

YUNNAN HIGHWAY ASSET MANAGEMENT PROJECT

RESETTLEMENT POLICY FRAMEWORK

(Draft)



Yunnan Provincial Highway Bureau

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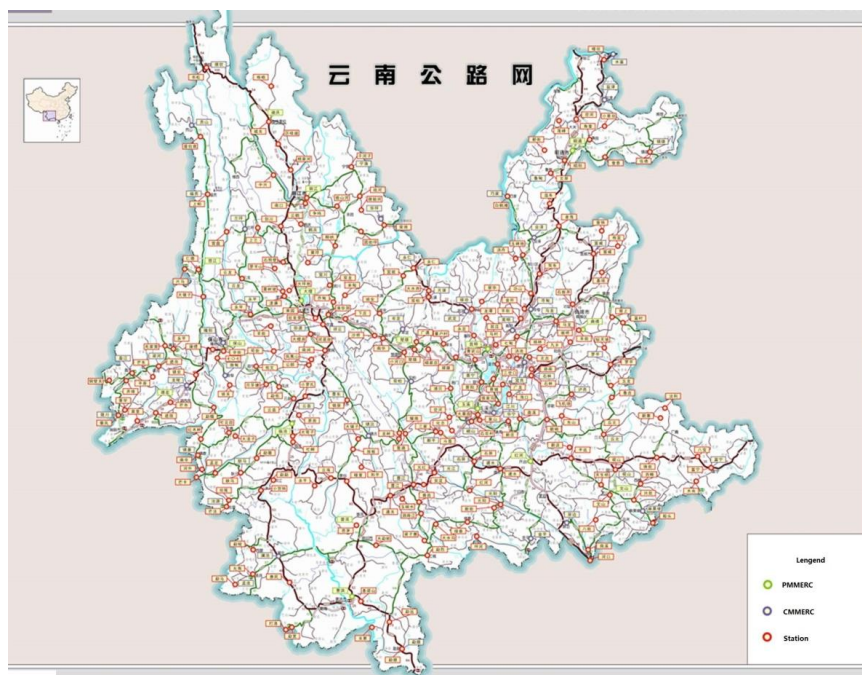


Figure 1 Distribution of PMMERCs, CMMERCs and Stations

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Abbreviations

AH	Affected household
AP	Affected people
CMMERC	County level mechanized maintenance and emergency response center
HB	Highway Bureau (<i>Gonglu Duan in Chinese</i>)
HH	Household
GRM	Grievance redress mechanism
LAR	Land Acquisition and resettlement
M&E	Monitoring and evaluation
MMERC	Mechanized maintenance and emergency response center
OM	Operational manual
OP	Operational policy
PMMERC	Prefecture level mechanized maintenance and emergency response center
RMB	Chinese Currency Yuan
RP	Resettlement action plan
WB	World Bank
YPHB	Yunnan Provincial Highway Bureau

1. Introduction

1.1 Project Brief

1 YPHB, under the administration of YPDT, is responsible for the planning, construction, maintenance and administration of the national and provincial highways, as well as some other important roads in Yunnan Province. The total length of highways totaled to 219,000km by 2012, including 5,788km and 20,457km of national and provincial highways. Over 80% of the transport volumes are carried out by highways in Yunnan.

2 The lengths of national and provincial trunk highways reached 26,240km (including 25,752 classified highways), and this figure will be increased to 38,253km by the end of the twelfth five-year planning period (i.e., 2015).¹ However, YPHB is facing a number of serious difficulties to manage these highways: (i) enlarged financing gap, inadequate budgeting and planning practices; (ii) insufficient maintenance equipment and facilities; (iii) out-of-date technical skills; and (iv) lack of state-of-art managerial tools and vulnerable to natural disasters. To reverse the situations, this Project is proposed for financial and technical assistance from the World Bank (WB).

3 Based on the above situations, the Yunnan Provincial Transport Department (YPTD), as the executing agency (EA), plans to apply a World Bank (WB) to implement the “Yunnan Highway Asset management Project” by YPHB. The total budget will be RMB1661 million (equivalent to US\$ 272 million), and the funding sources include: (i) RMB 915 million (US\$ 150 million equivalent) of WB loan, accounting for 55.1% of total budget; and (ii) counterpart fund of RMB 746 million, accounting for 44.9%. The counterpart fund includes RMB 446 million of fuel tax return and RMB 300 million of provincial budget for road maintenance.

4 The project development objective is to **improve the efficiency and cost-effectiveness of highway asset management and the emergency response capacity in Yunnan.**

5 The project plans to start construction in 2015 and complete the main engineering works in 2017; while development, testing and finalization of guidelines and information systems will be done during 2018-2019. The overall project construction period is 5 years.

1.2 Project Components and Land Acquisition Impact

6 The Project consists of 4 components, and each has 1 to 3 subcomponents (Table 1-1), more details, including likely land acquisition and resettlement impact are given in the following sections.

1.2.1 Highway Asset Management Improvement

7 This component will improve asset management decisions and quicken response to emergency events, which will be achieved through the following two sub-components:

A1 **Establishing an Integrated Highway Asset Management Information System and Emergency Command System.** This sub-component will set up an integrated asset management system and improve IT infrastructures for the system. It consists of: (i) a data management center; (ii) data exchange platform; (iii) road asset management system; (iv) road network monitoring and

¹ Many county governments' managed roads will be transferred to YPHB during 2013-2015.

emergency command center and system; (v) upgrade existing databases and business systems and incorporate them into an integrated management information system; (vi) improve the existing IT infrastructure and expand connections to meet the demand of operating the integrated management information system. The scope of works includes the procurement of computer hardware, software, installation, integration, consulting services and training required for the initial period for developing and operating the systems.

- A2 Supporting Data Collection and Adoption for Asset Management System Operation.** This sub-component will fund the operation of the above management systems by collecting data and providing technical assistance on adoption to asset management approach, which includes: (i) procuring one and upgrading two of automatized pavement data collection vehicles; (ii) bridge inspection vehicles; (iii) 63 permanent automatic traffic recording stations and 65 portable counts; (iv) 60 sets of instruments and related software for monitoring large landslides and key bridges; (v) 35 sets of portable inspection equipment; (vi) data collection services during implementation; and (vii) technical assistance on the adoption of asset management systems and the application of the systems outputs into business processes and policies.

8 This component will not involve in land acquisition and resettlement (LAR): (i) the hardware and the command centre for Subcomponent A1 will be set in HB's new office building that was already built; and (ii) the various vehicles will be stationed in HB and prefecture and county level highway bureaus; and (iii) the automatic recording stations under Subcomponent A2 are existing ones.

Table 1-1 Project Components and Resettlement Impact

Component	Requirement of construction land
A. Highway Asset Management Improvement	No
B. Maintenance and Emergency Response Capacities Enhancement	
B1. Providing Equipment and Facilities at Maintenance Stations and Emergency Centers	Yes, self-owned construction land
B2. Improving Performance Evaluation System and Indicators	No
C. Pilot of Cost-Effective Maintenance Technologies	Yes, temporary land borrowing
D. Strengthening Institutional Capacities	No

1.2.2 Maintenance and Emergency Response Capacities Enhancement

9 This component will enhance HB's capacities to carry out maintenance works and emergency rescue activities and improve performance evaluation through two sub-components:

- B1 Providing Equipment and Facilities at Maintenance Stations and Emergency Centers.** This sub-component will enhance staff's maintenance productivity and emergency response capacity through: (i) rationalization of the number and location of Maintenance Stations and Emergency Response Centers; (ii) provision of equipment for routine and minor maintenance and emergency response at 303 selected Mechanized Maintenance and Emergency Response Centers (MMERCs) and Stations (Figure 2)²; and (iii) expansion/development of equipment shelters, administration and production buildings, and workers dormitories at the Centers and Stations.

- B2 Improving Performance Evaluation System and Indicators.** This

² The 303 centers and stations consists of 15 PMMERCs, 63 CMMERCs and 225 stations.

sub-component is a technical assistance that will improve HB's performance evaluation system and indicators through reviewing the existing performance evaluation method and indicators, identifying new management objectives, and updating evaluation system and indicators.

10 The third activity of Subcomponent B1 will involve in permanent occupation of construction land. All construction will be on self-owned lands with land acquisition not needed:

- (a) The 15 PMMERCs (6 reconstructions and 9 new constructions) own 734.4mu of construction lands. Ranging from 16.3mu to 92.9mu, each PMMERC owns 49.0mu construction land on average.
- (b) The 63 CMMERCs (37 reconstructions and 26 new constructions) own 1,262.5mu of construction lands. Ranging from 4.7mu to 91.6mu, a CMMERC owns 20.0mu construction land on average.
- (c) The 225 management stations own 1919.1mu of construction land, averaging at 8.5mu.

1.2.3 Pilot of Cost-Effective Maintenance Technologies

11 This component will help reduce life-cycle maintenance costs through piloting cost-effective maintenance technologies that include cold recycling of asphalt pavement for base course, modified asphalt chip seal, asphalt slurry seal, and micro-surfacing. These technologies will be piloted at 8 typical road segments with a total length of 280km (see Table A4 of the Appendix). These segments are selected based road structure, pavement conditions, climate environment, and traffic volume.

12 The first technology, the cold recycling of asphalt pavement for base course, is for major maintenance and it will involve in temporary land occupation as the asphalt pavement layer will needed removed and then be temporarily stored somewhere for about 1 month before recycling, yet a temporary asphalt melting and mixing station needs to be set up. This technology will basically not produce solid residues, but temporary land occupation will be needed for storing the removed asphalt layer and for setting up the asphalt mixing station. The maintenance will not last for more than 3 months for a 20km-segement, yet a half of the road will keep opened for traffic.

13 The other three technologies are for preventive maintenance and will result in neither permanent nor temporary land occupation. Traffic will not be affected during maintenance.

1.2.4 Strengthening Institutional Capacities

14 This component will enhance the capacities of HB's management and staff to implement the concepts of asset management, adapt to asset management approach and systems, evaluate and record road assets value, operate the new equipment, and apply the piloted technologies. There are 3 sub-components:

- D1 Highway Asset Evaluation and Accounting Guidelines. This sub-component will fund a technical assistance on reviewing domestic and international road asset evaluation practices and accounting policies, developing highway asset evaluation and accounting guidelines in compliance with acceptable accounting standard, evaluating highway assets by phases, and recording the asset values in balance sheet.
- D2 Highway Maintenance Operation Manual. This sub-component will fund a technical assistance that will develop a highway maintenance manual that will be contextualized with Yunnan geographic and highway condition and used to normalize maintenance design and management.
- D3 Study Tours and Trainings. This sub-component will update HB's staff

managerial knowledge and technical skills and help them adapt to the new asset management systems, learn how to maintain and operate the new equipment, and master innovative maintenance technologies through a series of trainings and study tours.

1.3 This RPF

15 The project components, at this stage of, do not involve in land acquisition (see Table 1-1), therefore no RP is needed. However, the project can't ensure that there will be no land acquisition and resettlement resulted from design changes and other causes during project implementation; yet there are alternative arrangements for 4 CMMERCs for activity under B2 subcomponent of Table 1-1, and the alternative arrangements may require land acquisition and resettlement (LAR). This resettlement policy framework (RPF) is therefore prepared to guide possible LAR work during project implementation. The objective of this RPF is to ensure that LAR will follow WB's policy on involuntary resettlement and relevant national and local policies and regulations, so as to enable affected people (AP) to benefit from the project, and increase their livelihood or at least restore the livelihood to the pre-project level.

16 It has to be pointed out that project preparation has experienced a relatively long period. At the beginning of project preparation, there were 18 MMERCs that planned to acquisition land for expansion for new constructions. Due to adjustment of project scope and in-depth project preparations, 6 of the MMERCs were excluded from the project and the remaining 12 MMERCs had cancelled the planned land acquisition. For these MMERCs, a due diligence report (DDR) is specifically prepared and it described the process and causes, as well as new arrangements of construction lands (see Appendix: DDR on Land Acquisition and Construction Land). The DDR also presented the availability status of construction lands for all the 303 MMERCs and stations.

2. Objective, Definitions and Major Principles

2.1 Objective

17 Borrowers of WB loans shall take all necessary measures to minimize the negative impacts caused by the projects, including the negative impacts resulted from land acquisition. The relevant requirements of OP4.12 of WB have specified its policy objective and principles for project LAR.

18 Measures shall be taken to avoid or minimize land acquisition and to reduce resettlement impact. In case land acquisition and its resultant impact are unavoidable, this RPF's objective is to enable AP being compensated at replacement costs, together with other assistances and restoration measures so as to raise or at least restore their livelihood to the pre-project levels.

2.2 Definitions

19 **Land Acquisition.** It refers to involuntarily losing ownership, use right or access to the land resources. Land acquisition will have a number of sequencers, including the loss of residential houses and other assets (enclosure wall, well, tombs and others).

20 **Displaced people (or affected people).** It refers to those, owing to land acquisition: (i) production and livelihood are negatively affected; (ii) or ownership of houses, rights and interests, land (including house plot) or other assets being temporarily occupied or permanently acquisitioned; (iii) or production assets being temporarily or permanently affected; (iv) or business operation, profession, employment or living area being negatively affected; and (v) those need to relocate.

21 **Permanent occupation.** It refers to permanent occupation of land and other assets by the project construction.

22 **Temporary land occupation.** It refers to land occupation during project construction, but will be restored to its original land uses status after project construction.

23 **Affected buildings.** It refers all residential and non-residential structures on land being acquisitioned.

24 **Land attachments.** There include all attached articles on acquired land, such as crops, trees, telecommunication and power poles and lines, etc.

25 **Affected Household.** It refers to the household or entity that owns the acquired land and/or has buildings and attachments on the acquired land.

26 **Affected village.** It refers to the village where land is being acquisitioned or affected by the project's resettlement.

27 **Affected people (AP).** It refers to the number of households and persons affected by LAR.

28 **Vulnerable groups.** It refers to those who, among the AP, are vulnerable and disadvantaged due to social and personal reasons. The urban vulnerable include children, elders, sick persons, disabled persons, women, Dibao people, unemployed, etc.; rural vulnerable include children, elders, sick persons, disabled persons, women, Wubao, etc..

29 **Replacement costs.** The definitions include: (i) for rural land, the replacement cost is the market value of land of the same quality at nearby the acquisitioned land, plus transaction and registration costs, taxes, and etc.; (ii) for urban land, it is the market value of similar land with similar use and facility status, plus transaction costs, taxes and etc.; (iii) for houses and other structures, replacement costs are all the current market expenses for

building replacement houses and structures of the same or better quality in the same area plus registration fee and taxes, or the current market expenses to repair affected houses and structures. Depreciations and residual values will not be counted to value replacement cost. In case the current laws do not support compensation at replacement costs in a country, other measure will need be taken to supplement current laws so as to compensate at replacement costs.

30 **Resettlement.** It is a process providing adequate opportunities and assistances to AP to restore their productivity, income and livelihood.

31 **Cut-off date.** It is a threshold date to determine eligible persons for compensations and assistances. Cut-off date will be determined in the resettlement action plan (RP). Cut-off date is usually the date of carrying out inventory of losses (census) or earlier if notified. Those who enter the affected land or area after cut-off date are not eligible for compensations.

2.3 Major Principles

32 The major principles, relevant to this RPF and as specified in the OP4.12, are as follows:

- (a) During project design and preparing RP, opportunities and assistances shall be included to enable to benefit from the project construction, operation and service provision.
- (b) All are eligible for compensations for lost assets or assistances of equivalent values; without legal rights shall not be excluded for compensations.
- (c) The compensation standards in the RP shall be adopted to compensate, including collective land entities. Depreciations and decreased compensations are not allowed.
- (d) In case of farmland acquisition, redistribution of communal land shall be preferred for resettlement. If impact is insignificant, yet APs agree, cash compensation can be adopted.
- (e) Replacement houses or house plots, or business operation sites or agricultural production land shall have the same usage value as the lost ones.
- (f) Minimize transitional period. Compensations shall be paid in advance so as to enable to timely build new houses or transport/reestablish assets. Before actual resettlement, measures shall be taken to reduce negative impact such as transitional assistances.
- (g) Adequate and meaningful consultations with in the process of preparing resettlement action plan (RP), and includes the reasonable requires and suggestions in the plan. RP shall be disclosed to AP.
- (h) Retain original or better service provisions in communities and access to resources.
- (i) WB loan borrower provides all expenses for LAR, including financial and material support during resettlement and implementation of rehabilitation measures.
- (j) Proper institutional setup in the RP so as to ensure design, plan and implement resettlement and rehabilitation measures.
- (k) Effective internal and external monitoring and evaluation arrangements to monitor the implementation of resettlement and rehabilitation measures
- (l) Set effective grievance redress mechanism and notify the grievance redress procedure and channels to AP.

2.4 Minimizing Resettlement Impact during Implementation

33 During project design and implementation, the project will follow the principles of: (i) no expansion of construction scales of MMERCs and management stations (i.e., avoiding additional land occupation or additional land acquisition); (ii) no change of construction sites (i.e., avoiding additional land acquisition); and (iii) no new access roads (i.e., avoiding temporary land occupation). Therefore, there will be likely no additional permanent land acquisition and temporary land occupation during project implementation.

34 During project design, optimized layouts for various functional blocks will be developed according to existing structures, sizes and shapes of available lands. Optimized layouts, together with the application of new materials and improved management techniques, will enable the project to minimize land occupation by structures so as to improved land use efficiencies.

35 For piloting the technology of “cold recycling of asphalt pavement for base course” for major maintenances, the principles of rapid implementation and rapid recycling will be adopted to shorten the temporary storage time of removed asphalt layer as well to reduce temporary land occupation. Meanwhile temporary occupation of farmland and forestland will be avoided as much as possible.

2.5 Promoting Gender Equality

36 Progress toward gender equality is a prerequisite to achieving WB’s twin corporate goals of ending extreme poverty by 2030 and boosting shared prosperity. WB therefore requires its financed projects themselves, as well as projects’ land acquisition and resettlement work to take actions to promote equality, starting early and extending over a lifetime. If the project involves land acquisition and resettlement during implementation, measures will be taken to promote women’s participation, training and employment in the process of resettlement planning, implementation, monitoring and evaluation.

3. Legal Framework

37 The policy framework is to ensure that the development and implementation of RP follow the legal and requirements specified in the OP4.12 of WB and various national and local policies. The policy framework is given in the table below.

Table 3-1 List of Law, Regulation and Policy Documents

	Law, Regulation and Policy Documents	Year of Effective
PRC	Land Administration Law	2004
	The Implementation Regulations of the Land Administration of the PRC (State Council Decree No. 256)	1999
	The State Council Decisions on Deepening Reform of Strict Land Administration (State Council [2004] 28)	2004
	Directive Opinions on Improvement of Compensation and Resettlement for Land Acquisition, Decree No. 238, Ministry of Land and Resources	2004
	Regulations on Acquisition and Compensations of Housing on State Land	2010
Yunnan Province	Regulations on Land Administration in Yunnan Province	2000
	Tentative Method for Endowment Insurance of Land Loss Farmers in Yunnan Province	2008
	Unified Standards for Annual Output Value and Regional Integrated Land Price in Land Acquisition in Yunnan Province (tentative)	2009
	Methods of Acquisition and Compensations of Housing on State Land in Yunnan Province (draft)	2014
Local Governments	Tentative Method for Basic Endowment Insurance of Land Loss Farmers in various prefectures/municipalities	2009
WB	OP4.12-Involuntary Resettlement, and Annexes BP4.12- Involuntary Resettlement, and annexes	2002, and revised in 2012

4. RP Preparation and Approval

38 In case there are resettlement impact, RP preparation and implementation shall be done by the WB loan borrower (including bearing all expenses). The Project's borrower is Yunnan Provincial Highway Bureau (YPHB). The borrower can, through its project management body (such as project management office) to coordinate project activities so as to effectively prepare and implement a RP. RP implementation shall integrate with local socioeconomic development and environmental protection so as to promote sustainability for the affected communities and people.

39 In case of involving land acquisition and other resettlement impacts during project implementation, the borrower shall start prepare RP or due diligence report (DDR) at least 3 months in advance. The RP or DDR, after internal review and approval, shall be disclosed at YPHB's website for feedback from the general public; and the RP or DDR shall be revised if there are comments and suggestions from the public. The revised RP shall be timely submitted to WB for approval. Only after the approval of the RP or DDR by WB, can the project management office or implementing agencies to carry out acquisition of land housing, as well as resettlement activities. In the process of RP and DDR preparation, AP shall be adequately consulted to enable them to participate in the RP preparation and implementation.

40 Objective of RP preparation is to ensure AP to have adequate opportunities to reestablish their lost assets and to restore income and livelihood. To achieve this objective, AP shall be completely identified and actions shall be agreed by AP. In consideration of the likely impacts, such as land acquisition, house demolition and resettlement, non-residential buildings demolition and resettlement, often the following measures will be taken:

- (a) Compensation and assistances to AP losing farmland: full land and resettlement compensations to directly affected people, as well as compensation for standing crops.
- (b) Compensation and restorations for demolished houses and attachments: provision of replacement houses and attachments of equivalent values or compensation and replacement costs; reconstruction or compensations to facilities and services (roads, water supply, power supply, telephone line, cable TV, school, etc.); transitional allowances shall be sufficient to cover transitional housing and relocation of assets.
- (c) Restoration measures for business or employment income loss. For business income loss: ① provision of similar business housing with similar quantity of clients or consumers; ② cash compensation at replacement costs for houses and facilities; ③ compensation for business interruption. For employment income loss: ① provision of same salary employment positions; ② provision of salary loss for 3 years; ③ provision of transitional allowance and reemployment skill training or other assistances to enable AP to get reemployed.
- (d) Inclusion of an entitlement matrix in the RP.

41 Proper transitional period shall be planned for livelihood and production restoration, and ensure assistances during transition. YPHB (borrower) and the local level highway bureaus, with assistances of local government will carry out census (inventory of losses) to determine land acquisition area, number of AP and eligibility, as well as to exclude non-eligible people. YPHB and local highway bureaus will also conduct socioeconomic surveys to assess the level of impact on AP. The census will cover all AP, while socioeconomic surveys can target sample AP. In case of a full or complete RP, census and socioeconomic survey will take place separately, while it can be conducted simultaneously is

case of an abbreviate RP (or short RP). A full RP shall be prepared once affected people are over 200. In case of insignificant impact or less than of 200 AP, an abbreviate RP can be prepared. If AP do not need to relocate, yet their production asset loss is less than 10%, impact on them is defined as insignificant.

42 The principles and policies if this RPF shall be followed if RP preparation and implementation are needed. RP preparation shall be based on results and census and socioeconomic survey, yet measures shall be included to mitigate negative impacts (such as compensations, transitional assistances, economic rehabilitation). To avoid resettlement or limitation to access resources before implementing RP measures, resettlement activities shall be linked with project construction schedule. RP, according the type and level of negative impact, shall include:

- (a) Activities or project components that cause land acquisition;
- (b) Potential negative impact and their scope;
- (c) Results of socioeconomic surveys and census;
- (d) Review of laws, regulations and policies relevant to LAR;
- (e) Compensation rates for various type of impacts (or alternative methods);
- (f) Measures to ensure economic restoration opportunities to AP;
- (g) Eligibility for compensations and other assistances
- (h) Resettlement measures, including assistances during transitions, if needed;
- (i) Selection and preparation of resettlement sites, if necessary;
- (j) Restoration or reestablishment of community infrastructures;
- (k) Institutional arrangement to ensure smooth implementation of RP
- (l) Consultation and information disclosure arrangement;
- (m) Implementation schedule;
- (n) Costs and budgeting;
- (o) Monitoring and evaluation arrangement;
- (p) Grievance redress mechanism;
- (q) Entitlement matrix.

43 Contents of an abbreviate RP shall include:

- (a) Results of census;
- (b) Compensation and resettlement measures;
- (c) Compensation standards;
- (d) Consultation and information disclosure arrangement;
- (e) Institutional arrangement;
- (f) Implementation schedule and budget;
- (g) M&E;
- (h) Grievance redress mechanism.

44 RP prepares as per this RPF shall be reviewed and approved by WB, otherwise contracts shall not be awarded for civil works that will cause land acquisition and involuntary resettlement.

5. Institutional Framework

45 Institutional framework refers to the arrangements for agencies responsible for resettlement planning, implementation, monitoring and evaluation (M&E), including the definition of their responsibilities. Only effective institutional framework enables smoothly implementation of land acquisition and resettlement.

5.1 Agencies and Responsibilities

46 According to the Land Law of PRC, only governments of county level and above have the power of eminent domain. However, actual resettlement activities are usually carried out by government's land and resource bureaus with assistances from other line agencies.

47 Agencies responsible for resettlement activities in the future (if any) include::

- (a) County land and resource bureaus (CLRBs). The CLRB will be the lead agency for land acquisition. CLRB is responsible for assisting highway bureaus to carry detailed measurement surveys, publicizing and confirming survey results, notifying land acquisition and cut-off date, signing agreements (on behalf of county government) with affected community or households, paying compensations, completing all land acquisition procedures and handing over acquired land to highway bureau. Highway bureau can only organize engineering construction of the MMERC after land is being formally transferred to by CLRB.
- (b) Prefecture and county highway bureaus (or prefecture and county project management offices). The prefecture level and county level highway bureaus, where land acquisition and resettlement might be required, are responsible for measurement survey, publicizing survey results; community participation, raising land acquisition and resettlement funds, timely payments of compensations and government charges to CLRBs, and assisting YPHB on M&E.
- (c) YPHB (provincial project management office). YPHB will take the overall responsibility for RP preparation, implementation and monitoring, raising adequate resettlement funds, guiding the prefecture and county highway bureaus to carry out internal M&E. In addition, YPHB will hire an independent agency to carry out external M&E.

5.2 Institutional Arrangements

48 To implement the Resettlement Plan, if any in a smooth and effective manner in the future, responsible persons will be assigned at provincial, prefecture and county levels for planning, coordination, implementation and monitoring of resettlement activities:

- (a) Yunnan Provincial Project Management Office (YPMO) in YPHB. A full time staff will be appointed to coordinate the RP preparation, implementation and monitoring at prefectures and counties where there will be LAR. YPMO will employ an independent monitor to carry out external monitoring.
- (b) Prefecture level Project Management Offices (PPMOs). Similarly, a staff will be assigned each PPMO, where there will be LAR, to participate in RP preparation, implementation and monitoring.
- (c) County highway bureau. In each highway bureau, where there will be LAR, a staff will be assigned to participate in RP preparation, implementation and monitoring.

49 Land acquisition will be carried out by the CLRBs on behalf of their governments. Township governments and villages/natural villages will provide necessary assistances.

6. Compensation and Entitlement

50 If involving land acquisition and involuntary resettlement, compensations standards will be determined in accordance with relevant WB, national, provincial, prefecture/municipal legal and policy framework. Eligibility determination date or cut-off date will be the notification for LAR. AP shall not construct, expand or construct their houses after the cut-off date; AP shall also not change the land and house use patterns after cut-off date, they shall also not plant new crops and trees, as well as lease houses and land. Any persons who enter into the affected land/area after the cut-off date are not eligible for compensations.

51 Eligible AP can get compensations and relevant other assistances according to the type and level of impact on them.

52 In general, eligible persons include:

- (a) Permanent land acquisition. This includes ① residents with legal land use rights in affected communities, and ② non-residents of affected villages but cultivating on rented land there. The former are eligible for full compensations at replacement costs, the latter are eligible for losses of crops and structures.
- (b) Loss of houses and other structures and fixed assets, including trees and standing crops. Owners of houses and other assets (regardless of their legal rights).
- (c) Losses caused by temporary impacts. There include temporary land loss, transitional costs for resettlement, or business interruption during project construction.

53 Objective of RP and its implementation is to ensure AP to have adequate opportunities to reestablish their assets and improve or at least restore the living standards. To achieve this objective, it is necessary to identify eligible AP who will be compensated and supported by measures given in the table below.

Table 6-1 Compensation, entitlement and Policy

Type of impact	Eligible persons	Compensation type/ entitlement	Resettlement policy
Permanent land acquisition	Residents with legal use rights in affected villages	Compensations for land, resettlement and standing crops	Land adjustment, or land transfer or cash compensation, technical training, employment opportunity and promotion, social insurable
	Temporary cultivator	Compensation for standing crops	Assistance to obtain new land for cultivations
House demolition and rebuilding	Owners of house on collective land	New house plots, compensation at replacement costs, transport and transitional allowances	Size and accessibility for new house plots shall be acceptable by AP
	Owners of house on state land	Cash compensation at market price, optional replacement houses; transport and transitional allowances	Size, location and quality acceptable to AP. Compensations adequate to pay same quality of houses
	Tenants	Discussion with owners to terminate land lease agreement and	Seek other houses for renting

		compensate for losses	
Loss of non-residential houses	Commercial operators and their employees	i) new operation place or compensation at replacement costs ; ii) cash compensation to lost structures; iii) transitional assistances for income losses (including salaries of employees) ; iv) cost for transpirations	Size and location of new operation place acceptable to AP
Loss of attachments	Owners	Compensations at replacement costs	
Loss of infrastructure facilities	Owners or administration agencies	Restoration to original statues or compensations to owners or administration agencies to restore	Timely restoration facilities and service
All type of direct losses	Vulnerable people, including poor, elders, disabled persons, etc.	Additional assistances, including a subsidy of CNY 500 for each vulnerable HH, to endure income and livelihood restoration	
Promoting gender equality	Affected women	i) consultation of women (50% of participants are women; ii) priority to local women for employment for project construction; iii) priority to train women on skills and production technologies for livelihood restoration; iv) special assistances to woman-headed HHs during resettlement and income restoration, including CNY 500 vulnerable subsidy to each woman-headed HH.	

7. Implementation Procedure

54 RP shall include detailed implementation schedule, Compensation payment and other restoration activities shall be done one month before land acquisition. If full compensations are unavailable before land acquisition, transitional allowances shall be provided. Meanwhile the following legal procedures shall be followed for LAR.

7.1 Collective Land

55 Article 20 of PRC Implementation Regulations of Land Administration Law stipulates that collectively land within planned urban area for urban use shall follow the following procedures:

- (a) City or county government applies to higher level government for land uses according to annual planning. (applications include farmland conversion plan, farmland supplementation plan, land acquisition plan)
- (b) Land administration department of authorized government reviews and approves the application.
- (c) Upon approval of farmland conversion plan, farmland supplementation plan and acquisition plan, county government is responsible for implementation these plans and provides acquisitioned lands for construction uses.

56 Land acquisition will be implemented by county government. Approval agency, approval document code, location and sites of acquisition area shall be notified in affected villages and townships.

57 Land administration department of county government, together with other agencies, consult AP on compensation and resettlement plan for suggestions. Upon approval of compensation and resettlement plan by county government, the land administration department organizes implementation. In case of disagreements on compensation rates, coordination or arbitration by higher level government.

58 Compensation payments shall be made within 3 months after the approval of compensation and resettlement plan.

7.2 State Land

59 According to the Regulations on Acquisition and Compensations of Housing on State Land, in case the project acquire housing on state land, the following procedures shall be followed:

- (a) Make decision for acquisition of houses according to legal procedure
- (b) Notify the decision to take back state land and to acquire houses
- (c) Select o authorized agency to valuate affected houses and disclose results
- (d) Sign agreement for house acquisition
- (e) Notify and document compensations
- (f) Demolish houses and hand over land to users fro construction

8. Budget and Flow of Compensation Payments

60 YPHB will bear all expenses and responsibilities for LAR. RP developed in accordance with this RPF shall include costs and budget. All negatively affected people are eligible for compensations and resettlement assistances, regardless of their inclusion during RP implementation or unavailability of adequate funds. Therefore contingency shall be included in the RP which is about 10% of the total expenses. The contingency will be used to cover unforeseeable expenses during LAR

61 Compensation standards are used to do budget estimation. Compensation standards shall be set as replacement costs with no depreciation. RP will stipulate the process of compensation payments from YPHB to AP. A general principle is to make direct payment as much as possible so as to avoid intermediate process.

9. Consultation and Information Disclosure

62 In the process of resettlement policy and RP development and implementation, AP's participation and consultation will be encouraged and included. Such opportunities like census and socioeconomic surveys will be effectively used to publicize the project's resettlement policy and seek advices from AP. Through public consultation and participation, coordination and communication, local government, affected communities and AP will have thorough understanding of the project itself, the project's potential impact, and resettlement policy as well as income restoration measures.

63 Consultation and participation (C&P) of AP are the start point of resettlement, and it will safeguard the smooth implementation of the project. C&P is also a basic tool to fulfill resettlement objective. RP to be developed shall include actions for C&P of AP. There should also include actions to disclose information to AP and the communities who might host the AP (if any) and to enable them to take part in the development of RP, M&E and other activities. Needed public facilities shall be established in resettlement sites or host communities to retain or improve service provision. To fully include AP's concerns and preferences, consultation will be carried out during project design or before implementing mitigation measures. If necessary, external monitor will facilitate the C&P of AP in the whole process of RP preparation and implementation.

64 Project management office and local government resettlement implementation agencies shall take the following methods to encourage and strengthen C&P of AP:

- (a) **Publicize resettlement information.** To ensure AP and local governments to understand the RP in details, as well as the LAR impact of specific project components, PMO will summarize and disclose the information of individual MMERC or management station given in the WB approved RP, in the form of a resettlement information sheets, to AP. Contents of the resettlement information sheet include land and non-land asset losses, compensation standards, LAR policy, entitlement, grievance redress mechanism and procedure, etc..
- (b) **Public consultation meeting.** Based on actual LAR of specific MMERCs or management stations, local highway bureaus and government agencies will regularly or irregularly organize public consultation meetings. Vulnerable people, especially women will be invited to take part in the public consultation meetings. Consultation meetings will be monitored by the external monitor. Such medians like TV, broadcasting, newspapers and internet shall be used to disclose project information and construction progress, as well as will resettlement policy and RP implementation progress.
- (c) **Disclosure of RP.** Draft and final RP shall be disclosed to affected villages and the public. RP can be placed at township government, affected village committee office, local government websites. Draft RP shall be disclosed one month before submitting to WB for approval and re-disclose the final RP after the WB's approval

10. Grievance Redress Mechanism

65 Key objective of resettlement work is to restore or improve AP's production and livelihood, yet LAR will be based on full C&P of AP. Therefore, complaints will be limited. However, there will be some unforeseeable problems occurring in the process of LAR. To solve such problems effectively and ensure the project construction and LAR are carried out successfully, a transparent and effective grievance redress mechanism (GRM) is needed. The project has set up such a GRM by using the current community and government administration structure. The basic procedures for grievance are as follows:

- (a) If any AP is aggrieved by any aspect of the land acquisition and resettlement, he/she can state his/her grievance and appeal to the natural village or village in oral or in written form. If an oral appeal is made, the natural village or village leader will record it on paper and process it. The natural village or village will make a decision on or resolve it in two weeks. AND/OR
- (b) The aggrieved AP, if not satisfied with the decision of the village or natural village, can state their grievance and appeal to the township government in oral or in written form. The township government will make a decision on or resolve it in two weeks.
- (c) If the aggrieved AP is not satisfied with the decision of the township government, he/she can appeal to the county government after receiving the decision; the county government will reach a decision in two weeks.

66 The AP can at any time appeal to the civil division of the county people's court according to the civil court procedure. AP can also express grievance to PMO and external monitor. All complaints (written and oral) shall be included in the monitoring report that will be submitted to WB.

67 The grievance and appeal channels and procedures will be publicized among the APs through public notification means. AP will be apprised of their rights for lodging appeals during participation in the public meetings and by receiving resettlement information sheet. The GRM channels and procedures shall be disclosed to AP. The relevant authorities will fairly resolve the grievances based site visits and consultation of AP, and sort out the opinions and proposals and process the information in a timely and effective manner.

11. Monitoring and Evaluation

68 To ensure the successful implementation of the RP, the implementation of the LAR of the project will be monitored and evaluated regularly following the requirements of WB resettlement policy (OP 4.12) and project monitoring and evaluation (OM 10.72). There include both internal and external M&E.

11.1 Internal Monitoring

69 The internal monitoring will be carried out by YPHB with assistances from the prefecture and county highway bureaus, as well as local land administration agencies. YPHB and local highway bureaus will establish databases for affected HHs and monitor the whole RP implementation process with focus on reporting implementation progress.

70 The YPHB will submit an internal monitoring report to WB for 1-2 years. In such reports, the statistical data of the past 6 months will be tabulated to reflect progress through comparison of the actual and planned implementation schedule, disbursement of, resettlement and compensation fees, etc.

71 The major contents for monitoring include: (i) land approval status; (ii) land acquisition progress; (iii) resettlement progress; (iv) payment of compensation; (v) implementation status of restoration measures; (vi) management of complaints and appeals; (vii) employment of APs and other supports to APs; and etc.

11.2 External Monitoring

72 Prior to actual land acquisition and resettlement, YPHB will hire an independent agency that has M&E experiences for WB and ADB's projects as the external monitor.

73 The external monitor will carry out regular monitoring and evaluation twice a year for two years with the following indicators/contents:

- (a) Institutional setup and capacity;
- (b) Key issues of APs;
- (c) Income restoration level of HHs after land acquisition;
- (d) Compensation for losses of land and non-land assets;
- (e) Use of compensation fees of HHs;
- (f) Whether the affected people benefit from the project such as employment for project construction;
- (g) Degree of satisfaction or problems identified;
- (h) Status of participation and consultation of APs;
- (i) Assistances to vulnerable groups;
- (j) Women's participation, training and employment for project construction;
- (k) Functioning of GRM, and complaints resolutions.
- (l) Problems and suggestions

74 During LAR, the external monitor will carry out on-site monitoring twice a year. Upon completion of LAR, the external monitor will carry out its M&E once a year for about 2 years. Upon the prior approval of WB, the interval and frequency of external M&E can be adjusted according the level of complexity of the LAR work. External M&E will be carried out till resettlement objective is achieved. External monitor shall submit its report to both YPHB and WB.

Appendix: DDR on Land Acquisition and Construction Land

1. Introduction

1.1 Project Background

The Yunnan Provincial Transport Department (YPTD), as the executing agency (EA), plans to apply a World Bank (WB) to implement the “Yunnan Highway Asset management Project” by YPHB. The Project consists of 4 components (Table J1): A. Highway Asset Management Improvement; B. Maintenance and Emergency Response Capacities Enhancement; C. Pilot of Cost-Effective Maintenance Technologies; and D. Strengthening Institutional Capacities. The total budget will be RMB1661 million (equivalent to US\$ 272 million), and the funding sources include: (i) RMB 915 million (US\$ 150 million equivalent) of WB loan, accounting for 55.1% of total budget; and (ii) counterpart fund of RMB 746 million, accounting for 44.9%. The counterpart fund includes RMB 446 million of fuel tax return and RMB 300 million of provincial budgets for road maintenance. The project plans to start construction in 2015 and complete the main engineering works in 2017; while development, testing and finalization of guidelines and information systems will be done during 2018-2019. The overall project construction period is 5 years.

Table J1: Project Component and Construction Land Impact

Component	Involvement of construction land
A. Highway Asset Management Improvement	No
B. Maintenance and Emergency Response Capacities Enhancement	
B3. Providing Equipment and Facilities at Maintenance Stations and Emergency Centers	
a) Rationalization of the number and location of Maintenance Stations and Emergency Response Centers;	No
b) Provision of equipment for routine and minor maintenance and emergency response at 303 selected Mechanized Maintenance and Emergency Response Centers (MMERCs) and Stations	No
c) Expansion/development of equipment shelters, administration and production buildings, and workers dormitories at the Centers and Stations.	Yes
B4. Improving Performance Evaluation System and Indicators	
C. Pilot of Cost-Effective Maintenance Technologies	Yes, temporary land borrowing
D. Strengthening Institutional Capacities	No

1.2 Requirements for Construction Lands

The activity of “Expansion/development of equipment shelters, administration and production buildings, and workers dormitories at the Centers and Stations” under Component B (see Table J1) will involve in infrastructure construction and it requires construction lands. This activity targets 303 MMERCs and management stations, including 15 prefecture level MMERCs (PMMERCs), 63 county level MMERC (CMMERCs) and 225 management stations.

1.3 This DDR

This due diligence report (DDR) is specially prepared for the resettlement policy framework (RPF) for the project, and the contents include:

- Causes of cancelling land acquisition for 19 MMERCs (No.1-18 in Table J2).
- Arrangements of construction lands for 12 MMERC after canceling land acquisition (No. 7-18 in Table J2).
- Availability of construction lands for all MMERC and stations, including the availability status of land certificates for MMERCs (Table A1 and Table A2).

- (d) Temporary land occupation
- (e) Measures to minimize land occupations.
- (f) Alternative arrangements of construction lands for 4 CMMERCs and Suggestion.

2. Cancelling Planned Land Acquisition

The project preparation started in 2013, and it included 126 CMMEFCs and 16 PMMERCs by Dec 2013 when the first draft RP was prepared. In the first draft RP, there are 18 MMERCs (2 PMMERCs and 16 CMMERCs) that planned to acquire lands to expand existing MMERCs and/or to build new MMERCs. However, as times goes, all planned land acquisitions were cancelled.

- (a) Following the recommendation of WB's project team, PMO had adjusted the project scope by cutting 16 PMMERCs to 15 and 126 CMMERCs to 63. As a consequence, 6 CMMERCs that planned to acquire lands quitted the project (No. 1-6 MMERCs in Table J2). Therefore only 12 MMERCs remained in the second draft RP by May 2015.
- (b) In the process of finalizing the RP during May-June 2014, the PMO learnt from local land administration agencies that it was not possible to acquisition farmland due to basic farmland protection policy and limited farmland resource. The project had to rearrange existing construction lands for 7 MMERCs that planned to acquire farmland (No. 7-12 MMERCs in Table J2) and obtain state owned land (No. 13 in Table J2):
 - (i) Combining Nujiang PMMERC (No. 7 in Table J2) with Lushui CMMERC on self-owned land
 - (ii) Using existing construction lands for 5 CMMERCs (Table 8-12 in Table J2);³ and
 - (iii) For Huaning CMMERC (No. 13 in Table J2), it once planned to obtain an abandoned primary school (state land transfer, not acquisition), but had to give up due to affordability difficulty⁴.
- (c) After excluding these 7 MMERCs, only 5 MMERCs remained in the third draft RP. However, in the process of finalizing land acquisition and resettlement schedule, so as to match overall project construction schedule, it was learnt that the land acquisition for the remaining 5 MMERCs can't be mobilized before 2015 and land acquisition had to be cancelled:
 - (i) 3 MMERCs (No 14-16 in Table J2). The sites to be acquired were not planned as construction lands in local land use planning by 2014. Adjustment of planning can only be done after mid-2015; yet it will be very difficult to make such adjustment as limited quota of construction land at county level will be preferably given to local urban development.⁵
 - (ii) E'shan CMMERC (No. 17 in Table J2). Due to financial difficulty, the targeted land was acquired by a private businessman already; the project had to use available land for the CMMERC. Similarly, alternative site will be difficult as it will involve in adjustment of local land use planning.
 - (iii) Gongshan CMMER (No. 18 in Table J2). It planned land acquisition will result in relocation of 2 households, but it was too difficult to find suitable house plots Therefore land acquisition was cancelled.

Table J2 summarizes the process, time and causes for cancelling land acquisition, and it also presents the new arrangements for construction lands of 12 MMERCs and alternative arrangements for 4 MMERCs. As will be discussed later on, the alternative arrangements of construction lands (No. 13, 15-17 in Table J2) could be considered if project implementation for these MMERCs is after 2015 or even later, yet adequate land acquisitions funds could be raised (the land transfer charge, in the case of

³ Yuanjing CMMERC is amongst them where the WB resettlement official (Mr. Yao) visited the site in June 2014 and verified that it had to cancel land acquisition due to basic farmland protection policy.

⁴ The charge is over RMB 350000/mu and it is far beyond the affordability of the highway bureau; this rate is about 5 times as that for acquiring rural land. The land was obtained by the county transport bureau.

⁵ It is rather difficult to planned the intended sites as construction lands because of limited quota in each county unless there is a national level key project, such as a highway rehabilitation or new highway project.

Xinzhuang Industrial Park for Huaning CMMERC, will still be rather high).

Table J2: Cancelling Land Acquisition and Arrangements for Construction Lands

No.	MMERC	Original plan	Status of cancelling land acquisition			Alternative
			Time	Cause	Arrangement for construction lands after cancelling	
1	Tonghai	Land acquisition (MMERCs were included in the project in 2013)	April 2014	Excluded from the project (63 were excluded from the project, and these 6 CMMECs are among excluded ones)	Excluded from the project, but the Lushui CMMERC will be combined with the Nujiang PMMERC	Excluded from the project
2	Chengjiang					
3	Hongta					
4	Yulong					
5	Yongsheng					
6	Lushui					
7	Nujiang PMMERC	New site, acquisition of 20mu farmland	June 2014	Basic farmland protection	Combine with Lushui CMMERC on self-owned construction land of 34mu	No
8	Fugong CMMERC	Acquisition of 3.8mu farmland		Basic farmland protection	Self-owned and available construction land of 7.2mu	No
9	Lanping CMMERC	Farmland acquisition of 13.5mu		Limited farmland resource of less than 0.2mu per capita. Farmland acquisition affects 19HHs, too difficult to manage.	Self-owned and available construction land of 7.6mu	No
10	Yuanjing CMMERC	Farmland acquisition of 20mu		Basic farmland protection <i>Note: WB resettlement official visited the site and verified the cause in June 2014.</i>	Self-owned and available construction land of 10.0mu	No
11	Ninglang CMMERC	Farmland acquisition of 20mu		Basic farmland protection	Self-owned and available construction land of 22.4mu	No
12	Heqing CMMERC	Acquisition of 13.1mu farmland and 10.2mu forestland		Basic farmland protection	Self-owned and available construction land of 25.0mu	No
13	Huaning CMMERC	Acquiring an abandoned primary school (transferring state land, not acquisition)		Obtained by the county transport bureau	Self-owned and available construction land of 20.0mu	A plot in Xinzhuang Industrial Park, but uncertain. Proceeding after mid-2015 if approved,
14	Xishuangbanna PMMERC	A new site along Xiao Mengyang-Jinghong Highway, acquisition of 38mu wasteland.	July 2014	Non-construction land in local land use planning by 2014, difficult to adjust planning and to acquire land	Moving to K43+600 of Mengda Highway where there are 25.32mu self-owned construction land since 1990. Figure A1 presents the land certificate	No
15	Xinping CMMERC	Acquisition of 20mu of wasteland (it was 38mu at the very beginning)		Non-construction land in local land use planning by 2014, difficult to adjust planning and to acquire land	Self-owned and available construction land of 13.4mu	Same site, proceeding after mid-2015, when land use planning could be adjusted
16	Jiangchuan CMMERC	Acquisition of about 20mu of wasteland		Non-construction land in local land use planning by 2014, difficult to adjust planning and to acquire land	Self-owned and available construction land of 23.5mu	Same site, proceeding after mid-2015, when land use planning could be adjusted
17	E'shan CMMERC	Acquisition of about 20mu of wasteland		Failed to obtain the land due to financial difficult (land was obtained by a private businessman)	Self-owned and available construction land	Reselection of a new site, but proceeding after mid-2015.
18	Gongshan CMMERC	Acquisition of 4.7mu land, including 0.3mu house plots		Too difficult to find suitable house plots for 2 resettlement HHs.	Self-owned and available construction land of 9.17mu	No.

3. Availability of Self-owned Construction Lands

Prefecture and county level highway bureaus were established in 1950s and they have established own highway maintenance and administration systems over the past 50 years with rich construction land resource available. The maintenance and administration systems include maintenance center, management stations, quarries, etc. The preparations for construction of MMERCs, as well as for reconstruction of management stations, started in 2009 or even earlier, and most of the highway bureaus had obtained/cleared up construction lands for the MMERCs. The availability and self-owned construction lands for the 303 MMERCs and stations are as follows:

- (a) The 15 PMMERCs (6 reconstructions and 9 new constructions) own use rights of 734.4mu of construction lands (see Table A1).⁶ Ranging from 16.3mu to 92.9mu, a PMMERC owns 49.0mu of construction land on average. The available lands are sufficient for reconstruction and new constructions by following the principles of minimizing land occupation during project design and implementation. The principles will be described in the following section.
- (b) The 63 CMMERCs (37 reconstructions and 26 new constructions) own use rights of 1,262.8mu of construction land (see Table A2). Ranging from 4.7mu to 91.6mu, a CMMERC owns 20.0mu of construction land on average. The available lands are sufficient for reconstruction and new construction of the CMMERCs.
- (c) The 225 management stations (all reconstructions) own use rights of 1,919.1mu of construction land (see Table A3). Ranging from 1.0mu to 90.3mu, each station owns 8.5mu of construction land on average. The available lands are sufficient for reconstructions of the stations.

3.1 PMMERCs

The 15 PMMERCs (6 reconstructions and 9 new constructions) own use rights of 734.4mu of construction lands. Ranging from 16.3mu to 92.9mu, a PMMERC owns 49.0mu of construction land on average. As indicated in Table A1, 12 PMMERCs have land use right certificates/agreement⁷ and 3 PMMERCs are waiting for certificates:

- (a) 9 PMMERCs obtained construction lands during 1951-2009 and hold land certificates (No. 1-9 in Table A1). Specifically, the Xishuangbanna PMMERC, as described in Table J1, once planned to acquisition 38mu wasteland at K10+600~850 along the Xiaomengyang-Jinghong highway, moved to K43+600 along the Xiaomengda highway where there are 25.32mu self-owned construction land. The land certificate for the land was obtained in 1990, and Figure A1 shows it.
- (b) 3 PMMERCs (No. 10-12 in Table A1) obtained lands before 2012 and they hold construction land permits (No. 10-11 in Table A1, see also Figure A2) and free land transfer agreement (No. 12 in Table A1, see also Figure A3).
- (c) 3 PMMERCs (No. 13-15 in Table A1) obtained land before 2011, but no land certificates yet.

3.2 CMMERCs

The 63 CMMERCs, including 37 for reconstructions and 26 for new constructions, own use rights of 1,262.8mu of construction land (see Table A2 for details). Ranging from 4.7mu to 91.6mu, a CMMERC owns 20.0mu of construction land on average.

Of the 37 CMMERCs of reconstructions, i.e., upgrading on existing land, there include:

- (a) 32 CMMERCs that hold land certificates and Figures J4-J6 present the certificates of Longling, Yunxian and Zhenkang CMMERCs. Construction lands for some CMMERCs are included in the certificates for highways (such as No. 31-35 in Table A2).

⁶ Construction lands are state ownership.

⁷ Only 3 certificate/agreement are presented in this DDR.

- (b) 2 CMMERCs have land transfer agreements similar to that shown in Figure A3 (No. 11-12 in Table A2).
- (c) 3 CMMERCs obtained land before 2011, but no land certificates yet. (No. 41, 53 and 62 in Table A2).

Of the 26 CMMERCs of new constructions, i.e., new construction on existing lands, there include:

- (a) 17 CMMERCs holding land certificates, similarly, land is included in the certificate for highway (No. 14 in Table A2).
- (b) 1 CMMERC obtained land in 1999, but no land certificate issues (No. 6 in Table A2).
- (c) 1 CMMERC has land transfer agreement (No. 13 in Table A2).
- (d) 7 CMMERCs obtained land during and before 2011, no certificates yet.

3.3 Management Stations

The 225 management stations (all reconstructions) own use rights of 1,919.1mu of construction land (see Table A3). Ranging from 1.0mu to 90.3mu, each station owns 8.5mu of construction land on average. Most of the stations have land certificates, and this DDR included 4 such certificates (Figure A7-Figure A10).

4. Temporary Land Occupation

Construction activities for all MMMERCs and stations will be on self-owned lands and no temporary land occupation will be needed.

The third component of the project, i.e., the Pilot of Cost-Effective Maintenance Technologies in Table J1, will pilot 4 technologies at 8 road segments (see details in Table A4). The first technology in Table A4 is for major maintenance and will result in temporary land occupation; while other 3 technologies will be adopted for preventive maintenance without temporary land occupation not needed.

The piloting of the first technology of “cold recycling of asphalt pavement for base course (on two segments of 40km) will need a temporary land acquisition of 2-3mu for each segment for about 3 months for storing the removed asphalt layer and for setting up the temporary mixing station. The proposed segment for piloting will likely be on the Yiling-Shilin highway which has been operated for over 20 years and had experienced several major and intermediate maintenances. Neither farmland nor forestland was occupied for the major and intermediate maintenances over the past years as the temporary mixing station was set on a commercial quarry which is just 3km from the highway. In case this segment is finally chosen for piloting the technology of “cold recycling of asphalt pavement for base course”, land of the commercial quarry will be rented again for temporary storing of removed asphalt layer and for setting up a mixing station (like that in Figure A11).

5. Measures to Minimize Land Occupation

Two measures were taken to minimize permanent land occupation at project planning and feasibility study stages: (i) combination of 3 CMMERCs with management stations; and (ii) combination of 6 PMMERCs with CMMERCs. These 2 measures had reduced land occupation of 150mu or so and Table A4 presents the details.

During project design, optimized layouts for various functional blocks will developed according to existing structures, sizes and shapes of available lands. Optimized layouts, together with the application of new materials and improved management techniques, will enable the project to minimize land occupation of structures so as to improved land use efficiencies.

6. Alternative Arrangements and Suggestion

As shown in Table J2, there are alternative arrangements of construction lands for Huaning, Xinping, Jiangchuan and E'shan CMMERCs:

- (a) Huaning CMMERC. The alternative is a new site in the Xinzhuang Industrial Park of Huaning County, and land could be obtained through state owned land transfer procedure. The feasibility of alternative arrangement can be determined till mid-2015. Even it is feasible, yet the YPHB or the CMMERC is able to raise adequate funds,⁸ actual construction can only take place after 2015.
- (b) Xinping CMMERC. The alternative is acquisition of the planned site after the adjustment of land use planning by the county land resource bureau by mid-2015 or late-2015. If the adjustment works, the rural land will be converted as construction land, and the project could then re-mobilize land acquisition. However, adjustment of land use planning will be difficult as the county has limited quota, yet priority will be given to urban development. In case it is feasible to adjust land use planning by mid-2015, actual construction can take place after 2015 as land acquisition still takes time.
- (c) Jiangchuan CMMERC. Similar to Xinping CMMERC, the alternative is acquisition of the planned site after adjustment of land use planning by mid-2015 or even later.
- (d) E'shan CMMERC. The alternative is to seek a new site elsewhere and this will also involve adjustment of land use planning. Again, feasibility of the alternative arrangement can't be known until mid-2015 or late-2015.

In case some of the above mentioned CMMERCs take alternative arrangements yet overall project construction schedule allows, it is suggested to prepare a resettlement plan according the RPF or carry out due diligence.

⁸ The charge is over RMB 350,000 per mu.

7. Attachments

Table A1: Construction Lands and Certificates of PMMERCs

No.	PMMERC	Construction land (mu)			Nature of construction	Land certificate
		Self-owned	Acquisition	Total		
1	Kunming	60.0	0	60.0	Recons.	Yes. No. [2001] 0160
2	Yuxi	85.5	0	85.5	Recons.	Yes, 1999 certificate
3	Wenshan	46.1	0	46.1	Recons.	No. [2009] 220.
4	Xishuangbanna	25.3	0	25.3	New construction	No. [1999] 0031
5	Honghe	50.0	0	50.0	New	#1.1951 land, No. [99] 0149; #2. 1953 land, No. [2012] 3412
6	Baoshan	31.4	0	31.4	New	#1, Baoshan, No. [2004] 0989; #2, Longling, No. [2007] 0717
7	Dali	20.8	0	20.8	Recons.	2003 certificate
8	Dehong	16.3	0	16.3	Recons.	1999 certificate
9	Nujiang	34.0	0	34.0	Recons.	1978 certificate
10	Pu'er	92.9	0	92.9	New	Construction permit, No. [2012] 530802201200005, see Figure A2
11	Licang	85.0	0	85.0	New	Construction permit, No. [2013] 12
12	Qujing	30.0	0	30.0	New	Free land transfer agreement [2011], see Figure A3.
13	Zhaotong	67.1	0	67.1	New	2011 land, nor certificate
14	Chuxiong	35.0	0	35.0	New	2011 land, nor certificate
15	Lijiang	55.0	0	55.0	New	Administration block, 5.4mu, once a toll station with certificate Production block, 45.91mu, obtained in 2011, no certificate
	Total	734.4	0	734.4	6 recons. 9 new cons.	

Table A2: Construction Lands and Certificates of CMMERCs

Prefecture	No.	CMMERC	Construction land (mu)			Nature of cons		Land certificate
			Self-owned	Acquisition	Total	Recons	New	
Kunming	1	Sonming	6.7	0	6.7	1		No. [1997] 0000101
	2	Xundian	4.7	0	4.7	1		No. [997] 0000146
	3	Luquan	8.3	0	8.3	1		[1999] 78
	4	Yiliang	10.0	0	10.0	1		[99] 3433
	5	Shilin	15.4	0	15.4		1	Yes
	6	Jinning	8.6	0	8.6		1	Obtained in 1999, no certificate
Qujing	7	Xuanwei	17.68	0	17.68	1		1999.12, land certificate
	8	Huize	20.0	0	20.0	1		2002.2, land certificate
	9	Luoping	4.92	0	4.92	1		1999.11, land certificate
	10	Malong	5.28	0	5.28	1		2000.1, land certificate
Zhaotong	11	Yanjin	5.9	0	5.9	1		2009.9, land transfer agreement
	12	Shuifu	12.0	0	12.0	1		2010, land transfer agreement
	13	Qiaojia	20.0	0	20.0		1	2010, land transfer agreement
	14	Zhenxiong	40.0	0	40.0		1	Transferred to CMMERC in 2013 by highway construction headquarter, certificate for highway
	15	Ludian	10.0	0	10.0	1		Land certificate
Yuxi	16	Xinping	13.4		13.4		1	Land certificate
	17	Yuanjiang	10.0	0	10.0	1		Land certificate
	18	E'shan	20.0		20.0		1	Land certificate
	19	Jiangchuan	23.55		23.55		1	Land certificate
	20	Huaning	20.0	0	20.0		1	Land certificate
Wenshan	21	Yanshan	20.0	0	20.0		1	0112, no certificate
	22	Malipo	7.7	0	7.7	1		[2009] 221
	23	Qiubei	20.0	0	20.0		1	2011, no certificate
	24	Funing	15.0	0	15.0		1	2011, no certificate
Honghe	25	Luxi	31.0	0	31.0	1		[1999] 0209
	26	Jiping	31.9	0	31.9		1	Land certificate
	27	Jianshui	35.0	0	35.0	1		[1999] 0217
	28	Shupin	12.0	0	12.0	1		Land certificate
	29	Yuanyang	13.0	0	13.0		1	Transferred to CMMERC in 2012, quarry of Hongnan highway, no certificate
	30	Pinbian	8.63	0	8.63		1	2011, no certificate
Pu'er	31	Mojiang	24.1	0	24.1	1		2003, certificate of highway
	32	Jingdong	24.7	0	24.7	1		2001, certificate of highway
	33	Zhenyuan	21.15	0	21.15	1		2003, certificate of highway
	34	Lancang	41.4	0	41.4	1		2000, certificate of highway
	35	Menglian	91.6	0	91.6	1		2001, certificate of highway
Xishuangbannan	36	Mengna	20.0	0	20.0		1	Certificate
Licang	37	Yunxian	20.9	0	20.09		1	[2007] 049
	38	Gengma	20.0	0	20.0	1		Permit, [2013] 171
	39	Cangyuan	20.0	0	20.0		1	Permit [2013] 170
	40	Zhenkang	28.7	0	28.7		1	[1999] 059
Chuxiong	41	Muding	35.0	0	35.0	1		2011, no certificate
	42	Yongren	5.0	0	5.0	1		Certificate of G108
	43	Yuanmo	6.0	0	6.0	1		Service station of Yuanshuang highway,

								certificate of highway
	44	Wuding	9.0	0	9.0	1		Certificate of G108
	45	Shuangbo	6.0	0	6.0	1		Certificate
Dali	46	Xiangyun	21.6	0	21.6	1		1997 certificate
	47	Yongping	11.0	0	11.0		1	Certificate
	48	Binchuan	18.2	0	18.2	1		1999 certificate
	49	Heqing	25.0	0	25.0		1	Certificate
	50	Yunlong	10.0	0	10.0		1	Certificate
	51	Midu	12.0	0	12.0		1	Certificate
Lijiang	52	Huaping	7.8	0	7.8	1		A management station, land certificate
	53	Ninglang	22.4	0	22.4	1		2011, no certificate
Diqing Baoshan	54	Deqing	44.89	0	44.89	1		08
	55	Longling	22.47	0	22.47	1		[2006] 209, Figure A4
	56	Shidian	17.4	0	17.4	1		[1999] 120
Dehong	57	Longyang	20.7	0	20.7	1		[99 transport] 018
	58	Longchuan	58.0	0	58.0		1	2012 reissued certificate
	59	Yingjiang	16.5	0	16.5	1		1999, certificate
Nujiang	60	Lianghe	56.64	0	56.64		1	2011, no certificate
	61	Gongshan	9.17		9.17		1	1978, certificate
	62	Fugong	7.2	0	7.2	1		2011, no certificate
	63	Lanping	7.6	0	7.6		1	2011, no certificate
		Total	1262.8		1262.8	37	26	

Table A3: Availability of Construction Lands for Management Stations

No.	County highway bureau	Station	Ordinary road		Class II road	
			Self-owned land (mu)	Acquisition (mu)	Self-owned land (mu)	Acquisition (mu)
			869.7		1049.4	
I	Kunming					
1	Kunming	Macun	6.18			
2	Songming	Yanglin			18.71	
3		Yangjie	12.52			
4	Xunduan	Gongshan			5.34	
5		Jin	6.2			
6	Dongchuan	Tangdan	8.34			
7		Yupeidi			6.64	
8	Fumin	Yongding			3	
9		Kuanzhuang			5	
10	Luquan	Longtan			8.86	
11		Cuihua	2.77			
12	Anning	Qingwushan 山			19	
13		Lubiao			9.0	
14	Chenggong	Qidian			2.11	
15		Sanchakou			3.7	
16	Yiliang	Beigu	1.73			
17		Tangchi			4	
18		Jiuxiang			8.8	
19	Shilin	Shilin			3.05	
20		Lunan			3.01	
21	Jinning	Jinchang	14.5			
22		Kunyang			10	
II	Qujing Municipality	Municipality				
23	Qiling	Yuezhou			10	
24	Fuyuan	Yingshang			8	
25		Fucun			6	
26	Xuanwei	Xuanwei	9.025			
27		Geyi	6.31			
28		Jichang			5	
29		Xuantang			15	
30	Huize	Weiche	2			
31		Zhehai	9.82			
32		Jiache			10	
33	Luliang	Bangqiao	14.86			
34	Shizong	Wulong	15.13			
35		Lugu	5.32			
36	Luping	Luoping	14.9			
37		Zhuantianpo	8.92			
38	Malong	Malong	10			
39	Zhanyi	Shibanjing	17.55			
III	Zhaotong Municipality					
40	Zhaoyang	Zahnoyang			10.529	
41	Ludian	Wenping			7.5	
42		Xinie	10			
43	Yiliang	Jiaokui			8	
44		Xiaocaoba	1.24			
45		Kuixiang	1.58			
46	Daguan	Cahhe			2.98	

No.	County highway bureau	Station	Ordinary road		Class II road	
			Self-owned land (mu)	Acquisition (mu)	Self-owned land (mu)	Acquisition (mu)
47	Shuifu	Louba	1.8			
48		Tongbao	7.1			
49	Yongshan	Lianfeng	4.06			
50	Qiaojia	Baihetan			7	
51	Zhenxiong	Wude	5.03			
IV	Yuxi Municipality					
52	Hongta	Daliyuan	3.93			
53	Eshan	Huanian	3.22			
54		Chahe			2.13	
55		Shihuacun			8	
56	Xinping	yaonan	4.29			
57		Gasha			8.99	
58		Sanjia	2.4			
59		Douga			4.33	
60		Longshu	2.28			
61	Yunajing	Yuanhong			8	
62		Anding	8.23			
63	Tonghai	Xiansghan			3.6	
64	Jiangchuan	Houjiagou			10.8	
65	Chengjiang	Guanglong			8.04	
66		Haikou			8	
67	Huaning	Xinzhuang			7.93	
68		Panxi			10.4	
69	Yimen	Pubei	2.36			
V	Wenshan Prefecture					
70	Wenshan	Wenshan			18.97	
71		Tianshengqiao			5	
72	Yanshan	Zhujie	3.5			
73		Yanshan	8			
74		Pingyuan	12.8			
75	Xizhou	Xingjie			12.08	
76		Xichou			7.5	
77	Malipo	Chuantou			5	
78	Maguan	Bazhai	2.9			
79	Qiubei	Qiubei	8			
80		Xindian	6.3			
81	Guangnan	Fali			16.5	
82		Xinzhai	6			
83	Funing	Funing	7.8			
84		Babao	4.66			
85		Muyang	6.98			
VI	Honghe Prefecture					
86	Luxi	Feijichang			9.88	
87		Dongshan			6.55	
88	Mile	Xinshao			8.51	
89	Jianshui	Jianshui	1.02			
90	Shiping	Shiping	5.72			
91	Yuanyang	Yuanyang			4	
92		Xinjie			21.56	
93	Luchun	Luchun			12.31	
94		Dashuigou	5.89			
95		Pinghe			3.95	
96	Hekou	Nanxi	13.09			
97		Heku	15.3			
98	Honghe	Honghe			6	
VII	Pu'er Municipality					
99	Mojiang	Lainzhu	8.5			
100		Tongguan	29.35			
101		Yuwanhui	5.61			
102		Yayi	5.16			
103		Sinanjiang	3.95			
104	Simao	Damengpa			12.47	
105		Simao			19	
106	Jingdong	Jingping	7.8			
107	Jinggu	Nuanli			5.26	
108		Yunhai			8.25	
109		Yongping			17.7	
110	Zhenyuan	Anban	2.83			
111		Dapuzi	1.55			
112		heping	6.26			
113	Lancing	Huimin			21.47	
114	Menglian	Mengma	7.08			
115		Yuniao	10.0			
116	Ximeng	Mengshuo			21.46	
117	Jiangcheng	Lianzizhai	4.31			
118		Menglie			3.023	
VIII	Xishuangbanna Prefecture					

No.	County highway bureau	Station	Ordinary road		Class II road	
			Self-owned land (mu)	Acquisition (mu)	Self-owned land (mu)	Acquisition (mu)
119	Jinghong	Jinuoshan	90.32			
120		Mengkuan			11.83	
121	Menghai	Daluo			10.1	
122	Mengla	Mengla	11.77			
123		Guanlei	13.43			
124		Megyuan			8	
IX	Licang Municipality					
125	Yunxian	Yunxian			23	
126		Xiaoluozha	5.5			
127		Chafang	7.5			
128	Fengqing	Mengyou			4.71	
129		Yueyatang			5	
130	Linxiang	Dawanzi			9	
131		Mangban			4.03	
132	Shuanjiang	Mengmeng			5.89	
133		Xiaoheke			9.49	
134	Gengma	Mngsa			8	
135		Gnegma	4.81			
136		Mengding			7	
137	Yongde	Mangjiantian			10.65	
138		Dawazi			25.16	
139	Zhenkang	Hongmushu	27.93			
140		Nanshan	20			
141		Hewai			6.12	
142	Cangyuan	Mangfa			3.96	
143		Bawei			10	
144		Mangka	7.62			
X	Chuxiong Prefecture					
145	Lufeng	Ynagjiahzuang	3.56			
146		Donghucun	4.63			
147	Chuxiong	Chuxiong			48.6	
148		Xiaohekou	15			
149		Guangtong	4.6			
150	Nanhua	Nanhua	24.24			
151		Shaoqiao	5			
152	Yongren	Yongren			8	
153		Yijiu			5	
154	Yuanmou	Dashuijing	5			
155		Yuanmou			8	
156		Huangguayuan	3.0			
157	Wuding	Jincheng	10.0			
158	Muding	Muding			8	
159	Shuanbo	Shuanbo			7.5	
160	Yao'an	Yao'an			5.3	
XI	Dali Prefecture					
161	Xaingyun	Qinghuadong			5.25	
162		Xiazhuang	5.63			
163		Midian			3.66	
164	Nanjian	Nanjian			11.47	
165		Gonglang			5.34	
166		Fenghuangshan			8.534	
167	Dali	Huangping	9			
168	Yangbi	Ynagbi	8			
169		Dapingdi			5.4	
170		Lishupo	2.14			
171	Yongping	Yongping	3.75			
172		Yangjie	4.23			
173		Shizhabi	7.5			
174	Binchuan	Qiaodian	4.6			
175		Shuanlong			5.63	
176	Eryua	Luopingshan	1.04			
177	Jianchuan	Xianghu	3.58			
178		Shanlan			3.62	
179	Heging	Yunhe			7.34	
180	Weishan	Daloufang			6.2	
181		Hedijie			3	
182	Yunlong	Shimen			3.01	
183	Midu	Zhuguanying			8.5	
184		Guoyuan			2.71	
XII	Lijiang Municipality					
185	Gucheng	Zhengming	2.92			
186	Yulong	Zhongxing			3.65	
187		Nankou	5			
188	Yongsheng	Qina			4.5	
189		Tuanjieping	3.72			
190		Banshahe	4.5			
191	Huaping	Zrongjiang			15	

No.	County highway bureau	Station	Ordinary road		Class II road	
			Self-owned land (mu)	Acquisition (mu)	Self-owned land (mu)	Acquisition (mu)
192		Laguhe	4.19			
193	Ninglang	Zhanhe	7.7			
194		Ganhezi	3			
XIII	Diqing Prefecture					
195	Shangri-la	Yangjiahe			10.14	
196		Quwadi			7.27	
197		Geza	4.08			
198		Chengguan			5.0	
199	Deging	Shusong	4.5			
XIV	Baoshan Municipality					
200	Longyang	Xinjie	9.0			
201		Pupiao	5.12			
202	Longling	Zhen'an	3.28			
203		Mengluo	8.2			
204	Changning	Goujie			7.6	
205		Youwen			6.88	
206	Shidian	Yaoguan			12.5	
207		707	17.4			
208	Tengchong	Majiaying	23			
209		Dongmen	11			
XV	Dehong Prefecture					
210	Mangshi	Mangshi			12.91	
211		Zhefang			11.78	
212	Ruili	Moli			8.9	
213	Longchuan	Mangdong			7.5	
214		Jinghan			12.1	
215		Zhangfeng			13.21	
216	Yingjiang	Nongzhang			19.83	
217		Pingyuan			3.55	
218		Tongbiguan			11.36	
219	Lianghe	Zhedao			16.84	
XVI	Nujiang Prefecture					
220	Gongshan	Puladi	2.48			
221	Fugong	Shangpa	1.63			
222	Lushui	Rende	2.96			
223		Dadengzi	2.4			
224		Pianma	2.67			
225	Lanping	Yingpan	3.62			

Table A4: Proposed Road Segments for Piloting Cost Effective Technologies

Tech	Road	Proposed segment	Maintenance unit	Length (km)
(i) Cold recycling of asphalt pavement for base course	G324	Yiliang - Shilin	Kunming HB	20
	G326	Shilin - Mile	Honghe HB	20
(ii) Modified asphalt chip seal	Zhanchuan Road	Pingyuanjie- Wenshan	Wensan HB	40
	S228	Jlchnagling - Liuku	Nujiang HB	40
(iii) Asphalt slurry seal	G320	Mangshi - Ruili	Dehong HB	40
	G214	Menghai - Jinghong	Xishuangbann HB	40
(iv) Micro-surfacing	G213	Maliuwan - Zhaotong	Zhaotong HB	40
	G214	Shangrila - Songyuanqiao	Diqing HB	40
Total				280

Source: Feasibility Study Report

Table A5: Measures to Minimize Land Occupation and Results

Measure	MMERC	Reduced Land Occupation (mu)
Combination of CMMERCs with highway management stations	Pingbian CMMERC	10.0
	Huaping CMMERC	10.0
	Heging CMMERC	10.0
Combination of PMMERCs with CMMERCs	Pu'er PMMERC and Simao CMMERC	20.0
	Lincang PMMERC and Linxiang CMMERC	20.0
	Qujing PMMERC and Qiling CMMERC	20.0
	Baoshan PMMERC and Longyang CMMERC	20.0
	Nujing PMMERC and Lushui CMMERC	20.0
	Diqing PMMERC and Shangri-la CMMERC	20.0
Total	9	150.0

Source: MMERCs


User 土地使用者	Xishuangbanna HB 景洪公路管理局		
座 落	景洪公路管理局K3120+800米处		
地 号		图 号	
Use 用 途	Highway 公路路政用地	土地等级	
Tennure 使用权类型	Transfer 转让	终止日期	
使用权面积	16828 m ²		
其中共用分摊面积			
填 证 机 关	 99年 8 月 Aug 1999		

Figure A1: Land Certificate for Xishuangbanna PMMERC (No. 4, Table A1)

中华人民共和国
PRC 和 国

建设用地规划许可证


Construction Land Permit

地字第 530802201200005 号

根据《中华人民共和国城乡规划法》第三十七、第三十八条规定，经审核，本用地项目符合城乡规划要求，颁发此证。

Issued by: Planning Bureau
March 2012

发证机关
日 期 二〇一二年三月八日



云地 N^o 0047675

User: Si-Jiang Highway Construction Headquarter 项目部	
用地项目名称	PMMERC 段二级公路思茅机械化养护中心
用 地 位 置	思茅区思茅镇莲花村那么田
用 地 性 质	公路用地（公路附属设施用地）
用 地 面 积	92.9mu 92.90 亩
建 设 规 模	
附图及附件名称	1. 书面申请； 2. 建设用地规划许可证申请表； 3. 晋发改工（2010）994号文件复印件； 4. 晋发改工备案（2010）11号文件复印件； 5. 环评评估表（2011）19号文件复印件； 6. 思环审（2011）20号文件复印件； 7. 晋国土发（2011）270号文件复印件； 8. 云国土复（2012）56号文件复印件； 9. 勘测定界图； 10. 总平面规划图。

遵守事项

一、本证是经城乡规划主管部门依法审核，建设用地符合城乡规划要求的法律凭证。

二、未取得本证，而取得建设用地批准文件、占用土地的，均属违法行为。

三、未经发证机关审核同意，本证的各项规定不得随意变更。

四、本证所需附图与附件由发证机关依法确定，与本证具有同等法律效力。

Figure A2: Construction Land Permit for Pu'er PMMERC (No.10, Table A1)

土地使用权出让合同

本合同当事人：

出让方：麒麟区交通运输局（甲方）

受让方：麒麟公路管理段（乙方）

第三方：越州镇人民政府（丙方）

根据曲靖市麒麟区第三届人民政府第三十五次常务会议纪要（麒区政会纪[2011]4号和麒区交请[2011]14号）文件，沾濠公路越州段沥青路面大修工程资金预算投资1300万元，由越州镇负责筹集200万元，区交通运输局负责争取补助资金300万元，并进一步完备好石恩公路水城服务区已征用的61.8亩土地的有关手续；土地所有权属区交通运输局，出让给麒麟公路管理段，麒麟公路管理段作为项目建设业主，负责筹集800万元。

根据《中华人民共和国城镇国有土地使用权出让和转让暂行条例》规定：土地使用权发生转让（出租、抵押），须签订土地使用权出让合同。出让方其使用内的土地使用权随之出让。合同三方本着自愿、平等、有偿的原则，经协商订立本合同。

第一条 麒麟区交通运输局出让的土地（国土资源部以国土资函[2005]908号文件批准），土地位于石恩公路水城收费站以西50米处、石恩公路南侧，属疏林地，面积共61.8亩（含地上附着

Party A: Qilin Transport Bureau

Party B: Qilin Highway Bureau

Party C: Yeuzhou Tiwnship G'ovt

Owner: Party A

Transfer to: Party B

Area: 61.8 mu

Conflict resolution: Party C

Land use: service provision for highway maintenance

Nov 2011

物)。其位置与四至范围如本合同附图所示。附图已经合同三方确认。

第二条 该宗土地为无偿、长期出让给麒麟公路管理段使用，麒麟公路管理段对该项宗土地具有合法的土地使用权。

第三条 该项宗土地的围墙由越州镇人民政府负责，围墙的建设工程费由受让方承担，围墙必须在2011年8月20日建好，该项目工程由土地出让方监督实施，若规定时限内围墙未建成，土地受让方有权停止沾濠公路越州段沥青路面大修工程的施工，由此造成的损失由出让方（麒麟区交通运输局）承担。

第四条 土地受让方在管理建设、使用该宗土地时，若发生纠纷由第三方（越州镇人民政府）负责协议并承担相关费用。

第五条 麒麟公路管理段使用过程中，相邻各方必须相互合作，并需要根据为对方提供便利条件，否则由越州镇人民政府负责协调解决。

第六条 该土地只能作为公路养护服务用地，未经甲方许可，不得改变其用途或者转让。

第七条 若乙方不再使用该土地，则必须移交甲方。

第八条 如果一方未能履行合同项下的义务，视为违反本合同，违约方向另一方赔偿违约引起的一切直接和可预见的损失。

第九条 本合同订立、效力、解释、履行及争议均受中华人民共和国法律的保护和管辖。

第十条 本合同未尽事宜，由合同三方协商约定后作为合同附件。

第十一条 本合同一式六份，甲、乙、丙三方各执两份，签字生效。

甲方（出让方）（公章）：曲靖市麒麟区交通运输局

法定代表人：冯明祥

乙方（受让方）（公章）：麒麟公路管理段

法定代表人：杨绍云

丙方（第三方）（公章）：越州镇人民政府

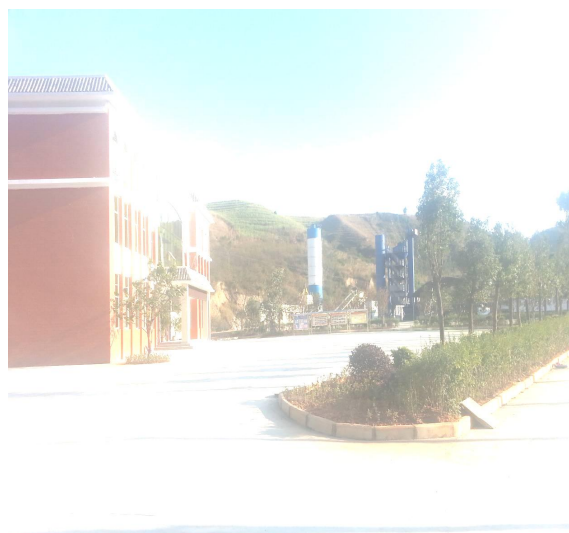
镇长：刘清

2011年11月16日

Figure A3: Land Transfer Agreement for Qujing PMMERC (No. 12, Table A1)



Figure A4: Land Certificate and Use Status of Longling CMMERC (No. 55, Table A2)



云 国 用 (2007) 第 049 号

土地使用权人	云南省公路开发投资有限责任公司		
座 落	云县爱华镇长坡岭村委会		
地 号	33623100-14-01-001	图 号	祥临公路一期十二号地块
地类 (用途)	公路用地	取得价格	元
使用权类型	划拨	终止日期	
使用权面积	13927.11 M ²	其中 独用面积	13927.11 M ²
		分摊面积	

根据《中华人民共和国宪法》、《中华人民共和国土地管理法》和《中华人民共和国城市房地产管理法》等法律法规, 为保护土地使用权人的合法权益, 对土地使用权人申请登记的本证所列土地权利, 经审查核实, 准予登记, 颁发此证。

云南省人民政府 (章)

2007 年 12 月 07 日

Figure A5: Yunxian CMMERC and Land Certificate (No. 37, Table A2)

土地使用者	镇康公路管理局 (初河公路管理站)		
座 落	黄南公路K21+500处旁边		
地 号	42	图 号	
用 途	道班用地	土地等级	
使用权类型	划 拨	终止日期	
使用权面积	19120 平方米		
其中共用分摊面积			


填 证 机 关

镇康土地管理局

1999 年 11 月 9 日


记 事	
日期	内 容
	<p>东至: 公路;</p> <p>南至: K21+500处地界;</p> <p>西至: 道班后土坎顶边约40m处地界;</p> <p>北至: 以道班岔路口为界;</p> <p>注: 该地系国家土地征收。</p> <p>镇康土地管理局调查合格章</p>

Figure A6: Land Certificate for Zhenkang CMMERC (No. 40, Table A2)

土地使用者	保山公路管理段(公路管理局)		
座 落	永林乡永林村土02		
地 号	A-G-1	图 号	
用 途	建设用地	土地等级	
使用权类型	划拨	终止日期	
使用权面积	11583.00m ²		
其中共用分摊面积			
填 证 机 关	 保山公路管理局(印) 一九九九年八月二十日		


记 事	
日期	内 容
	<p>东至：本宗地界地边邻路； 南至：本宗地界地边邻路； 西至：本宗地后木在距外边5米处邻路 (旁)属土黄外空地； 北至：本宗地地界边邻公路及杂物路。</p> <p>备注： 本宗地土地总面积11583.00m² (17.35亩)中，建设用地1503m²(其中建筑占 地518.75m²)，农用地(荒地)面积9477.27m²， 未利用地602.34m²</p>

Figure A7: Land Certificate of 707 Management Station (No. 207, Table A3)

土地使用者	龙陵县公路管理局公路管理段		
座 落	镇安镇镇安办事处(202地×2483+000石地)		
地 号	C-7	图 号	
用 途	农用地(地)	土地等级	
使用权类型	划拨	终止日期	
使用权面积	2087.00m ² (其中建筑占地1342.00m ² ,农用地845m ²)		
其中共用分摊面积			
填 证 机 关	 龙陵县土地管理局(印) 一九九九年八月二十日		


记 事	
日期	内 容
	<p>东至：320国道20M。 南至：镇安交警中队 西至：滴水尖坝村。 北至：食店(镇安地同界)</p>

Figure A8: Land Certificate of Zhen'an Management Station (No. 202, Table A3)

土地使用者	富宁公路管理段八宝管理站		
座 落	八宝镇宝隆庄站对面		
地 号		图 号	
用 途	住宅、办公	土地等级	
使用权类型		终止日期	
使用权面积	叁佰壹拾零陆点捌平方米 (3106.8m ²)		
其中共用分摊面积			
填 证 机 关	 一九九九年十二月八日		

记 事	
日期	内 容
99-9-26	本宗地四址界线是： 东至本宗地围墙外皮临地。 南至本宗地围墙外皮临木材公司房。 西至本宗地围墙外皮临公路。 北至本宗地围墙外皮临空场。
一九九九年十二月八日	

Figure A9: Land Certificate of Babao Management Station (No. 84, Table A3)

土地使用者	富宁公路管理段		
座 落	富田公路K58+000 (木具管理站)		
地 号		图 号	
用 途	道路用地	土地等级	
使用权类型	划 拔	终止日期	
使用权面积	2657.79m ²		
其中共用分摊面积			
填 证 机 关	 一九九九年十二月八日		

记 事	
日期	内 容

Figure A10: Land Certificate of Muyang Management Station (No. 85, Table A3)



Figure A11: Temporary Mixing Station in a Quarry (Ning'er HB)