and policy requirements of PRC and ADB. The principles are summarized in Table 17. The adopted principles with regard to compensation, resettlement and income restoration are flexible enough, allowing for considerable variability from village to village (e.g., between land redistribution and cash payments on the one hand, and community-based and individually organized income restoration options on the other). The key is to ensure that all APs receive adequate compensation and assistance to restore their incomes, living conditions and general livelihood in post-resettlement period.



Table 17      Resettlement Principles – Summary

	Principles
1	That compensation and entitlements provided to APs are adequate to at least maintain their “without project” standard of living, with prospect of improvement.
2	All APs, titled or non-titled, are taken into account for compensation and resettlement assistance.
3	Land redistribution will ensure per capita minimum holding in post-resettlement period to maintain livelihood standards.
4	Where land acquisition per capita is not sufficient to maintain livelihood, compensation in cash or kind for replacement land for other income-generating activities will be provided for.
5	All APs will be adequately informed on eligibility, compensation rates and standards, livelihood and income restoration plans, project timing, and will be involved in RP implementation.
6	No land acquisition will take place prior to satisfactory compensation resettlement of APs.
7	The EA and independent/third party will monitor compensation and resettlement operations.
8	Vulnerable groups should receive special assistance or treatment to ensure they are better off.
9	Resettlement affected people should have opportunities to benefit from the project.
10	Resettlement plan should be combined with the overall county or township planning.

## 2.                      4.4.2    Land Redistribution

91            No land redistribution will be made within the village, as the local road improvement is on the exiting road, only a small piece of land will be lost of the household whose farmland neighboring the road, and there are no additional farmland available within the village. Cash compensation will be paid to those affected by land loss.

## 3.                      4.4.3    Compensation Eligibility and Cut-off Date

92            All APs and organizations (whether public or private) losing land, buildings/houses, crops or sources of income will be compensated or rehabilitated according to the types and amount of their losses (permanent and temporary) as long as they are included in the final detailed measurement survey (DMS), conducted by ZYCC, or are identified as affected by temporary impacts during construction.

93            The local governments issued an order in August, 2005 that there should be no new construction along the local road when HPDI surveyed for preliminary design based on the feasibility study. The alignment was staked in October 2006, which is the cut-off date for compensation eligibility. APs who cultivate land, construct buildings or settle in project affected areas after the cut-off date will not be eligible for compensation or subsidies. Compensation will also not be paid for any structures erected, or crops and trees planted purely for the purposes of gaining additional compensation, but those due to variation of design will be compensated as specified in the RP.

#### 4. 4.4.4 Compensation Standards

94 The following paragraphs describe the compensation standards to be adopted for this RP. Detailed compensation rates are presented in Chapter 5, which also contains the budget estimate.

##### a. 4.4.4.1 Compensation for Loss of Cultivated Land

95 Land compensation fee: permanent cultivated land loss will be compensated in cash to the affected villagers with user rights at a rate equivalent to **8 times** of average annual output value (AAOV) of previous three years.

96 Resettlement subsidy: these will be paid to the individuals, groups or entities with user rights on the basis of **4 times** the AAOV calculated as above.

97 Cultivated land reclamation fee: Permanent cultivated land loss will be subject to a reclamation fee agreed with Land and Resources Department of Hunan Province, CNY13,756 per mu, average of 20 times AAOV of all kinds of cultivated land.

98 Temporary cultivated land losses will be directly compensated in cash to the APs equivalent to **one time the AAOV per mu** for each year that the land is not available for cultivation. The AP will lose net income from the land during the period of temporary occupation, but the AP will receive compensation based on gross output value, so there is no loss of income. If there are standing crops, this entitlement will also be added. The entity requiring temporary land use will restore the land to its original condition after use, or make comparable payment to the AP. According to regulations, temporary use should not exceed two years and wasteland should be utilized wherever possible.

##### b. 4.4.4.2 Forestry Land

99 Permanent forestry land losses will be compensated in cash (see Table 22 for detailed compensation rate) to the owners for state-owned forest, and to owners/contractors of collective forest. In addition, the forest restoration fee will be paid to the affected Forestry Bureaus based on the area taken (for easy operation, this Project will pay CNY50,000/km lump-sum). The Forestry Bureaus will be responsible for reforestation of a similar amount of forestland.

**c. 4.4.4.3 Residential Land, Houses/buildings and Fixtures**

100 Residential land, houses/buildings and fixtures losses will be directly and fully compensated at replacement cost free of demolition expenses and salvaged materials. Compensation for residential land will be paid to the affected village who will then, in consultation with the village committee and the APs, make available replacement plots within the community at no cost to the affected household. If this is not feasible, the township government will assume the responsibility. Houses, other buildings and attachments and related fixtures will be compensated in cash at replacement cost with monies paid directly to the APs. The compensation is based on construction costs of new houses, including labor and decoration costs. Land transfer fees and related costs, if not waived, will be compensated by the project owner.

101 Affected families who currently have a rental accommodation contract will be guaranteed a similar rental contract, if requested by the affected families. The new rent contract will have the same terms as the rent before. They will receive two months notice to vacate.

**d. 4.4.4.4 Crops Losses**

102 All APs, including tenants and APs without land use rights contracts, will directly receive full compensation in cash for their crop losses at **1 times** the AAOV. For standing crops, the affected farmer will be paid the market value of the mature crop.

**e. 4.4.4.5 Resettlement Allowances for Homeowners**

103 In addition to the compensation for houses and land, relocation allowances will be paid. These relocation allowances cover resettlement/ relocation costs, including unexpected losses or expenses related to house demolition and new house construction (relocation transition allowance), and the cost of moving all household items and any salvageable materials to the new house, or from the rented house to new house (moving allowance). These allowances will be payable as a comprehensive allowance to AP households. In most cases, affected people will construct their own houses and will live with relatives during transition; however, if accommodation is not available free of cost, allowance shall be paid to cover the cost of rent. A lump sum amount will be provided based on the cost of 3 months rental.

**f. 4.4.4.6 Compensation for Loss of Business/Employment**

104 There is no loss of business/employment along the local road. If there is a case of business/employment loss, besides the compensation of structure, additional allowance will be made as followings.

105 Transition Allowance: The transition allowance for a commercial business moving from its old buildings to new ones will be calculated on the basis of total post-tax profit during the six months prior to relocation as declared by the business to the tax-collection agencies. The transitional allowance for employees' loss of income will be equal to the total sum of earnings (including basic salaries and national subsidies) of all registered employees (including those retired) for 6 months prior to relocation. This allowance will be paid on a monthly basis for 6 months from the date of removal from the original premises.

106 Moving Allowance: The allowance for transport and re-installation of the equipment of enterprises will be determined based on the regulations stipulated by the State and the Province in calculating such transport and installation costs. An allowance equal to the actual expenditure on renting storage space will be paid for temporary storage (if any) of equipment and materials.

***g. 4.4.4.7 Relocation of Public Buildings***

107 All the public buildings affected will be replaced or paid in cash directly to its owners. Schools will be re-constructed before the old one is demolished. If the public buildings are to be expanded, the project will match the local funding (up to 100% of the compensation value).

***h. 4.4.4.8 Training Programs***

108 Livelihood Training Programs will be available to APs from local government. A training plan will be developed by local governments no later than the end of 2007. Allowances will be payable to those attending to cover the cost of transportation, food and lodging necessary to reach and stay for 2 weeks in the county or township center where training course are to be run will be paid for the APs. Some funds will also be made available to arrange special training in the project area. ZYCC will submit a copy of the training(s) to ADB and report on the progress of training. Approximately 1,500 persons will be eligible for training and an estimated budget of Y300,000, calculated at 2 persons per household at Y200 per person.

***i. 4.4.4.9 Vulnerable Households***

109 Special attention will be paid to the vulnerable groups, defined as those already experiencing hardship (e.g. through sickness, lack of labor, aged, female headed households, etc) or those whose loss of land/ property could lead to such hardship and risk

of impoverishment. In order to ensure that resettlement is no more difficult or inconvenient for these vulnerable groups as it is for the rest of the AP community, an assistance group in each community consisting of township and village leaders has been designated for the vulnerable groups in order to air their needs and provide assistance in time. A separate fund of CNY456,000 will be established within the resettlement budget. Ethnic minority households would also be eligible for assistance from this separate fund.

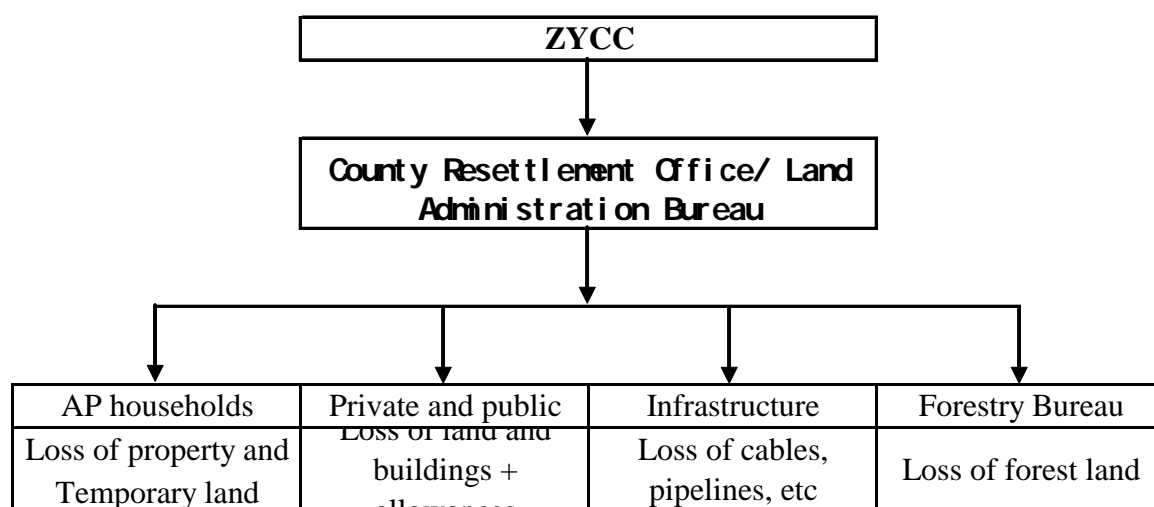
#### 5. 4.4.5 Flow of Funds and Compensation Options

110 The basic principle is that compensation funds are disbursed to organizations and individuals who will take responsibility for the reinstatement of the facilities and or the restoration of their incomes. In accordance with the compensation policies and rates given above, ZYCC will sign compensation agreements with the local Land Acquisition Bureaus/ Resettlement Offices, supporting units, and public infrastructure agencies detailing the compensation payments to be made and complying with the resettlement plan. Payment of funds will be made in accordance with: (i) these agreements and (ii) the time schedule specified in these agreements.

111 Agencies responsible for reinstating public utilities will receive the compensation directly as will households, businesses and public organizations losing property. Compensation for crops is payable to the farmer and forest bureau for designated forestland. All transitional and moving allowances and compensation for temporary land loss will be directly paid to those affected. Land reclamation fees for cultivated land are payable to the government agency responsible for land development.

112 Land compensation fees and resettlement subsidies for cultivated land are directly paid to APs. Figure 1 provides a simplified description of the overall process.

Fig 3 Flow of Funds for Compensation



#### **6. 4.4.6 The Entitlement Matrix**

113 The entitlement matrix for this local road is set out in Table 18. The matrix covers eligibility and compensation for *all* kinds of losses (e.g., land, housing, businesses, other income sources, temporary loss of income, displacement, and moving cost). It provides a summary of the measures, provisions and standards described in the earlier part of this section.

#### **4.4.7 Utilization of Land Reclamation Fee**

114 The provincial and county level Land and Resources Bureaus will receive funds for reclamation of the cultivated land lost to the local road. The affected counties/districts will prepare plans for land reclamation and request approval for use of these funds in poverty villages. Since the land reclamation fee was established to balance the loss of cultivated land, if there are land resources available for reclamation in the Project affected villages, priority should be given to these villages for arranging land reclamation program using the reclamation fee, particularly in the poverty villages along the local road. The reclaimed new land should be contracted to APs without any surcharge. The operation should be coordinated and supervised by the Project Leading Group.

Table 18 Entitlement Matrix of Compensation and Resettlement Policy

Type of loss	Application	Entitled person/ group	No. of entitled persons /groups	Compensation policy	Compensation Entitlement	Implementation issues
Permanent loss of cultivated land	Cultivated land affected by the local road	Farmers who use the land	1,103Households who lose land	Land compensation and resettlement subsidies respectively*; Priority should be given to the villages with land loss if land reclamation program is feasible	Full compensation for 375 land-owning groups and land loss households,	if required to facilitate training programs
Temporary loss of cultivated land		Farmers who use the land	(to be identified during construction)	Cash compensation based on AAOV for each year land is not available + reinstatement to pre-construction condition	Who lose crops will receive full compensation according to compensation standard.	Village Committee/farm owners must be notified in advance and paid accordingly
Forest land	Forest land within ROW	Local forest bureau / Forestry Farm	(To be identified,)	Cash compensation to Forest bureau according to standards and regulation of Hunan provincial laws		To be taken care by the forest bureau
Loss of residential land/ property	Residential land located in or affected by ROW	Owner of the building or houses	517 households	Cash compensation for land if AP requires new plot Cash compensation at replacement rates for all buildings Transition and moving allowances, transportation/shifting cost	Pay compensation for owner of the house/building 517households	Sub-villages and APs to decide on location of new residential plots.
Non-cultivated land loss	Non-cultivated land within ROW	Land-owning groups	(to be identified)	Cash compensation.	6 villagers	The rate must be negotiated with the land owners/groups.
Loss of non-residential establishments (e.g., common property units etc.)	Establishment s sited in or affected by ROW	Legal owner of the establishment	N.A	Cash compensation for land or replacement site provided Cash compensation for buildings Transitional allowances for lost income; Moving allowance for transport of building materials to new families who are relocated (not payable in cash). Construction of common property units by local government in consultation with beneficiary groups	Full compensation based on compensation standards	Assistance in finding new site if relocation of establishment is unavoidable.
Business/ salary losses		N.A	N.A	Business/salary losses will be compensated through specific allowances to be paid on a monthly basis for up to 6 months after relocation. The business losses allowance will be based on the total post-tax profit during the six months prior to relocation as declared in the tax receipts.	N.A	
Crops losses / Trees		Affected people	All owners who loss trees	Crops losses will be compensated at a rate equal to the market value of the harvested crops Trees will be compensated based on project standards	Full payment direct pay to the tree owners	

\* Cultivated land reclamation fee is also payable but this does not affect APs. Source: derived from preceding text.

## **V. CHAPTER 5 COMPENSATION RATE, COST ESTIMATES AND BUDGET**

### **A. 5.1 General**

115 The legal framework, resettlement policy, and compensation rates presented in this section are as same as that in the RP of Hunan Roads Development Project II approved by the Government and ADB. Any changes will be documented and reported to ADB.

116 The costs for the land acquisition and resettlement include the following categories:

- 1) Compensation for land acquisition including crops and trees;
- 2) Compensation for building/houses and structures;
- 3) Costs for the rehabilitation of infrastructure affected;
- 4) Other costs related.

### **B. 5.2 Compensation Rates and Cost for Land Acquisition**

#### **1. 5.2.1 Compensation for Cultivated Land**

117 Compensation for cultivated land consists of the following components:

- Land compensation fee;
- Resettlement subsidies for requisitioned cultivated land;
- Standing crop compensation;
- Reclamation costs for cultivated land occupation.

118 Compensation is then calculated by applying the following multipliers, in accordance with the Hunan Province Regulations on the application of the China Land Law:

- Land compensation fee: 8 times the AAOV
- Resettlement subsidy: 4 times AAOV
- Standing (young) crop compensation: 1 times output value if young crops damaged

119 Total compensation payable to the affected land-owning groups or individuals is equivalent to 13 times the AAOV.

120 The land reclamation fees payable to the State and local government are calculated as lump-sum CNY13,756 per mu both for paddy land and dry land.

121 The cultivated land occupation tax payable to local government is set as CNY0.6 per



square meter for both irrigated and non-irrigated land, i.e., CNY400.2 per mu.

122 Table 19 presents the calculation of compensation rates for cultivated land, which will be payable to affected land-holding groups.

Table 19 Compensation Rate for Permanent Cultivated Land Acquisition

Land Types	AAOV (CNY) *	Multipliers x AAOV		Total (CNY/mu)
		Land compensation	Resettlement subsidy	
Irrigated	730	8	4	8760
Dry	500	8	4	6,000

\* Derived from RP of Hunan Road Development II: Changji Expressway Project

## 2. 5.2.2 Compensation for Other Land Types

123 The overall compensation rates (including land compensation and resettlement subsidies) for other types of land are:

- economic forest/orchard: Y10,000 per mu
- timber forest: Y4350 per mu
- water ponds: Y8700 per mu
- housing plots: Y5220 per mu
- barren: Y870 per mu.

124 The compensation for trees will be based on the size of tree. The mature timber tree will be compensated based on the cutting and moving cost as these trees can be sold in the market, and the immature tree will be determined based on the age and actual size of the tree. For the fruit trees, compensation will usually be paid on the transplanted cost, if possible; for those that cannot be transplanted (i.e., if the tree is mature and going to be damaged) compensation will be made on the cost of planting of young fruit trees.

-

## 3. 5.2.3 Compensation for Temporary Loss of Land

125 These are calculated at 1 times AAOV for each year of impact. Since there is abundant barren land to be used temporary, the budget assumes a fixed rate of 730 Yuan (AAOV of irrigated field) per mu per year. Assuming a two-year occupation period (ROW will be used), the total cost per mu of land is CNY1460.

### C. 5.3 Compensation for Houses and Structures

126 Following discussions with local officials in Yongding District, compensation for affected houses and buildings, owned by enterprises or individuals, will be paid at replacement rates as given in Table 20. No deduction in compensation will be made for depreciation or the cost of salvaged materials.

Table 20 Compensation Rates for Houses and Buildings

Unit: CNY/m<sup>2</sup>

Structure	Brick & Concrete	Brick & wood (tile)	Clay & Wood (tile)	Wood + tile roof	Simple Houses
Rate	280	220	180	160	90
<b>Comparison with replacement values obtained during field surveys</b>					
Yuanling	206	145	90	n.a.	50

Note: Based on the field survey data (2003), on average, the proposed compensation standards at least include Y50 for decoration besides the replacement value.

127 Compensation rates for attachments are shown in the overall cost estimate presented in Table 20.

128 Compensation rates for infrastructure networks were obtained from related governmental sectors that will be responsible for the reinstatement of these infrastructure networks to be affected. These are shown in the cost estimate (Table 23). Costs associated with the rehabilitation of irrigation networks (CNY 270,000) and local access roads (CNY 105,000) will be implemented as part of the main civil engineering contracts.

### D. 5.4 Other Compensation Rates and RP Cost Items

#### 1. 5.4.1 Transition and Moving Allowances

129 All APs affected by house/apartment will receive the following allowances (the temporary housing will be based on the AP's needs):

Yuan/hh.	(i) Transport expenses	200
	(ii) Work losses	
200 Yuan/hh.		
	(iii) Transfer cost	100

Yuan/hh.	(iv)	Medical expenses	200
Yuan/hh.	(v)	Temporary housing (if required)	300 Yuan/hh.

## 2. 5.4.2 Training Programs

130 Considering that the APs have no desire for training from the HH survey and the land loss is quite small (0.03mu per capita), no specific training program is expected. However, a budget of CNY300,000 is reserved in the RP for those who have severe affects by land loss and might need training for developing a technical skill. If such training program is required, the training plan will be reported to the Bank in the progress report.

## 3. 5.4.3 Support for Vulnerable Households

131 Additional support will be provided to poverty households, especially minority nationality households. A budget of CNY 456,000 has been estimated for this support.

## 4. 5.4.4 External Monitoring and Evaluation

- 132 External monitoring cost is calculated based on the following:
- annual post resettlement evaluation surveys: 1 professional staff for a period of 1 month at CNY600 per day and 5 interviewers for 1 weeks each at CNY200 per day. This gives a cost of CNY25,000; add transport, data entry and reporting Y5,000; total CNY30,000
  - semi-annual monitoring surveys (PRA only): 1 professional staff at Y600 per day for 1 month and 2 interviewers for 1 weeks each at Y250 per day plus reporting and expenses which produces an annual cost of Y22,500. For 2 years, the cost would be Y45,000
  - contingency, Y22,500, in case one additional follow-up survey is required.

133 The total cost for external monitoring and evaluation is therefore Y97,500.

## 5. 5.4.5 Other Items

134 Administrative Cost: Local government organizations responsible for implementation of resettlement and rehabilitation will be paid administrative

expenses at the rate of 3 per cent of the total amount of compensation payable in their jurisdictions.

135     Contingencies: Since resettlement will be implemented within the first two years and expected inflation rates are low, and the budget is made based on the Detailed Design impact data which has a high reliability, a budgetary provision of 10% of resettlement cost, which will suffice to cover both physical and price contingencies, is reserved in the RP.

## **E.     5.5     Total Cost Estimate**

136     Table 21 presents a detailed breakdown of the total cost of resettlement related activities including compensation categories, quantities, unit rates and overall cost.

137     The total cost of land acquisition and resettlement is estimated to be around CNY33.39 million at current prices. Nearly 19% of this cost relates to compensation for the acquisition of land, including crops and trees. Nearly 35% relates to the costs for acquiring property, other structures and transition/ moving allowances for those affected. The cost for rehabilitation of irrigation networks and local access roads accounts for 1% of the total, which will be included in the civil works contracts. A provision of CNY456,000 (1%) is made available to support the vulnerable groups

Table 21 Cost Budget of Resettlement

No.	Cost Item	Sub-category	Unit	Quantity	Unit cost (RMB)	Total Cost (RMB)	Resettlement Budget	Civil Works Budget
1	Land Compensation					6,170,682	6,170,682	
		Irrigated land	Mu	274.12	8760	2,401,291	2,401,291	
		Dry farmland	Mu	216.43	6000	1,298,580	1,298,580	
		Water pond	Mu	1.80	8760	15,768	15,768	
		Timber forest	Mu	421.56	4350	1,833,786	1,833,786	
		Economic forest/orchard	Mu	28.74	10000	287,400	287,400	
		Housing plot	Mu	18.17	5220	94,847	94,847	
		Other	Mu	70.21	730	51,253	51,253	
		Temporary land use	Mu	128.60	1460	187,756	187,756	
2	Compensation for structures					<b>7,895,971</b>	<b>7,895,971</b>	
	Residential structure	Concrete	M <sup>2</sup>	6600.1	280	1,848,028	1,848,028	
		Brick/wood	M <sup>2</sup>	17127.1	220	3,767,962	3,767,962	
		Earth/wood	M <sup>2</sup>	3127.8	180	563,004	563,004	
		Wood/tile	M <sup>2</sup>	6072.6	160	971,616	971,616	
		Simple house	M <sup>2</sup>	6462.4	90	581,616	581,616	
	Attachment	Water well	unit	19	300	5,700	5,700	
		Enclosure	M	747.9	20	14,958	14,958	
		Brick kiln	Unit	0	400	0	0	
		Sunning plot	M <sup>2</sup>	10188.7	10	101,887	101,887	
		Tomb	Unit	103	400	41,200	41,200	
3	Trees					<b>309,100</b>	<b>309,100</b>	
		Fruit tree	Tree	2255	80	180,400	180,400	
		Oil tree & Bamboo*	Tree	3410	8	27,280	27,280	
		Timber tree*	Tree	10142	10	101,420	101,420	
4	Transition allowances					<b>319,200</b>	<b>319,200</b>	
		Transportation	HH	266	200	53,200	53,200	
		Loss of income	Person	532	200	106,400	106,400	
		Transition losses	HH	266	100	26,600	26,600	
		Medical expense	HH	266	200	53,200	53,200	
		Temporary housing**	HH	266	300	79,800	79,800	
5	Compensation for infrastructure					<b>3,783,138</b>	<b>3,383,138</b>	<b>400,000</b>
		Reconstruction of Primary school, etc.						
		Power line over 10KV	KM	17.33	137400	2,381,142	2,381,142	
		Power line below 0.4KV	KM	7.63	6800	51,884	51,884	
		Telecommunication line	KM	29.691	32000	950,112	950,112	
		Rehabilitation of local roads	KM	24	50000	120,000		120,000
		Rehabilitation of irrigation systems	KM	5.6	50000	280,000		280,000
6	Taxes and Fees					<b>9,969,324</b>	<b>9,969,324</b>	
		Farmland reclamation fee	Mu	490.55	13756	6,748,006	6,748,006	
		Forest restoration fee	Km	60.5	50000	3,025,000	3,025,000	
		Tax for occupying farmland	Mu	490.55	400.2	196,318	196,318	

No.	Cost Item	Sub-category	Unit	Quantity	Unit cost (RMB)	Total Cost (RMB)	Resettlement Budget	Civil Works Budget
7	Training cost		person	1500	200 200	300,000	300,000	
8	Support for Vulnerable Groups		HH	76.00	6000	456000	456000	
	Base cost of items 1-8					29,203,415	28,803,415	
9	Management cost					1,148,823	1,148,823	
		Administration (local government)			3.0%	876,102	876,102	
		Resettlement planning			0.2%	58,407	58,407	
		RS staff training			0.2%	58,407	58,407	
		Internal monitoring and supervision			0.2%	58,407	58,407	
		External monitoring and evaluation				97,500	97,500	
	Sub-total of items 1-9					30,352,238	29,952,238	
10	Physical and price contingency				10%	3,035,224	2,995,224	
	Total					33,387,462	32,947,462	

## **VI. CHAPTER 6 RELOCATION AND RECONSTRUCTION PLANS**

### **A. 6.1 Resettlement Needs**

138 The resettlement needs for the local road is characterized by loss of a large number of individually owned houses in the affected villages.

### **B. 6.2 Strategy for Resettlement Management**

139 Two strategies will be undertaken for resettlement management in the project.

First, selecting the new housing sites in the same village/sub-village to minimize disruption with the existing community, will be suitable for most households affected by structure. This will help maintain the existing social network and re-establish incomes within a short time.

Second, selecting the new housing sites off the village, will be adopted by very few households. These household heads have a long-sight for developing business integrated with “Township Overall Planning”, or find a suitable place for running small business.

### **C. 6.3 Relocation and Resettlement of Private Households**

140 Around 266 households living in their own premises are expected to require relocation as a result of the project. These households are located in 18 villages along the 60km-long Class III highway alignment. Investigations undertaken during RP preparation revealed that over 90% of these households wish to be relocated in close proximity to their existing property or other place suitable in the same village. These two factors mean that there is no requirement to develop relocation sites in host communities. Furthermore, evidence from other projects reveals that new houses are almost always built to a standard, which is superior to the current residence.

141 In many cases, it is anticipated that many households will be able, and will prefer, to reconstruct their houses near their current plot thereby precluding the needs for new sites. In these cases, households will receive cash compensation for both the land they lose and the replacement cost of the buildings and structures.

142 In cases, where relocation sites are provided by the village authorities, these authorities will receive the compensation fee for the land with householders

receiving compensation for the house and buildings lost. Additionally, these households will receive the moving allowances stated in the preceding section.

143 Compensation to affected householders will be paid following signature of individual compensation contracts in order that the construction of new houses can be well planned prior to the clearance of the ROW.

144 ZYCC will provide the overall supervision for these tasks but the direct responsibility for ensuring the timely availability of suitable relocation sites and the allocation of these to affected householders will lie with village and land-owning group officials. Householders will be responsible for the construction of their new houses.

145 Village and township authorities will provide special assistance to vulnerable households in the reconstruction of their houses by visiting those APs regularly and voice their needs in time. Then relevant measures based on AP's needs should be adopted by ZYCC and local government agencies in time to support the vulnerable households.

#### **D. 6.4 Reconstruction of Physical Infrastructure**

146 Wells, power and communication lines affected by the project will be re-constructed prior to the demolition of the existing facilities in order to ensure continuous service.

147 In total, the reinstatement of around 17km (single line length) of high voltage and 8 km of low voltage power lines will be required along with 30 km of telephone and fiber optic cables and 19 wells. More details, including compensation rates, are provided in Chapter 4, which gives the overall RP cost estimate.

148 Responsibilities for re-constructing the power and telecommunications lines and cables will lie with the respective agencies while villages will receive the compensation for wells and be responsible for their re-establishment.

#### **E. 6.5 Reinstatement of Irrigation Systems and Roads**

149 The reinstatement of irrigation systems will be part of the main civil engineering contracts and the associated costs have been incorporated into the overall schedules for sub-grade, bridges and culverts. These costs include both the permanent changes to the irrigation systems and temporary engineering works relating to works away from the local road alignment. A similar approach is used to ensure that local access roads and paths are maintained throughout the



construction period. In consequence, no costs related to irrigation system rehabilitation are included in the RP budget.

150 Based on the detained design, the rerouting of the irrigation system is 5.6km in length; total recovery cost will be CNY280.0 thousand. Similarly, the total length of roads/local paths to be rerouted is 2.4 km; total recovery cost will be CNY120,000. The fund is considered adequate for the infrastructure rehabilitation.

## **VII. CHAPTER 7 INCOME RESTORATION PLANS**

### **A. 7.1 Context**

151 The overall objective of income restoration is to ensure that all APs losing their means of livelihood (in this case their land) to the project are able to at least maintain their pre-project levels of income and living standards.

152 The construction of the Zhangjiajie-Yuanling Highway (Zhangjiajie section) will result in around 5,352 people losing total of 490.5mu (32.7ha) of their cultivated land, and hence part of their income. The results of the socio-economic survey indicate that, over 90% of households derive some of their income from off-farm activities, and the income share from cropping only accounted for around 17.8%. The loss of land will thus not seriously affect the livelihood of most APs.

153 The compensation rates agreed for this project provide that the compensation payable direct to the affected households will be equivalent to 12 times the AAOV (averaged over the last 3 years). In monetary terms, payments will be around Y8760 and Y6,000 per mu of irrigated and non-irrigated land respectively. Compensation for standing crops and trees equivalent to their market value will be payable directly to the affected farmers in case the young crops are damaged.

### **B. 7.2 Formulation of Income Restoration Strategy**

154 Any income restoration strategy should respect, as far as possible, the preferences of APs as to how this should be achieved. Formulation of an income restoration strategy is also dependent on the way the compensation monies are divided between the community and the individuals. In this context, the results of the socio-economic survey (including both individual households and village leaders) revealed that most villagers prefer direct cash compensation.

155 In order to provide a more robust basis for the formulation of an income restoration strategy, intensive consulting was made with the local governments of 3 town/townships and the villager leaders during May 2007. The villager's preference of direct cash compensation, the regular practice of compensation for land loss by highway construction in Hunan Province, is supported by the officials from county and township governments and leaders of all affected villager.

156 Based on the above findings, all the land compensation will be paid directly to the APs, the income restoration strategy will self-developed by themselves.

### **1. 7.3 Use of Compensation Fund By Individuals**

157 The payment of all compensation funds to individuals will place a considerable responsibility for income restoration on APs themselves. The cash crops and service sectors in the project area have expanded rapidly in recent years due largely to the initiatives of private individuals and there is likelihood that funds will be invested in productive activities.

158 Individuals questioned during the socio-economic survey showed a marked preference for investing in off-farm activities (see Table 15), e.g. small businesses, migrant labor. However the consultation also revealed that for those who are 40 years and above, they would expand agricultural, livestock production and aquaculture, e.g. by introducing young animals or "cage fish raising". Additionally, some households are likely to use funds to provide their offspring with a better education indicating a more far-sighted view of the future well-being of their household.

### **C. 7.4 Training Programs**

**159 Notwithstanding the fact that all land compensation paid directly to the APs, the income restoration will be primarily responsible by themselves. No particular training program is prepared for the then, but available are an extensive series of training programs implemented by the local governments. These programs, for which a separate budget item has been allocated, will be available for those have interest on the training program of the following subjects:**

- Animal husbandry/Fish raising
- Economic crop planting
- Training program to women on sewing and knitting skills
- Skills on motorcycle, vehicle, tractor and farm machinery repair
- Repair and maintenance of electrical goods/computer typing
- Product marketing
- Small business registration and operation.

160 Courses will be offered both on site and at the training centers in County and township centers to both men and women. Payments will be made directly disbursed to the training institution, e.g. the agricultural extension department and the women's federation. Allowances will be paid for trainees attending courses away from their own villages. Attendants of the training will include women who have the same interest.

## **D. 7.5 Employment in the Project Activities**

161 The construction of the Zhang-Yuan Highway will create temporary construction jobs. Farmers welcome the construction-related job opportunities as providing an additional source of cash income that will assist them in restoring their livelihood.

162 Based on discussions with ZYCC, under same technical requirements, priority will be given to the APs when recruiting Project personnel and construction workers. ZYCC and contractors will liaise with local leaders to facilitate this process. Priority will be given to APs losing some proportion of their land. Training will be provided to unskilled workers by contractors.

## **E. 7.6 Gender Issues**

163 PRC is ideologically committed to gender equality and women and men have enjoyed an equal status by law. Women play a very active role in the economy of the project area as well as being responsible for many household tasks as childcare, elderly care, animal care and other household chores. Women will be eligible, on an equal basis, for access to information, compensation payments, training programs and other assistance being proposed.

## **F. 7.7 Vulnerable Households**

164 Besides the government help, support for vulnerable households includes additional financial assistance and other support, will be provided to households with the greatest needs, with special consideration for poor minority households.

165 Members of vulnerable households, if able-bodied, will be given priority in gaining highway-related employment.

## **VIII. CHAPTER 8 RESETTLEMENT ORGANIZATION ARRANGEMENT**

### **A. 8.1 Resettlement Organization**

#### **1. 8.1.1 Executing Agency**

166 The HCD will be responsible on behalf of the Hunan Provincial Government for the general administration of the local road improvement. ZYCC will be responsible for the implementation of the local road component and management after its completion, while the Foreign Capital Promotion Project Office (FCPO) under the HCD for coordination with the related agencies including communication with the ADB, and HHB for the project implementation.

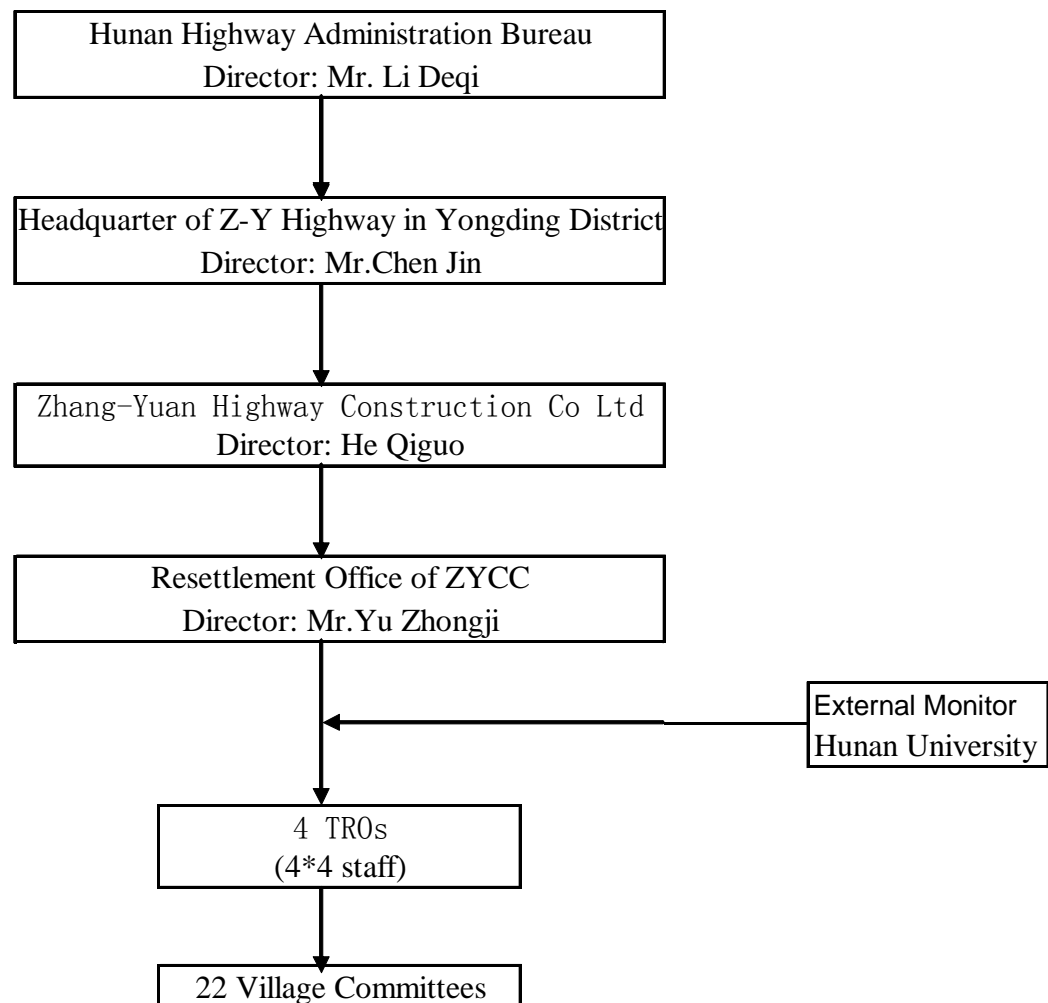
#### **2. 8.1.2 Implementation Agency**

167 The implementing agency for the project is Zhangjiajie Zhangyuan Highway Construction Co Ltd (ZYCC) under the Hunan Provincial Highway Bureau (HHB). ZYCC shall be in charge of the implementation of the project and the execution and coordination of land acquisition and resettlement. A LAR Division shall be set up within the ZYCC with 4 to 5 staff. Further, LAR Coordination Division will be established in Yongding District. The Division will headed by 1 district leader and shall consists of 5-6 members from different government departments like the communications bureau, land administration, environment protection and forestry bureau, usually one from each department. Each affected township shall nominate four persons and each village committee shall nominate at least one person to LAR Coordination Division. The person so nominated will be responsible for all resettlement-related work.

168 The project has already established the leading group for Project Implementation in Yongding District Government (Headquarter of Zhang-Yuan Highway Improvement) and a Working Office (including a LAR) under the Leading Group. Currently the Working Office is conducting the preparation and coordination tasks for the Project. To date, various meetings focusing on different aspects of the Project has been held to facilitate the project progress.

169 Under the guidance of the Leading Group and the affiliated Working Office, the following organizational set up has been formulated with detailed LAR tasks (Figure 3).

Figure 3 Project Land Acquisitions and Resettlement Organization



## **B. 8.2 Accountability**

### **1. 8.2.1 Role of LAR Division in ZYCC**

170 The LAR division within the ZYCC will take the following responsibilities:

- 1) To organize and coordinate, following the decision made by the Hunan Provincial Government, the land acquisition and resettlement work and compensation payment, and sign resettlement agreements with LAR Coordination Offices of Yongding District.
- 2) To investigate and study the resettlements assignment, and consult the comments from affect agencies and individuals, deal with various grievance and appeal, and make a quick responses.
- 3) To supervise and inspect the payments and utilization of resettlement fund.

### **2. 8.2.2 Responsibility of County Level LAR Office**

171 The County level LAR Office (CRO) is primarily responsible for RP implementation and supervision. Principal tasks of the LAR Office include:

- 1) Checking, based on the assignment and requirement set by the ZYCC, the volume and number of affected land, houses, infrastructure and special purpose facilities, etc.
- 2) Appraising the value of the land and houses to be acquired and demolished and making compensation rates.
- 3) Signing land acquisition and resettlement agreements with affected enterprises and individuals.
- 4) Payment of compensation to affected families/units.
- 5) Carrying out the specific implementation of land acquisition and resettlement and ensuring timely construction of new houses and timely resettlement progress.
- 6) Supervision and inspection of the payment and utilization of resettlement fund.
- 7) Monitoring execution of RP in township and villages.
- 8) Reporting to the LAR Division of the ZYCC on resettlement situation periodically, and submit statistics/data as required.

### **3. 8.2.3 Responsibility of Township Resettlement Office**

172 Township Resettlement Offices (TROs) have the following responsibilities:

- Survey, monitor and record all resettlement activity within its jurisdiction;
- Supervise acquisition of land, houses, other buildings and structures, public utility infrastructure and enterprises as well as the relocation and reconstruction of houses and non-residential buildings;
- Supervise the employment and training of the APs within township.

### **4. 8.2.4 Responsibility of Village Committee**

173 Village Administration Committee and Villagers' Groups have the following responsibilities:

- To report on:
  - Quantity of land acquired;
  - Ownership and use rights of land and property;
  - the Land-Labor ratio.
- Participate in surveys;
- Hold properly constituted meetings to decide on land redistribution and the allocation of compensation between the community and individual APs and how to use compensation not handed directly to APs;
- Select resettlement sites and undertake land redistribution;
- Address grievance issues;
- Monitor and report on the progress of resettlement.

## **C. 8.3 Grievances and Redress**

174 To ensure that the APs have avenues for redressing grievances related to any aspect of land acquisition and resettlement, detailed procedures for the redress of grievances have been established for the project. The objective is to respond to the complaints of the APs speedily and in a transparent manner. The mechanism is designed to be easy, accessible, transparent and fair. As far as possible, the objective will be to avoid the need to resort to complicated formal channels to redress grievances. It is considered that by resolving grievances within the project's administrative structures, not only will the process be more effective and efficient, but progress of the project is less likely to be affected.

175 In order to ensure that the interests and assets of the affected enterprises and individuals are not invaded or damaged, grievances and appeals should be reported according to the following procedures:



176      **Stage 1:** If any person is aggrieved by any aspect of the resettlement and rehabilitation program, he / she can lodge an oral or written grievance with the Village Administration Committee or the local TRO. In case an oral complaint is made, it should be written on paper by the village unit and processed. The Village Committee or the TRO must resolve the issue within two weeks.

177      **Stage 2:** If the aggrieved person is not satisfied with the decision taken in Stage 1, he/she can bring the complaint to the attention of the CRO within one month from the date of the receipt of the Stage 1 decision. CRO will reach a decision on the complaint within two weeks.

178      **Stage 3:** If the aggrieved person is not satisfied with the decision of the CRO, he / she can bring the complaint to the attention of the ZYCC within one month from the date of the receipt of the Stage 2 decision. The ZYCC will reach a decision on the complaint within three weeks.

179      **Stage 4:** If the AP is still dissatisfied by the decision, he/she can appeal to the Peoples Court, at the appropriate level, in accordance with the “Civil Procedures Act”, within 15 days of receiving the decision of the ZYCC.

180      APs can make and appeal on any aspect of the resettlement and rehabilitation program, including compensation rates offered. Detailed procedures for redress of grievances and the appeal process was publicized among the APs in the Resettlement Handbook. This information is also to be distributed to the APs through public meetings prior to the implementation of land acquisition.

181      The grievance procedures will be operative throughout the entire construction period so that they can be used by villagers to deal with problems relating to infrastructure rehabilitation, such as the reconstruction of irrigation networks, the positioning and design of drainage culverts and pedestrian underpasses, local road access, the use of temporary land, etc. In this way villagers will have an effective procedure to bring these matters to the attention of ZYCC and the contractors, as well as a forum, for their timely resolution. As an additional measure, village leaders will be provided with a name and contact point (e.g. telephone number), to whom they can raise matters relating to the local road's construction as and when they arise.

#### **D.      8.4      Staff Training and Capacity Building**

182      A variety of measures will be taken to support capacity building and ensure effective implementation and control of the RP. These include:

- 1) Vertical linking agencies will set up reporting system, to report once a month.

- 2) Horizontal linking agencies will hold coordinating meetings quarterly to enhance information exchange.
- 3) Issues put forward by the APs will be reported and disseminated through the resettlement offices at each level.
- 4) Issues which occur during construction will be reported by the resident engineer, first to his/her organizational level and then, if necessary, upwards through each of the hierarchical levels;

Issues of the APs and contractors will be forwarded to the Village Committee, local construction coordination groups at township and District levels, and, if serious, also to ZYCC.

## **IX. CHAPTER 9 STAKEHOLDER PARTICIPATION AND CONSULTATION**

### **A. 9.1 The Consultation During Project Preparation**

#### **1. 9.1.1 Public Consultation**

183 The public consultation process for the Project began in 2001 with a series of surveys by BJRBC and HPDI. These included the first transect survey by the Design Team and an initial socio-economic survey. The transect survey served principally to alert villages along the local road to be widened. This survey also served to make the design team aware of local conditions and of farmers' concerns including the need to adequate crossing points and the importance attached to ensuring that irrigation systems were maintained. The majority of the affected population were become aware of the project at this time.

184 The socio-economic survey revealed a high degree of support for the scheme although this was based on a large sample of farmers. Major concerns raised by the villagers relate to (i) time arrangement of resettlement; and (ii) temporary employment during construction. Public consultation was also a major focus of the project preparation. This survey and consultant is an important part of the project consultation. The participants of this consultation are listed in Annex 2.

185 The policies and matrix contained in this RP have been heavily influenced by the results of these meetings and surveys. This applies particularly to the derivation of the compensation rates and the formulation of an income restoration strategy based around land redistribution, cash compensation, and livelihood/training programs.

#### **2. 9.1.2 Public Participation and Consultation Plan**

186 Notwithstanding the amount of public consultation already carried out, the ZYCC fully accepts that additional consultative meetings will be required during the implementation of the resettlement and land acquisition process. If necessary, consultation meetings should be disaggregated by gender and ethnic group. The principal activities carried out or to be carried out are summarized in Table 22

Table 22 Stakeholder Participation and Consultation

<b>Purpose of Event</b>	<b>Task</b>	<b>Timing</b>	<b>Implementing Agencies</b>	<b>Participants</b>	<b>Remarks</b>
Project Engineering Feasibility	Estimation of project impact Awareness of	September 2001 ~ July, 2002	BJRBC, county and township officials	Farmers, local government/ factories representatives	

Study (FS)	the local road widening				
Project Preliminary Design	Minimize the farming land occupation and resettlement	October 2003~ September 2004	BJRBC, county and township officials	Farmers, local government	
Project Detailed Design	Marking the right-of way	August 2005 ~ March 2006	HPDI	1) Farmers, local governments	
Socio-economic survey	Collecting data for preparation of RP	March 2007	Hunan University	2) Farmers, village heads, Local Officials 3)	
Publicizing of RP and program	Resettlement Booklet	April, 2007	ZYCC, County and Township Resettlement Agencies	All APs	Provide the APs the info of compensation rate with the approved RIB of the expressway project
Disclosure of final RP	Distribution of Chinese version of RP	July 2007	ZYCC, County and Township Government	All APs	Distribution of final RP to all affected villages
Conduct Detailed Measurement Survey (DMS)	(i) inventory of all assets and land holdings; (ii) Creation of definitive list of APs; (iii) Prepare basis for household compensation contracts	May 2007	ZYCC, Resettlement Offices at Townships levels and township officials	All APs	.
Establishment of mechanisms for addressing grievances and information publicizing	Posters and leaflets	July 2007	ZYCC, County and Township Resettlement Offices, local officials	All APs	(i) Provide procedure for APs to air their grievances; (ii) Provide system for grievance resolution; and (iii) Publicize in affected villages.

## B. 9.2 Disclosure of the RP

187 Resettlement is a critical social activity. The information dissemination work will be performed well in advance to assure that all people concerned understand the purpose of the project and the policies and procedures regarding land acquisition, resettlement, compensation, payment, and provision of grievance redress and appeal procedures. The RIB has been distributed to all APs by 30 April 2007. The draft RP was disclosed to all affected villages in June 2007.

## X. CHAPTER 10 IMPLEMENTATION SCHEDULE

188 The land acquisition and RP implementation is schedule to commence in October, 2007. The next actions to be taken are indicated in Table 23.

Table 23 Resettlement Supervision Milestones

No.	Resettlement Tasks	Target	Agency	Deadline	Status
<b>1.</b>	<b>Disclosure</b>				
1.1	- Information booklet	22 villages, 115 groups, 1456 AF	ZYCC	2007.4.30	Completed
1.2	- Resettlement Plan circulation (draft)	4 Townships	ZYCC	2007.6.10	Completed
	- Resettlement Plan circulation (final)	4 townships	ZYCC	2007.10.15	
1.3	- RP placed on ADB website	English	ZYCC & ADB	2007.10.15	
<b>2.</b>	<b>Resettlement Plan &amp; Budget</b>				
2.1	- Approval of RP & budget (including compensation rates)	CNY33.39 million	County government & ZYCC	2007.6.30	
<b>3.</b>	<b>Compensation Agreements</b>				
3.1	- Household agreements	1456 AF	TROs	2007.6.30	
<b>4.</b>	<b>Detailed Measurement Survey (DMS)</b>		<b>CROs, TROs</b>	<b>2007.5.20</b>	<b>Completed</b>
<b>5.</b>	<b>Implementation Capacity</b>				
5.1	- CROs and ZYCC	10 staff	ZYCC	2007.3.30	10 mobilized
5.2	- Staff 4 township offices	12 staff	CROs	2007.4.10	12 mobilized
5.3	- Designate village representatives	22 staff	TROs	2007.4.30	Completed
5.4	- Training of staff	50 staff	ZYCC/CROs	2007.4.30	completed
<b>6.</b>	<b>Monitoring &amp; Evaluation</b>				
6.1	- Baseline survey	As per RP	Monitor	2007.4.30	Completed
6.2	- Set-up internal supervision	As per RP	ZYCC/CROs	2007.5.30	Completed
6.3	- Contract external monitor	As per RP	ZYCC	2007.9.30	
6.4	- Internal monitoring reports	Quarterly	ZYCC	2007.9.30	1 <sup>st</sup> Report due
6.5	- External monitoring reports	Semi-annual	Monitor	2007.12.31	1 <sup>st</sup> Report due
6.6	- Evaluation/completion reports	Annual	Monitor	2008.6.30	1 <sup>st</sup> Report due
6.7	- Resettlement Completion Report		ZYCC	2008.9.30	
<b>7.</b>	<b>Documentation of Consultation</b>	<b>As per RP</b>	<b>ZYCC/CROs</b>		To be recorded
<b>8.</b>	<b>Documentation of Grievances</b>	<b>As required</b>	<b>ZYCC/TROs</b>		To be recorded

AF = affected families, CRO = County (District) resettlement office, RIB = resettlement information booklet, RP = resettlement plan, ZYCC = Zhang-Yuan Highway Construction Co., TRO = Township Resettlement Office

## **XI.**

### **XII. CHAPTER 11 MONITORING, EVALUATION AND REPORTING**

#### **A. 11.1 Monitoring and Evaluation**

189 According to requirements stipulated in the “Regulations on Construction Supervision” promulgated by the Ministry of Construction of PRC 1995, a construction project shall be properly supervised. It is also a requirement of the ADB that loan projects that cause significant resettlement be properly monitored and evaluated. In order to ensure that the implementation of the land acquisition and resettlement plan in accordance with the requirements, monitoring of implementation, both “internal” and “external”, will be carried out during the implementation of the Project. In addition to semi-annual external monitoring of the project implementation, ADB will conduct a comprehensive Mid-Term Review and a Project Completion Review of the resettlement implementation.

#### **B. 11.1.1 Internal Monitoring and Supervision by the ZYCC**

190 ZYCC will take an overall responsibility for the project monitoring and supervision during the project implementation phase. The main content to be monitored are: (i) compensation payments; (ii) house demolition/rebuilding and relocation of APs; (iii) grievance redress; (iv) income restitution/ training programs; and (v) assistance to vulnerable groups.

191 The overall objective of internal monitoring is to ensure that resettlement implementation is carried out in accordance with the approved RP. Specific objectives are to: (i) check the achievement of milestones in the acquisition and resettlement process, including preparatory phases, against the planned time schedule and budget; (ii) ensure that the channels of communication and consultation between the administrators and affected persons have been established and operated; (iii) ensure that compensation payments due to affected persons are paid in full and in a timely manner; (iv) verify that the processing of grievances has taken place within the set time limits; and (v) closely watch the adherence to lawful, approved allocation of acquisition and resettlement money so as to ensure the absence of corruption, and (vi) follow-up problems and mitigation measures.

192 Internal monitoring will be the overall responsibility of the LAR Division within the implementing agency – ZYCC. A LAR Monitoring Office consisting of 3 persons will be set up under the LAR Division to carry out internal monitoring of

land acquisition and resettlement, so as to guarantee timely implementation of land acquisition and resettlement works and protect the interest of the affected people.

#### **C. 11.1.2 External Monitoring**

193 The objectives of the external monitoring and evaluation are to: (i) establish whether, after the land acquisition and resettlement activity is completed, the welfare levels of those affected were restored and sustained; if not, identify both policy and implementation constraints; and (ii) assess the overall efficiency, effectiveness, impact (including behavioral responses) and sustainability of land acquisition and resettlement. If problems are identified, causes should be analyzed and possible solutions should be recommended to ZYCC.

194 An institute or organization independent of the HHB, and independent of the local governments along the alignment, will be contracted by ZYCC to carry out the external monitoring and evaluation work under this RP. The external monitoring agency will Hunan University undertaking the monitoring of the expressway component of Hunan Road Development II Project, with the same Terms of Reference (TOR) for the external monitoring.

#### **D. 11.1.3 Methodology and Approach**

195 The general approach to be used is to monitor activities and evaluate impacts ensuring participation of all stakeholders especially women, ethnic minorities, the poor and other vulnerable groups. Monitoring tools would include both quantitative and qualitative methods:

- 1) Baseline household survey of a representative sample, disaggregated by gender, income and ethnicity to obtain information on the key indicators of entitlement delivery, efficiency, effectiveness, impact and sustainability. Ten percent sample of APs will be covered, and some vulnerable groups targeted.
- 2) Focused Group Discussions (FGD) that would allow the monitors to consult with a range of stakeholders (local government, resettlement field staff, NGOs, community leaders and APs).
- 3) Key informant interviews: select local leaders, village workers or persons with special knowledge or experience about resettlement activities and implementation.
- 4) Community public meetings: open public meetings at resettlement sites to elicit information about performance of various resettlement activities.
- 5) Structured direct observations: field observations on status of resettlement

implementation, plus individual or group interviews for cross checking purposes.

- 6) Informal surveys/interviews: informal surveys of APs, host village, workers, resettlement staff, and implementing agency personnel using non-sampled methods.

## **E. 11.2 Reporting Requirements**

196 The results of internal monitoring shall be reported to HHB, District, township on a quarterly basis in the QPR. Summary reports in English should be sent to the ADB.

197 The report on the baseline survey conducted by the external monitor should be provided to ZYCC with electronic database and English copy of the report provided to ADB. Subsequent reports should provide summaries of principal findings, tabulations of key indicators, qualitative and quantitative descriptions of main changes in socio-economic changes of APs and affected villages and conclusions and implications, if any, for additional action/ assistance.

198 ZYCC will prepare a Resettlement Completion Report and submit to ADB which provides the resettlement process, physical achievements, financial details, measures taken to restore economic living conditions and “lessons learned” from the RP implementation for future policy and implementation practices.

199 The external monitor would prepare and submit monitoring reports semi-annually to ADB during the period of resettlement implementation. Thereafter, annual socioeconomic investigations and evaluation reports will be prepared until the affected people’s livelihoods have been adequately restored.





## Annex 1 Basic Information of Project Affected Villages

Township	Village	No. of Villagers Group	of which, affected village group	No. of Total Village Households	Total Village Population (person)	Ethnic Group		Poverty Household (h.h.)	Agri Popu (person)	No. of Labor (person)	Total Farmland (mu)	Impact Assessment		
						HH	Popu					% of farm Land Loss	% of HH Relocation	% of Affected Persons
Xixiping Subdistrict	Xixiping*	13	5	1409	2702	16	94	20	1752	585	291	4.2%	0.3%	3.5%
	Pengjiagang	10	2	642	1802	34	120	4	542	1252	627	2.0%	2.5%	6.7%
	Dagutai	11	5	443	1558	65	299	4	1438	924	467	4.0%	2.7%	19.2%
	Liangchaxi	12	7	337	1385	146	578	12	1385	850	1241	2.0%	1.8%	41.7%
	WAngjiashan	9	1	119	515	2	10	11	510	275	764	0.0%	0.0%	1.9%
	Yiwanshui	7	2	160	571	13	57	6	568	374	866	2.0%	2.5%	10.0%
Sancha Township	Sancha	11	5	332	1178	80	450	29	1165	710	823	8.7%	4.8%	38.2%
	Xiaoping	8	6	205	840	90	483	20	840	500	513	8.2%	15.6%	57.5%
	Caijiaxi	8	6	205	833	72	357	22	833	450	527.5	5.4%	3.9%	42.9%
	Dingfengya	7	4	168	582	25	100	N.A	582	291	748	2.3%	5.4%	17.2%
	Tianmenxi	10	8	460	907	132	514	6	907	460	1162	4.9%	6.1%	56.7%
Daping Town	Daping	10	9	287	1060	13	46	12	1060	540	1101	0.9%	0.0%	4.3%
	Baishu	10	8	240	957	112	463	15	957	501	1260	3.2%	11.3%	48.4%
	Wangshenya	6	4	129	528	27	109	5	528	280	502	3.2%	7.0%	20.6%
	Huangzhuang	10	8	171	715	48	207	6	715	306	905	3.8%	0.0%	29.0%
	Yaojiajie	5	2	112	390	15	60	3	390	172	419	3.8%	2.7%	15.4%
Siduping Township	Quanshui	6	5	129	533	122	386	11	493	301	2490	1.7%	13.2%	72.4%
	Tianping	13	9	278	1032	158	601	30	1032	550	951	1.1%	10.4%	58.2%

Township	Village	No. of Villagers Group	of which, affected village group	No. of Total Village Households	Total Village Population (person)	Ethnic Group		Poverty Household (h.h.)	Agri Popu (person)	No. of Labor (person)	Total Farmland (mu)	Impact Assessment		
						HH	Popu					% of farm Land Loss	% of HH Relocation	% of Affected Persons
	Yanya	7	2	106	423	21	43	15	378	156	493	0.0%	0.0%	10.2%
	Siduping	9	7	254	967	111	438	23	967	532	944	0.8%	4.7%	45.3%
	Louzita	8	3	175	612	53	207	20	612	325	645	1.0%	10.3%	33.8%
	Tongdou	7	7	143	573	101	402	15	573	391	688	0.8%	11.2%	70.2%
Total		197	115	6504	20663	1456	6024	289	18227	10725	18427.5	2.7%	4.1%	29.2%
*					Residential								committee	

## Annex 2: Name List of Participants during Consultation Meeting

Name	Agency	Position	Telephone	Remark
Chen Jing	Yongding District Government	Governor	15907448682	
Wang Zhangjiao	Yongding District Government	Deputy governor	13707441863	
He Qiguo	Zhangjiajie Municipal Highway Bureau	Director	13907441166	
Zhang Zipei	Zhang-Yuan Highway Construction Co Ltd	Manager	13467896999	
Tian Kaiyu	Headquarter of Zhang-Yuan Highway Construction in Yongding District	Deputy Director	13574462978	
Zhou Shucai	Headquarter of Zhang-Yuan Highway Construction in Yongding District	Administrator	13807444003	
Luo Chengye	Headquarter of Zhang-Yuan Highway Construction in Yongding District	Resettlement Chief	13574433088	
Qu Xianding	Headquarter of Zhang-Yuan Highway Construction in Yongding District	Financial chief	13974472112	
Zhao Yunhai	Yongding District Land Resource Bureau	Director	13974471365	
Zhang Yuanli	Yongding District Statistics Bureau	Director	13107441658	
Lu Zhongting	Yongding District Poverty reduction Office	Director	13974479937	
Yang Deqiu	Yongding District Agricultural Bureau	Director	13974413339	
Sun Linxian	Yongding District Forest Bureau	Director	13907449101	
Liu Xiangbing	Siduping Township Governemnt	Secretary	13974473535	
Qin Song	Siduping Township Governemnt	Deputy Secretary	13974419982	
Peng Guoping	Daping Town Government	Secretary	13974409262	
Hu Jiachun	Daping Town Government	Deputy Secretary	13469198010	
Zhang Sihai	Sancha Township Governemnt	Secretary	13469190186	
Zhang Hongming	Sancha Township Governemnt	Deputy governor	13974432319	
Nie Xiaoxiang	Xixiping subdistrict	Secretary	13762188221	
Tian Jianping	Xixiping subdistrict	Officer	13317448296	
Tian Guiyuan	Daping Land Resource Office	Chief	13787948412	
Chen Shengying	Municipal Land Resource Bureau	Officer	13974402088	
Tian Kaiding	Xixiping Resident committee, Xixiping Subdistrict	Secretary	13574476083	
Tian Xiaoping	Pengjiagang village, Xixiping Subdistrict	Secretary	13907447598	
Hu Dakun	Dagutai village, Xixiping Subdistrict	Secretary	13574454999	
Gong Guochu	Liangchaxi village, Xixiping Subdistrict	Secretary	13574458648	
Zhen Changsong	Wangjiashan village, Xixiping Subdistrict	Secretary	13787945975	
Li Junwu	Yiwanshui village, Xixiping Subdistrict	Secretary	13307446706	
Hu Jiazheng	Sancha village, Sancha Township	Secretary	13574409692	
Xie Guiyun	Xiaoping village, Sancha Township	Secretary	13974481699	

Gao Zhongman	Caijiayi village, Sancha Township	Secretary	13574442693	
Hu Shiping	Dingfengya village, Daping town	Secretary	13617449052	
Hu Jiagen	Tianmenxi village, Daping town	Secretary	13135231718	
Hu Jia'ai	Daping Resident Committee, Daping town	Secretary	13574462701	
Hu Weichang	Baishu Resident Committee, Daping town	Secretary	13467443890	
Hu Guiming	Wangshenya village, Daping town	Secretary	13574466133	
Liu Xiaoji	Huangzhuang village, Daping town	Secretary	13574475196	
Hu Jialin	Yaojiajie village, Daping town	Secretary	13574421802	
Quan Shenhai	Quanshui village, Siduping township	Secretary	13974459003	
Li Lingang	Tianping village, Siduping township	Village head	13574405479	
Li Jinming	Yanya village, Siduping township	Secretary	13974482939	
Fu Zirong	Siduping village, Siduping township	Secretary	13574446339	
Fu Chenyu	Louzita village, Siduping township	Secretary	13574435462	
Chen Jianwu	Tongdou village, Siduping township	Secretary	13762195843	