

CHAPTER 3 PROJECT EVALUATION AND RECOMMENDATIONS

3.1 PROJECT EFFECTS

(1) Beneficial Population

The direct beneficiaries of the project are the residents in the transmigration area in Southeast Sulawesi Mainland and along Buton South-North Road with a population of approximately 100,000, whereas the indirect beneficiaries are the people of Southeast Sulawesi Province (Approximately 2,000,000).

(2) Direct Effects

- The people in the Project area become accessible to the towns/markets anytime to sell their agricultural products, buy goods and receive social services by construction of permanent bridges over the ford crossings which are impassable during raining.
- The transportation system becomes more efficient by replacement of timber bridges and temporary bridges which are only passable for pedestrians, motorbikes and light vehicles (lighter than 0.5 ton) with permanent bridges which are passable for any vehicles even 20 ton trucks.
- Traffic safety will be secured by the construction of bridges under Project since accidents are commonly occurred when vehicles and motorbikes crossing deep fords and/or passing on broken wooden deck slabs.

(3) Indirect Effects

- As the Project bridges in transmigration area are constructed, the roads connected to the bridges will be improved by Indonesian side. The road and bridge improvement makes the road network more convenient and reliable to pass throughout the years for any vehicles. The improvement of the transportation condition will promote realization of the local industrial potentials. As the result, it is expected to mitigate the poverty in the area and to activate the socio-economic activities in the province.
- As the Project bridges in Buton Island are constructed, the ferry terminals and their access roads will be constructed/improved by Indonesian side. The new ferry route connects Kendari (the provincial capital) and Baubau (the biggest city in Buton Island) with shorter distance and travel time. The improvement of the transportation condition is expected to promote the economic development in the province.
- The Project improves the road network and provides detours to be used when a disaster close a road.

3.2 RECOMMENDATIONS

Since the project will make significant effects as mentioned above and contribute to the improvement of the residents' living condition, the project will be worth being implemented under the Japan's grant aid.

In order to realize, enlarge and sustain the effects of the Project, responsibilities to be undertaken by the Indonesian side are as follows:

- To replace the small timber/temporary bridges along the Project roads with permanent bridges and to improve their access roads before the completion of the Project bridges.
- To start the ferry service operation between Labuan and Amolengu as the completion of the Buton South-North Road improvement.
- To adequately carry out maintenance and repair works to keep the road and bridges in good condition in order to maximize their serviceable lives.

APPENDICIES

- 1. Member List of the Survey Team**
- 2. Survey Schedule**
- 3. List of Parties Concerned in the Republic of Indonesia**
- 4. Minutes of Discussions**
- 5. References**
- 6. Environmental Approval (Recommendation) on UKL & UPL
and English Translation**
- 7. Land Acquisition Agreement**
- 8. Traffic Survey Data**
- 9. Road Condition Diagram of the Project Roads**

1. Member List of the Survey Team

Field Survey Team

Name	Job Title	Occupation
Mr. Atsushi NAKAGAWA	Leader	Transportation and ICT Division III, Economic Infrastructure Department, JICA
Mr. Soemu OSHITA	Chief Consultant (Bridge Planner / Maintenance)	Katahira & Engineers International
Mr. Isao IGARASHI	Bridge Design Engineer I / Environmental & Social Specialist I	Katahira & Enginveyeers International
Mr. KUSHARTANTO	Environmental & Social Specialist II	Katahira & Engineers International
Mr. Anthony Gourley	Bridge Designer II	Katahira & Engineers International
Mr. Masashi SUZUKI	Natural Condition Surveyor (Topography)	Katahira & Engineers International
Mr. Kunio FUJIWARA	Natural Condition Surveyor (Geology)	Katahira & Engineers International
Mr. Takuji KONO	Natural Condition Surveyor (Hydrology)	Katahira & Engineers International
Mr. Kazuyuki HIRAOKA	Construction Planner / Cost Estimator	Katahira & Engineers International

Outline Design Explanation Team

Name	Job Title	Occupation
Mr. Hiroyuki KAWANISHI	Leader	Senior Representative JICA Indonesia Office
Mr. Soemu OSHITA	Chief Consultant (Bridge Planner / Maintenance)	Katahira & Engineers International
Mr. Isao IGARASHI	Bridge Design Engineer I / Environmental & Social Specialist I	Katahira & Engineers International

2. Study Schedule

Field Survey Schedule

			JICA		Consultants						
			Leader/Coordinator MR. Nakagawa	Chief Consultant (Bridge Planner / Maintenance) MR. Oshita	Bridge Designer I /Environmental & Social Consideration Analyst I MR. Igarashi	Environmental & Social Consideration Analyst II MR. Kushartanto	Bridge Designer II MR. Gourley	Natural Condition Surveyor (Topography) MR. Suzuki	Natural Condition Surveyor (Geology) MR. Fujiwara	Natural Condition Surveyor (Hydrology) MR. Kono	Construction Planner / Cost Estimator MR. Hiraoka
1	4/14	Tue	Tokyo-Jakarta			Tokyo-Jakarta	Site Survey			Tokyo-Jakarta	
2	4/15	Wed	Meeting with JICA,EOJ,MPW			Jakarta - Kendari	Site Survey			Jakarta-Kendari	
3	4/16	Thu	Jakarta-Makassar Meeting with MPW Makassar Branch Makassar-Kendari			Site Survey				Site Survey	
4	4/17	Fri	Meeting w/ SESP Gov. Kendari - Raha			Site Survey				Site Survey	
5	4/18	Sat	Site Survey(Buton Is.)			Site Survey				Site Survey	
6	4/19	Sun	Site Survey (Buton Is.) Baubau-Makassar			Site Survey				Site Survey	
7	4/20	Mon	Meeting with MPW Report to MFO Makassar - Denpasar			Site Survey				Site Survey	
8	4/21	Tue	Signing on M/D Leaving Denpasar	Signing on M/D	Site Survey					Site Survey	
9	4/22	Wed	Arriving Tokyo	Denpasar-Makassar- Kendari	Site Survey			Tokyo-Jakarta	Site Survey		
10	4/23	Thu				Site Survey			Jakarta-Kendari	Site Survey	
11	4/24	Fri				Site Survey			Site Survey		
12	4/25	Sat				Site Survey			Site Survey		
13	4/26	Sun				Site Survey			Site Survey		
14	4/27	Mon				Site Survey			Site Survey		Tokyo-Jakarta
15	4/28	Tue				Site Survey		Manila-Jakarta	Site Survey		Jakarta-Kendari
16	4/29	Wed				Site Survey		Jakarta-Kendari	r		
17	4/30	Thu	Site Survey								
18	5/1	Fri	Site Survey								
19	5/2	Sat	Site Survey								
20	5/3	Sun	Site Survey								
21	5/4	Mon	Site Survey								
22	5/5	Tue	Kendari-Jakarta								
23	5/6	Wed	Site Survey								
24	5/7	Thu	Meeting with SESP Gov. Kendari-Makassar			Site Survey				Meeting with SESP Kendari-Makassar	Site Survey
25	5/8	Fri	Meeting with MPW Makassar Branch and MFO Makassar-Jakarta			Site Survey				Meeting with MPW and MFO Makassar-Jakarta	Kendari-Makassar Meeting w/MPW and MFO Makassar-Jakarta
26	5/9	Sat	Reporting			Kendari-Jakarta		Site Survey		Reporting	Data Collection
27	5/10	Sun	Reporting					Site Survey		Reporting	Data Collection
28	5/11	Mon	Meeting with MPW					Site Survey		Meeting with MPW	
29	5/12	Tue	Report to EOJ, JICA, Leaving Jakarta			Report to EOJ, JICA		Kendari-Jakarta Leaving Jakarta	Site Survey	Report to EOJ, JICA, Leaving Jakarta	
30	5/13	Wed	Tokyo			Reporting		Tokyo	Site Survey	Tokyo	
									Site Survey		
43	5/26	Wed							Kendari-Jakarta, Leaving Jakarta		
44	5/27	Thu							Tokyo		

Legend : EOJ(Embassy of Japan), MPW(Ministry of Public Works), SESP(South-East Sulawesi Province), M/D(Minutes of Discussions), MFO(JICA Makassar Field Office)

Outline Design Explanation Schedule

			JICA	Consultants	
			Leader MR. KAWANISHI	Chief Consultant (Bridge Planner / Maintenance) MR. OSHITA	Bridge Designer I / Environmental & Social Specialist I MR. IGARASHI
1	10/7	Wed		Tokyo → Denpasar (JL729)	
2	10/8	Thu		Denpasar → Makassar (GA620) Report to Directorate General of Highways Makassar Regional Office Makassar → Kendari (7P-661)	
3	10/9	Fri		Meeting with SESP and Regencies	Meeting with SESP, Kendari → Raha
4	10/10	Sat		Site Survey (Mainland)	Site Survey (Buton)
5	10/11	Sun		Site Survey (Mainland)	Raha → Kendari
6	10/12	Mon		Meeting with SESP, Kendari → Makassar (7P-662), Makassar → Jakarta (GA615)	
7	10/13	Tue	Meeting with JICA, MPW		
8	10/14	Wed	Discussion with MPW, Meeting with Ministry of Transportation		
9	10/15	Thu	Discussion with MPW		
10	10/16	Fri	Signing on M/D Report to EOJ, JICA Leave from Jakarta (JL726)		
11	10/17	Sat	Arrive at Tokyo		

Legend : EOJ(Embassy of Japan), MPW(Ministry of Public Works), SESP(South-East Sulawesi Province), M/D(Minutes of Discussions), MFO(JICA Makassar Field Office)

3. List of Parties Concerned in the Republic of Indonesia

Directorate General of Highways	
Mr. Chairul Taher, Mse	Director for Road & Bridge in East Region
Mr. T. Anshar, CES	Sub-Director for Road & Bridge in Eastern Region
Mr. Suprayitno	Sub-Director for Road & Bridge in Eastern Region
Mr. Erwang Wahyun Diyat	Sub-Director for Road & Bridge in Eastern Region
Mr. H. Nurdin Samaila, M. Si	Head of Makassar National Road Management Office
Mr. Wahyudi	Deputy Head of Balai, Design & Supervision of National Road. Makassar
Mr. Taufik Widjojono	Director, Directorate of Planning
Mr. Max Antameng	Chief of sub-Directorate of General Planning
Mr. Slamet Muljono	Sub-Directorate of General Planning
Mr. Fajar Eko Antono	Sub-Directorate of General Planning
Mr. Rindy Farrah	Sub-Directorate of General Planning
Mr. Herry Basa	Head of Sub-Directorate of Bridge
Mr. Monan Reynold	Sub-Directorate of Bridge
Ms. Nurmala S.	Sub-Directorate of Environment
Mr. Agung T.	Sub-Directorate of Environment
Mr. Indra Bangun	Foreign Cooperation Bureau
Mr. Nobuyuki Tsuneoka	JICA Expert on Road Policy
South East Sulawesi Provincial Government	
Mr. H. Nur Alam, SE.	Governor
Mr. Dody Djalante	Head of Public Works
Mr. Vence S. Tumanan	Head of Road & Bridge Section, Public Works
Mr. Penil Dicky	Staff of Road & Bridge Section, Public Works
Mr. Hernawan	Planning Office
South East Sulawesi National Road Management Office	
Mr. Soendiarto	Design & Supervision of Road & Bridge, Technical Affair, DGH (P2JJ)
Ministry of Transportation	
Mr. Hardi Sukarlianto	Sub directorate Head of River, Lake and Crossing Ports
Ms. Yusuda	Transportation Agency - Sub Division Head of System Development
South East Sulawesi Environmental Management Office -BLH	
Mr. Arman Alie	Head of Environmental System and Environmental Impact Assessment
Mr. Muh. Rum	Capacity Development Division
South Konawe Regency Government	
Mr. Ma'mun Supriantna	Head of Public Works Office
Kolaka Regency Government	
Mr. Abbas, MM	Head of Public Works Office
Muna Regency Government	
Mr. Hasilwin M. SH	Head of Public Works Office
Embassy of Japan in Indonesia	
Ms Chikako Sado	Second Secretary Economic Section
JICA Indonesia Office	
Mr. Hiroyuki Kawanishi	Senior Representative
Mr. Kiichi Tomiya	Deputy Resident Representative
Mr. Tomoyuki Yamada	Representative
JICA Makassar Field Office	
Mr. Kazuo Nakagawa	Representative of Makassar Field Office
Mr. Shuji Tokumaru	Deputy Head
Ms Sachiko Suzuki	Program Officer

4. Minutes of Discussions on Field Survey

**Minutes of Discussions
on the Preparatory Survey (Basic Design)
on the Project for the Improvement of Bridges in South East Sulawesi Province
in the Republic of Indonesia**

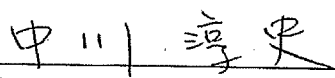
Referring to the results of Preliminary Study conducted in July 2008, the Government of Japan decided to conduct a Preparatory Survey (Basic Design) on the Project for the Improvement of Bridges in South East Sulawesi Province (hereinafter referred to as "the Project") in the Republic of Indonesia (hereinafter referred to as "Indonesia") and entrusted the study to the Japan International Cooperation Agency (hereinafter referred to as "JICA").

JICA sent to Indonesia the Preparatory Survey Team (hereinafter referred to as "the Team"), headed by Mr. Atsushi Nakagawa, Transportation and ICT Division 3, Economic Infrastructure Department, JICA, and is scheduled to stay in the country from April 14 to May 12, 2009.

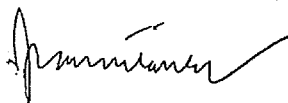
The Team held discussions with the concerned officials of the Government of Indonesia and conducted a field survey at the study area.

In the course of discussions and field survey, both sides confirmed the main items described in the attached sheets.

Denpasar, April 21, 2009



Mr. Atsushi Nakagawa
Leader,
Preparatory Survey Team,
Japan International Cooperation Agency



Ir. ChairulTaher, MSc.
Director of Road and Bridge for Eastern
Region,
Directorate General of Highways,
Ministry of Public Works
Republic of Indonesia



ATTACHMENT

1. Objective of the Project

The objective of the Project is to promote regional development and improve the accessibility for local communities through replacement and improvement of existing bridges in South East Sulawesi Province.

2. Project Sites

The Project site is shown in Annex-1.

3. Responsible and Implementing Organization

The responsible organization is the Ministry of Public Works (MPW)

The implementation organization is Directorate General of Highways, MPW.

The organization chart of MPW is shown in Annex-2.

4. Items Requested by the Government of Indonesia

As the result of discussions, the Project components were confirmed as below:

- Construction of four (4) bridges and approach road on Transmigration Area Road on Sulawesi Mainland.
- Construction of seven (7) bridges and approach road on South-North Road on Buton Island.

JICA will assess the appropriateness of the request and will report the findings to the Government of Japan.

5. Japan's Grant Aid Scheme

The Indonesian side understands the Japan's Grant Aid scheme explained by the Team, as described in Annex-4, 5 and 6.

6. Schedule of the Study

- (1) The Consultant members of the Team will proceed to further studies in Indonesia until May 12, 2009.
- (2) JICA will prepare the draft report in English and dispatch a mission in order to explain its contents in October 2009.
- (3) In case that the contents of the report are accepted in principle by the Government of Indonesia, JICA will complete the final report and send it to Indonesia by the end of November, 2009.

7. Other Relevant Issues

- (1) The Indonesia side has explained to the Team regarding the road improvement work on the roads related to the Project as follows;

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- 1) Transmigration Area Road on Sulawesi Mainland (Provincial Road)
 - Approx. 14 km out of 74 km of the Road has been paved by asphalt so far.
 - Approx. 22 km of the Road will be paved by asphalt in 2009.
 - Approx. 20 km more of the Road will be paved by asphalt before the end of 2012.
 - The remaining sections of the Road will be improved and maintained as passable even in rainy season as of the end of 2010.
 - Approx. 35 timber bridges on the Road will be replaced by concrete bridge by the end of 2011.
- 2) South-North Road on Buton Island (National Road)
 - Approx. 36 km out of 176 km of the Road has been paved by asphalt so far.
 - As from 2009, Approx. 14 km will be newly paved by asphalt every year.
 - Whole section of the Road shall be improved and maintained as passable even in rainy season as of the end of 2011.
 - Timber bridges on the Road will be replaced by concrete bridge by the end of 2011.

The Indonesian side understands that it shall complete the improvement of the Roads related to the Project before the commencement of the works under the Project. The responsible organization of the road improvement is the Directorate General of Highways, MPW. The Indonesian side understands that the road improvement including small bridges and culverts is vital and condition for realization of the Project.

The Indonesian side shall provide more detailed information on the Road Improvement program before May 8 2009 as in the form the Team requested.

- (2) Regarding the new ferry operation between Sulawesi Mainland and Buton island, the both side confirmed that the basic design and detailed design for new wharf construction in Amolengu and Labuan Baju has been completed last year and budget allocation has been examined in the Ministry of Communications. The Indonesian side expects the construction works will commence in 2010 and ferry operation begins in 2013. The Indonesian side shall report to JICA Indonesia Office for its progress such as obtaining the budget approval.
- (3) The Indonesian side shall provide necessary numbers of counterpart personnel to the Team during the period of their studies in Indonesia. The Indonesian side understands that the new ferry operation is vital and condition for realization of the Project.
- (4) The Indonesian side shall submit answers to the Questionnaire, which the Team handed to the Indonesian side, by the end of April 2009.
- (5) The Indonesian side confirmed that the following items shall be undertaken by the concerned organizations of Indonesia.
 - Relocation of existing utilities (power, telecommunication lines, water lines, etc.) by the concerned Regency Governments,
 - Land acquisition for the construction of the new bridges and rental of land for the temporary works by the regencies,
 - Securing of the site for disposal of construction waste by South East Sulawesi Provincial government,
 - Removal of existing bridges if necessary by South East Sulawesi Provincial



Government,

- Budget allocation for the commissions for the banking services based upon banking arrangement (B/A) by MPW, and
 - Improvement of the project roads including replacement of timber bridges and construction of culverts by South East Sulawesi Provincial Government and MPW.
- (6) The Indonesian side shall complete the necessary procedures concerning the Environmental and Social Considerations including the acquisition of land and involuntary relocations in accordance with the laws and regulations of the Indonesia. The procedures are described in Annex-3. The Indonesian side shall obtain basic agreement for the Project and the relocation from the Project Affected Persons (PAPs) and report it to the Japanese side before a dispatch of the next mission scheduled in October 2009. The Indonesian side confirmed that it shall arrange the budget allocation for compensation for PAPs as the condition for the Project to be implemented. The Indonesian side also confirmed that it shall obtain Environmental Compliance Certificate by the beginning of September 2009.

Annex-1 Project Site Map

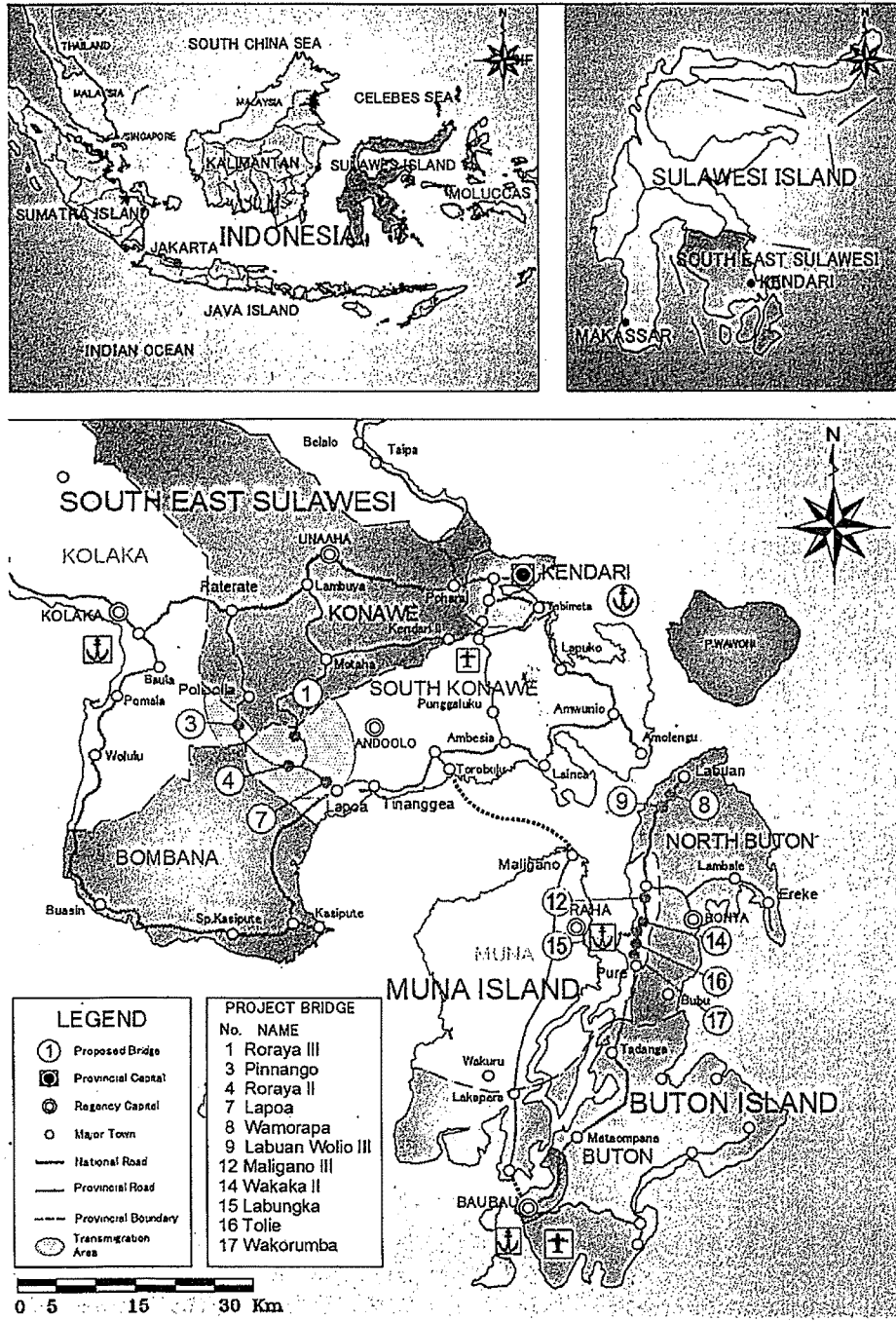
Annex-2 Organization Chart – Ministry of Public Works

Annex-3 Japan's Grant Aid Scheme

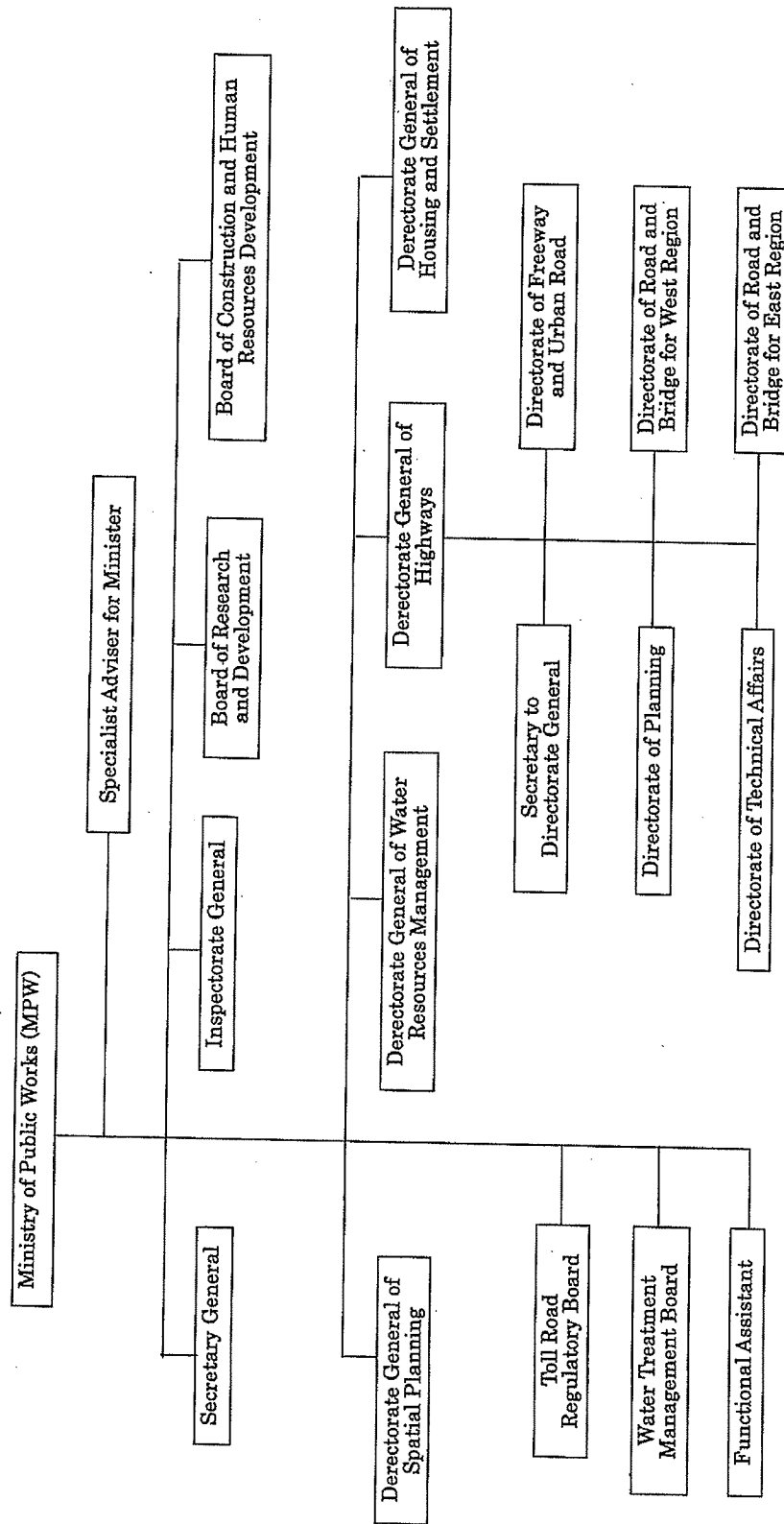
Annex-4 Major Undertakings to be taken by Each Government

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Organization Structure of Ministry of Public Works (MPW)



Japan's Grant Aid Scheme

The Government of Japan (hereinafter referred to as "the GOJ") is implementing the organizational reforms to improve the quality of ODA operations, and as a part of this realignment, a new JICA law was entered into effect on October 1, 2008. Based on the law and the decision of the Government of Japan (hereinafter referred to as "the GOJ"), JICA has become the executing agency of the Grant Aid for General Projects.

The Grant Aid is non-reimbursable fund to a recipient country to procure the facilities, equipment and services (engineering services and transportation of the products, etc.) for economic and social development of the country under principles in accordance with the relevant laws and regulations of Japan. The Grant Aid is not supplied through the donation of materials as such.

1. Grant Aid Procedures

The Japanese Grant Aid is conducted as follows-

- Preparatory Survey (hereinafter referred to as "the Survey")
 - The Survey conducted by JICA
- Appraisal & Approval
 - Appraisal by The GOJ and JICA, and Approval by the Japanese Cabinet
- Determination of Implementation
 - The Notes exchanged between the GOJ and a recipient country
- Grant Agreement (hereinafter referred to as "the G/A")
 - Agreement concluded between JICA and a recipient country
- Implementation
 - Implementation of the Project on the basis of the G/A

2. Preparatory Survey

(1) Contents of the Survey

The aim of the Survey is to provide a basic document necessary for the appraisal of the Project by JICA and the GOJ. The contents of the Survey are as follows:

- Confirmation of the background, objectives, and benefits of the Project and also institutional capacity of agencies concerned of the recipient country necessary for the implementation of the Project.
- Evaluation of the appropriateness of the Project to be implemented under the Grant Aid Scheme from a technical, financial, social and economic point of view.

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- Confirmation of items agreed on by both parties concerning the basic concept of the Project.
- Preparation of a basic design of the Project.
- Estimation of costs of the Project.

The contents of the original request by the recipient country are not necessarily approved in their initial form as the contents of the Grant Aid project. The Basic Design of the Project is confirmed considering the guidelines of the Japan's Grant Aid scheme.

JICA requests the Government of the recipient country to take whatever measures are necessary to ensure its self-reliance in the implementation of the Project. Such measures must be guaranteed even though they may fall outside of the jurisdiction of the organization in the recipient country actually implementing the Project. Therefore, the implementation of the Project is confirmed by all relevant organizations of the recipient country through the Minutes of Discussions.

(2) Selection of Consultants

For smooth implementation of the Survey, JICA uses (a) registered consulting firm(s). JICA selects (a) firm(s) based on proposals submitted by interested firms.

(3) Result of the Survey

The Report on the Survey is reviewed by JICA, and after the appropriateness of the Project is confirmed, JICA recommends the GOJ to appraise the implementation of the Project.

3. Japan's Grant Aid Scheme

(1) The E/N and the G/A

After the Project is approved by the Cabinet of Japan, the E/N will be signed between the GOJ and the Government of the recipient country to make a plea for assistance, which is followed by the conclusion of the G/A between JICA and the Government of the recipient country to define the necessary articles to implement the Project, such as payment conditions, responsibilities of the Government of the recipient country, and procurement conditions.



(2) Selection of Consultants

The consultant firm(s) used for the Survey Will be recommended by JICA to the recipient country to also work on the Project's implementation after the E/N and the G/A, in order to maintain technical consistency.

(3) Eligible source country

Under the Japanese Grant Aid, in principle, Japanese products and services including transport or those of the recipient country are to be purchased. When JICA and the Government of the recipient country or its designated authority deem it necessary, the Grant Aid may be used for the purchase of the products or services of a third country. However, the prime contractors, namely, constructing and procurement firms, and the prime consulting firm are limited to "Japanese nationals". (The term "Japanese nationals" means persons of Japanese nationality or Japanese corporations controlled by persons of Japanese nationality.)

(4) Necessity of "Verification"

The Government of recipient country or its designated authority will conclude contracts denominated in Japanese yen with Japanese nationals. Those contracts shall be verified by JICA. This "Verification" is deemed necessary to secure accountability to Japanese taxpayers.

(5) Major undertakings to be taken by the Government of the Recipient Country

In the implementation of the Grant Aid Project, the recipient country is required to undertake such necessary measures as Annex.

(6) "Proper Use"

The Government of recipient country is required to maintain and use the facilities constructed and the equipment purchased under the Grant Aid properly and effectively and to assign staff necessary for this operation and maintenance as well as to bear all the expenses other than those covered by the Grant Aid.

(7) "Export and Re-export"

The products purchased under the Grant Aid should not be exported or re-exported from the recipient country.

(8) Banking Arrangements (B/A)

- a) The Government of the recipient country or its designated authority should open an account in the name of the Government of the recipient country in a bank in Japan (hereinafter referred to as "the Bank"). JICA will execute the Grant Aid by making payments in Japanese yen to cover the obligations

171



incurred by the Government of the recipient country or its designated authority under the Verified Contracts.

- b) The payments will be made when payment requests are presented by the Bank to JICA under an Authorization to Pay (A/P) issued by the Government of the recipient country or its designated authority.

(9) Authorization to Pay (A/P)

The Government of the recipient country should bear an advising commission of an Authorization to Pay and payment commissions to the Bank.

(10) Social and Environmental Considerations

A recipient country must ensure the social and environmental considerations for the Project and must follow the environmental regulation of the recipient country and JICA socio-environmental guideline.

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Annex-4

Major Undertakings to be taken by Each Government

No	Items	To be covered by Grant Aid	To be covered by Recipient Side
1	To secure land		●
2	To clear, level and reclaim the site when needed		●
3	To construct gates and fences in and around the site		●
4	To bear the following commissions to the Japanese foreign exchange bank for the banking services based upon the B/A		
	1) Advising commission of A/P		●
	2) Payment commission		●
5	To ensure unloading and customs clearance at the port of disembarkation in recipient country		
	1) Marine (Air) transportation of the products from Japan to the recipient country	●	
	2) Tax exemption and custom clearance of the products at the port of disembarkation		●
	3) Internal transportation from the port of disembarkation to the project site	(●)	(●)
6	To accord Japanese nationals whose services may be required in connection with the supply of the products and the services under the verified contract such facilities as may be necessary for their entry into the recipient country and stay therein for the performance of their work.		●
7	To exempt Japanese nationals from customs duties, internal taxes and other fiscal levies which may be imposed in the recipient country with respect to the supply of the products and services under the verified contracts.		●
8	To maintain and use properly and effectively the facilities constructed and equipment provided under the Grant.		●
9	To bear all the expenses, other than those to be borne by the Grant, necessary for construction of the facilities as well as for the transportation and installation of the equipment.		●

(B/A: Banking Arrangement, A/P: Authorization to pay)

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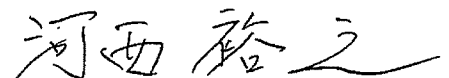
Minutes of Discussions on Outline Design Explanation

Minutes of Discussions on the Preparatory Survey on the Project for the Improvement of Bridges in South East Sulawesi Province in the Republic of Indonesia (Explanation of Draft Basic Design)

In April 2009, the Japan International Cooperation Agency (hereinafter referred to as "JICA") dispatched the Preparatory Survey Team on the Project for the Improvement of Bridges in South East Sulawesi Province (hereinafter referred to as "the Project") to the Republic of Indonesia (hereinafter referred to as "Indonesia"), and through discussions, field survey and technical examination of the results in Japan, JICA prepared a draft report of the study.

In order to explain and to consult with the concerned officials of the Government of Indonesia on the contents of the draft report, JICA sent to Indonesia the Basic Design Explanation Team (hereinafter referred to as "the Team"), which is headed by Mr. Hiroyuki KAWANISHI, Deputy Chief Representative of JICA Indonesia Office, from October 7 to 16, 2009. As a result of discussions, both sides confirmed the main items described in the attached sheets.

Jakarta, October 16, 2009



Mr. Hiroyuki Kawanishi
Leader,
Basic Design Explanation Team,
Japan International Cooperation Agency



Mr. Taufik Widjoyono
Director of Planning,
Directorate General of Highways,
Ministry of Public Works
Republic of Indonesia

ATTACHMENT

1. Components of the Draft Report

The Indonesian side agreed and accepted in principle the contents of the Draft Basic Design.

2. Cost Estimation

Both sides agreed that the Project Cost Estimation as attached in Annex-1 should never be disclosed to any third parties before the signing of all the contract(s) for the Project.

3. Japan's Grant Aid Scheme

The Indonesian side has shown a full understanding of the Japan's Grant Aid scheme and the necessary measures to be taken by the Indonesian side as explained by the Team and described in the Annex-3 and 4 of the Minutes of Discussions signed by both sides on April 21, 2009.

4. Schedule of the Study

JICA will complete the Final Report in English, in accordance with the confirmed items and send it to the Indonesian side by the mid of December, 2009.

5. Other Relevant Issues

- (1) The Indonesian side confirmed that it has obtained Environmental Compliance Certificate and basic agreement for the Project and the relocation from the Project Affected Persons (PAPs). The Indonesian side shall complete the land acquisition and involuntary relocations before commencement of the Construction Work.
- (2) The Indonesian side confirmed that the following items shall be undertaken by the each of Indonesian organizations. The Indonesian side also confirmed that MPW shall be responsible for facilitation on these matters.
 - Securing and clearance of the temporary work yard by Kolaka, South Konawe, Muna and North Buton Regencies,
 - Securing the site for disposal of construction waste by Kolaka, South Konawe, Muna and North Buton Regencies,
 - Removal of existing bailey bridges if necessary by South East Sulawesi Province,
 - Budget allocation for the commissions for the banking services based upon banking arrangement (B/A) by MPW and Ministry of Finance.
- (3) The Indonesian side explained to the Team on the progress of the improvement works of the Project Roads as follows;
 - a) Transmigration Area Road on Sulawesi Mainland (Provincial Road)
 - Approx. 14km out of 74km of the Road has been paved by asphalt as of April 2009.
 - The Road Improvement Work is under construction. The Work includes 13.7km of new asphalt pavement, spot repair of old asphalt pavement, 24.5km of aggregate sub-base course installation, and construction of 4 concrete bridges and 6 box culverts. The work period is

67

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September to December 2009.

- Replacement of 18 timber bridges along the Road with concrete bridges was scheduled to be undertaken in 2010. Remaining about 10 timber bridges will be replaced with concrete bridges or box culverts in 2011.
- Approx. 20km more of the Road will be paved by asphalt before the end of 2012.
- The remaining gravel surface sections and timber bridges of the Road will be improved and maintained as passable for heavy vehicles even in rainy seasons before the end of 2010.

b) South-North Road on Buton Island (National Road)

- Road section from Pure (Bridge No.17 = KM105) to KM 120 has been paved with asphalt as of May 2009.
- Asphalt pavement works from KM 120 to Maligano (Bridge No.12 = KM135) is now on progress and will be completed before the end of 2009.
- The Road section from Maligano to Labuan (Bridge No.8 = KM170) will be paved with asphalt before the end of 2011.
- All Timber bridges along the Road will be replaced with concrete bridges or box culverts before the end of 2011.
- The road section from Baubau to Pure which is mostly deteriorated bituminous treatment surface will be improved/rehabilitated with asphalt pavement before the end of 2011.

The gravel surface sections between Moramo and Amolengu will be paved with asphalt before the end of 2012.

The Indonesian side shall inform the progress of the improvement work of the Roads to Japanese side through JICA Indonesia Office.

- (4) The Study Team has obtained the information that the Ministry of Transportation made a request of 2010 budget for the construction of ferry wharfs at Labuan and Amolengu. The ferry project will connect the Project Road with road network in Sulawesi mainland. Information of the progress such as relevant budget allocation in 2010 should be kept updated.

Annex-1 Project Cost Estimation

Annex-2 Environmental Checklist

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ENVIRONMENTAL CHECKLIST (1/2)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations	
1. Permits and Explanation	(1) EIA and Environmental Permits	<ul style="list-style-type: none"><input type="checkbox"/> Have EIA/UKL&UPL reports been officially completed?<input type="checkbox"/> Have EIA/UKL&UPL reports been approved by authorities of Indonesia?<input type="checkbox"/> Have EIA/UKL&UPL reports been unconditionally approved? If conditions are imposed on the approval of EIA/UKL&UPL, are the conditions satisfied?<input type="checkbox"/> In addition to the above approvals, have other required environmental permits been obtained from the appropriate regulatory authorities of Indonesian Government?	<p>UKL & UPL report have been officially completed</p> <p>UKL & UPL report have been approved by BLH (Regional Environmental Agency) of South East Sulawesi Province</p> <p>UKL & UPL report have been approved in accordance with valid regulations</p> <p>Not necessary</p>	
	(2) Explanation to the Public	<ul style="list-style-type: none"><input type="checkbox"/> Are contents of the project and the potential impacts adequately explained to the public based on appropriate procedures, including information disclosure? Is understanding obtained from the public?<input type="checkbox"/> Are proper responses made to comments from the public and regulatory authorities?	<p>Contents of the project and the potential impacts have already adequately explained to the public based on appropriate procedures. Public have also obtained understanding on it.</p> <p>Proper responses have already been made as well during Public Consultation.</p>	
2. Social Environment	(1) Land Acquisition	<ul style="list-style-type: none"><input type="checkbox"/> Is land acquisition necessary for project implementation? If necessary, are efforts made to minimize the land acquisition?<input type="checkbox"/> Is adequate explanation on the land acquisition and the compensation given to the related stakeholders?<input type="checkbox"/> Have consents with all stakeholders related to the land acquisition obtained?<input type="checkbox"/> Are agreements with the related stakeholders obtained prior to the project implementation?	<p>Yes, there is necessary land acquisition.</p> <p>Yes, explanation given during Public Consultation</p> <p>Yes (attached on Minutes of Meeting)</p> <p>Yes</p>	
	(2) Resettlement	<ul style="list-style-type: none"><input type="checkbox"/> Is involuntary resettlement caused by project implementation?	<p>No, there is no resettlement</p>	
2. Social Environment	(3) Living and Livelihood	<ul style="list-style-type: none"><input type="checkbox"/> Where the bridges and the roads are newly installed, is there a possibility that the project will affect the existing means of transportation and the associated workers? Is there a possibility that the project will cause significant impacts, such as extensive alteration of existing land use, changes in sources of livelihood, or unemployment? Are adequate measures considered for preventing the impacts?<input type="checkbox"/> Is there a possibility that the project will adversely affect the living conditions of inhabitants other than the affected inhabitants? Are adequate measures considered to reduce the impacts, if necessary?<input type="checkbox"/> Is there the possibility that disease, including communicable diseases, such as HIV will be introduced due to immigration of workers associated with the project? Are adequate consideration given to public health, if necessary?<input type="checkbox"/> Is there a possibility that the project will adversely affect road traffic in the surrounding areas (e.g., by causing increase in traffic congestion and traffic accident)?<input type="checkbox"/> Is there a possibility that roads will cause impede the movement of inhabitants?<input type="checkbox"/> Is there a possibility that the project bridges will cause a sun shade and radio interference?	<p>Yes</p> <p>No significant impact</p> <p>No</p> <p>Yes</p> <p>Yes it is considered, i.e. workers education</p> <p>No</p> <p>No</p> <p>No</p>	
		(4) Heritage	<ul style="list-style-type: none"><input type="checkbox"/> Is there a possibility that the project will damage the local archeological, historical, cultural and religious heritage sites? Are adequate measures considered to protect these sites in accordance with the country's laws?	<p>Yes, there is a sacred tree (Tolie tree) in Tolie Bridge (BR-16). In case this tree affected by the bridge construction, the locals strongly suggest that before cutting down the tree, a ritual/ceremony should be performed in accordance with local culture. This measure is considered adequate.</p>
		(5) Landscape	<ul style="list-style-type: none"><input type="checkbox"/> Is there a possibility that the project will adversely affect the local landscape? Are necessary measures taken?	<p>The project will not adversely affect the local landscape</p>
		(6) Ethnic Minorities and Indigenous People	<ul style="list-style-type: none"><input type="checkbox"/> Where ethnic minorities and indigenous peoples are living in the rights-of-way, are considerations given to reduce the impacts on culture and lifestyle of ethnic minorities and indigenous people?<input type="checkbox"/> Does the project comply with the country's laws for rights of ethnic minorities and indigenous peoples?	<p>There are no indigenous people living in the rights-of-way</p> <p>Yes</p>
3. Natural Environment	(1) Protected Areas	<ul style="list-style-type: none"><input type="checkbox"/> Is the project site located in protected areas designated by the country's laws or international treaties and conventions? Is there a possibility that the project will affect the protected areas?	<p>The project site is not located in protected areas</p>	
	(2) Ecosystem	<ul style="list-style-type: none"><input type="checkbox"/> Does the project site encompass primeval forests, tropical rain forest, ecologically valuable habitats (e.g., coral reefs, mangroves or tidal flats)?<input type="checkbox"/> Does the project site encompass the protected habitats of endangered species designated by the country's laws or international treaties and conventions?<input type="checkbox"/> If significant ecological impacts are anticipated, are adequate protection measures taken to reduce the impacts on the ecosystem?<input type="checkbox"/> Are adequate protection measures taken to prevent impacts, such as disruption of migration routes, habitat fragmentation, and traffic accident of wildlife and livestock?<input type="checkbox"/> Is there a possibility that installation of roads will cause impacts, such as destruction of forest, poaching, desertification, reduction in wetland areas, and disturbance of ecosystems due to introduction of exotic (non-native invasive) species and pests? Are adequate measures for preventing such impacts considered?<input type="checkbox"/> In cases where the project site is located at undeveloped areas, is there a possibility that the new development will result in extensive loss of natural environments?	<p>No</p> <p>No</p> <p>No significant ecological impacts</p> <p>Not necessary</p> <p>No</p> <p>No</p>	

ENVIRONMENTAL CHECKLIST (2/2)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
3. Natural Environment	(3) Hydrology	<input type="checkbox"/> Is there a possibility that alteration of topographic features and installation of structures will adversely affect surface water and groundwater flows?	No
	(4) Topography and Geology	<input type="checkbox"/> Is there a soft ground on the route that may cause slope failures or landslide? Are adequate measures considered to prevent slope failures or landslides, where needed? <input type="checkbox"/> Is there a possibility that civil works, such as cutting and filling will cause slope failures or landslides? Are adequate measures considered to prevent slope failures or landslides? <input type="checkbox"/> Is there a possibility that soil runoff will result from cut and fill areas, waste soil disposal sites, and borrow sites? Are adequate measures taken to prevent soil runoff?	No No No
4. Mitigation Measures	(1) Topography and Geology	<input type="checkbox"/> Is there a possibility that air pollution emitted from various sources, such as vehicle traffic will ambient air quality? Does ambient air quality comply with the country's ambient air quality standards?	No Yes,
	(2) Water Quality	<input type="checkbox"/> Is there a possibility that soil runoff from the bare lands resulting from earthmoving activities, such as cutting and filling will cause water quality degradation in downstream water areas? <input type="checkbox"/> Is there a possibility that surface runoff from roads will contaminate water source, such as groundwater? <input type="checkbox"/> Do effluents from various facilities, such as roads and bridges comply with the country's effluent standards and ambient water quality standards? Is there a possibility that the effluents will cause areas that do not comply with the country's ambient water standards?	Yes, but it is not significant and temporary Yes, river water, but not contaminate the groundwater No
	(3) Noise and Vibration	<input type="checkbox"/> Do noise and vibrations from vehicle traffic comply with the country's standards?	Yes
5. Others	(1) Impacts during Construction	<input type="checkbox"/> Are adequate measures considered to reduce impacts during construction (e.g., noise, vibrations, turbid water, dust, exhaust gases and wastes)? <input type="checkbox"/> If construction activities adversely affected the natural environment (ecosystem), are adequate measures considered to reduce impacts? <input type="checkbox"/> If construction activities adversely affected the social environment, are adequate measures considered to reduce impacts? <input type="checkbox"/> If necessary, is health and safety education (e.g., traffic safety, public health) provided for project personnel, including workers?	Yes Not necessary Not necessary Not available
	(2) Monitoring	<input type="checkbox"/> Does the proponent develop and implement monitoring program for the environmental items that are considered to have potential impacts? <input type="checkbox"/> Are the items, methods and frequencies included in the monitoring program judged to be appropriate? <input type="checkbox"/> Does the proponent establish an adequate monitoring framework (organization, personnel, equipment, and adequate budget to sustain the monitoring framework)? <input type="checkbox"/> Are any regulatory requirements pertaining to the monitoring report system identified, such as the format and frequency of reports from the proponent to the regulatory authorities?	Yes, described in UPL (Environmental Monitoring Plan) Report Yes There is a monitoring framework. Yes, the monitoring report system is set at per 6 months period.




5. References

[illegible]

6. Environmental Approval (Recommendation) on UKL& UPL and English Translation



PEMERINTAH PROVINSI SULAWESI TENGGARA

BADAN LINGKUNGAN HIDUP

Jalan Bunga Palembang Raja Telp. (0401) 327760 Fax. (0401) 324282 Kendari 93121

**KEPUTUSAN
KEPALA BADAN LINGKUNGAN HIDUP
PROVINSI SULAWESI TENGGARA
NOMOR: 13 TAHUN 2009**

**TENTANG
REKOMENDASI KELAYAKAN LINGKUNGAN DOKUMEN UPAYA PENGELOLAAN
LINGKUNGAN HIDUP (UKL) DAN UPAYA PEMANTAUAN LINGKUNGAN HIDUP
(UPL) PENINGKATAN KONSTRUKSI JEMBATAN DI KABUPATEN KONAWE
SELATAN DAN KABUPATEN KOLAKA PROVINSI SULAWESI TENGGARA**

**KEPALA BADAN LINGKUNGAN HIDUP
PROVINSI SULAWESI TENGGARA,**

- Menimbang :
- a) bahwa setiap usaha dan/atau kegiatan pembangunan yang tidak termasuk dalam kategori wajib AMDAL, maka wajib menyusun dokumen Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL);
 - b) bahwa Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka adalah salah satu jenis usaha dan/atau kegiatan yang wajib melakukan Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL);
 - c) bahwa Jembatan dimaksud adalah Jembatan Roraya II (BR-4) di Kecamatan Lalembuu Kabupaten Konawe Selatan, Jembatan Roraya III (BR-1) di Kecamatan Lalembuu dan Basala Kabupaten Konawe Selatan, Jembatan Lapoa (BR-7) di Kecamatan Tinanggea Kabupaten Konawe Selatan dan Jembatan Pinanggo (BR-3) di Kecamatan Lambandia Kabupaten Kolaka.
 - d) bahwa dokumen Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka telah diperiksa dan dinilai layak dari aspek lingkungan hidup oleh tim penilai UKL-UPL Daerah Provinsi Sulawesi Tenggara;
 - e) bahwa atas pertimbangan tersebut di atas, dipandang perlu menetapkan Keputusan Kepala Badan Lingkungan Hidup Provinsi Sulawesi Tenggara tentang Rekomendasi Kelayakan Lingkungan Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka oleh Direktorat Jenderal Bina Marga Departemen Pekerjaan Umum RI.

Mengingat.....

- Mengingat :
1. Undang-undang RI Nomor 13 Tahun 1964 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang RI Nomor 2 Tahun 1964, tentang Pembentukan Daerah Tingkat I Sulawesi Tengah dan Daerah Tingkat I Sulawesi Tenggara, dengan mengubah Undang-Undang RI Nomor 47 Prp. Tahun 1960 tentang Pembentukan Daerah Tingkat I Sulawesi Utara-Tengah dan Daerah Tingkat I Sulawesi Selatan-Tenggara (Lembaran Negara RI Tahun 1964 Nomor 94, Tambahan Lembaran Negara Nomor 2687);
 2. Undang-undang Nomor 5 tahun 1990 tentang Konservasi Sumberdaya Alam Hayati dan Ekosistimnya (Lembaran Negara Republik Indonesia Tahun 1990 Nomor 49, Tambahan Lembaran Negara Republik Indonesia Nomor 3419);
 3. Undang-undang Nomor 23 Tahun 1997 Tentang Pengelolaan Lingkungan Hidup (Lembaran Negara Republik Indonesia Tahun 1997 Nomor 68, Tambahan Lembaran Negara Republik Indonesia Nomor 3699);
 4. Undang-undang Nomor 41 Tahun 1999 tentang Kehutanan;
 5. Undang-undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 1253, Tambahan Lembaran Negara Nomor 4437) sebagaimana telah diubah dua kali terakhir dengan Undang-Undang Nomor 12 Tahun 2008 tentang Perubahan kedua atas Undang-Undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 59, Tambahan Lembaran Negara Republik Indonesia Nomor 4344);
 6. Undang-undang Nomor 26 Tahun 2007 tentang Penataan Ruang (Lembaran Negara Republik Indonesia Tahun 1992 Nomor 115; Tambahan Lembaran Negara Republik Indonesia Nomor 3501);
 7. Peraturan Pemerintah RI Nomor 27 Tahun 1999 Tentang Analisis Mengenai Dampak Lingkungan (Lembaran Negara Republik Indonesia Tahun 1999 Nomor 59, Tambahan Lembaran Negara Republik Indonesia Nomor 3838);
 8. Peraturan Pemerintah RI Nomor 33 Tahun 2007 tentang Pembagian Urusan Pemerintah Antar Pemerintah, Pemerintah Provinsi, dan Pemerintah Daerah Kabupaten/Kota;
 9. Keputusan Menteri Negara Lingkungan Hidup Nomor 86 Tahun 2002 tentang Pedoman Pelaksanaan Upaya Pengelolaan Lingkungan Hidup dan Upaya Pemantauan Lingkungan Hidup ;

10. Peraturan.....

10. Peraturan Menteri Negara Lingkungan Hidup Nomor 11 Tahun 2006 tentang Jenis Rencana Usaha dan atau Kegiatan yang wajib dilengkapi dengan Analisis Mengenai Dampak Lingkungan Hidup;
11. Keputusan Kepala BAPEDAL Nomor 08 Tahun 2002 tentang Keterlibatan Masyarakat dan Keterbukaan Informasi dalam AMDAL;
12. Peraturan Daerah Nomor 3 Tahun 2004 tentang Rencana Tata Ruang Wilayah Provinsi Sulawesi Tenggara Tahun 2004-2019;
13. Peraturan Daerah Nomor 5 Tahun 2005 Tentang Pengelolaan Sumberdaya Alam dan Lingkungan Berbasis Masyarakat;
14. Peraturan Daerah Nomor 6 Tahun 2005 Tentang Perlindungan Air Provinsi Sulawesi Tenggara;
15. Peraturan Daerah Nomor 7 Tahun 2005 Tentang Penetapan Baku Mutu Lingkungan Hidup Daerah Provinsi Sulawesi Tenggara;

- Memperhatikan:
1. Hasil peninjauan lapangan, sosialisasi dan konsultasi publik atas rencana usaha/kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka.
 2. Hasil pemeriksaan tim penilai atas Dokumen Upaya Pengelolaan Lingkungan dan Upaya Pemantauan Lingkungan Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka;

MEMUTUSKAN

- Menetapkan : REKOMENDASI KELAYAKAN LINGKUNGAN DOKUMEN UPAYA PENGELOLAAN LINGKUNGAN HIDUP (UKL) DAN UPAYA PEMANTAUAN LINGKUNGAN HIDUP (UPL) PENINGKATAN KONSTRUKSI JEMBATAN DI KABUPATEN KONAWE SELATAN DAN KABUPATEN KOLAKA PROVINSI SULAWESI TENGGARA.
- PERTAMA : Menyatakan memberikan rekomendasi layak terhadap Dokumen Upaya Pengelolaan Lingkungan (UKL) dan Upaya Pemantauan Lingkungan (UPL) usaha dan/atau kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka.
- KEDUA : Keputusan kelayakan lingkungan Kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka oleh Direktorat Jenderal Bina Marga Departemen Pekerjaan Umum RI sebagaimana dimaksud dalam diktum PERTAMA, mengandung arti bahwa kegiatan dimaksud adalah layak ditinjau dari aspek lingkungan hidup;
- KETIGA : Rekomendasi Kelayakan ini adalah bagian yang tidak terpisahkan dari Daftar Isian Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya

Pemantauan.....

Pemantauan Lingkungan Hidup (UPL) usaha dan/atau kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka;


- KEEMPAT : Rekomendasi Kelayakan Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) beserta dokumennya sebagaimana dimaksud dalam diktum KETIGA Surat Keputusan ini merupakan pedoman bagi:
1. Instansi yang membidangi usaha dan/atau kegiatan dalam pembinaan Pengelolaan Bidang Jalan dan Jembatan di Provinsi Sulawesi Tenggara dan Pengelolaan Bidang Jalan dan Jembatan di Kabupaten Konawe Selatan dan Kabupten Kolaka;
 2. Instansi yang berwenang memberikan izin melakukan usaha dan/atau kegiatan Pengelolaan Bidang Jambatan di Provinsi Sulawesi Tenggara dan Pengelolaan Bidang Jalan dan Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka;
 3. Instansi yang bertanggung jawab di bidang pengendalian dampak lingkungan hidup dalam pelaksanaan Pemantauan dan evaluasi pelaksanaan Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) Peningkatan Konstruksi Jembatan di Kabupaten Konawe Selatan dan Kabupaten Kolaka.
- KELIMA : Direktorat Jenderal Bina Marga Departemen Pekerjaan Umum RI selaku pemrakarsa dan/atau kegiatan wajib melaksanakan dan melaporkan hasil Pengelolaan Lingkungan Hidup dan Pemantauan Lingkungan Hidup kepada Gubernur Sulawesi Tenggara, Bupati Konawe Selatan dan Bupati Kolaka setiap 6 (enam) bulan sekali terhitung sejak tanggal ditetapkannya keputusan ini;
- KEENAM : Melakukan revisi dokumen UKL-UPL apabila ada rencana pengembangan kegiatan ke depan dan wajib menyampaikan rencana perubahan kegiatan dimaksud pada dinas/instansi yang bertanggung jawab di bidang pengendalian dampak lingkungan hidup;
- KETUJUH : Apabila dikemudian hari timbul dampak lingkungan diluar perencanaan dan perkiraan yang tercantum dalam Dokumen UKL-UPL yang telah disetujui, agar segera melaporkan kepada instansi sebagaimana yang tercantum dalam diktum KEEMPAT untuk diambil langkah-langkah yang diperlukan.
- KEDELAPAN : Setiap kelalaian dan/atau penyimpangan yang dilakukan oleh pemrakarsa usaha dan/atau kegiatan dalam persetujuan ini dapat dikenakan sanksi sesuai peraturan yang berlaku.

KESEMBILAN.....

KESEMBILAN : Keputusan ini mulai berlaku sejak tanggal ditetapkan dan apabila dikemudian hari terdapat kekeliruan di dalam penetapannya maka akan dilakukan perbaikan sebagaimana mestinya.

Ditetapkan di : Kendari
Pada Tanggal : 4 September 2009

An. **GUBERNUR SULAWESI TENGGARA,**
KEPALA BADAN LINGKUNGAN HIDUP,



Drs. H. SARDJUN MOKKE, M. Pd.
Pembina Utama Muda, Gol. IV/c
NIP. 19551009 198303 1 015

Tembusan :

1. Menteri Pekerjaan Umum RI di Jakarta;
2. Menteri Negara Lingkungan Hidup RI di Jakarta;
3. Gubernur Sulawesi Tenggara (sebagai laporan) di Kendari;
4. Bupati Konawe Selatan di Andoolo;
5. Bupati Kolaka di Kolaka;
6. Kepala Dinas Kimpraswil Prov. Sultra di Kendari;
7. Kepala Badan Lingkungan Hidup Kebersihan dan Pertamanan Kab. Konawe Selatan di Andoolo;
8. Kepala Dinas Kimpraswil Kabupaten Konawe Selatan di Andoolo;
9. Kepala Badan Lingkungan Hidup dan Kebersihan Kab. Kolaka di Kolaka;
10. Kepala Dinas Kimpraswil Kabupaten Kolaka di Kolaka;
11. Arsip-.



PEMERINTAH PROVINSI SULAWESI TENGGARA

BADAN LINGKUNGAN HIDUP

Jalan Bunga Palem Raja Telp. (0401) 327760 Fax. (0401) 324282 Kendari 93121

**KEPUTUSAN
KEPALA BADAN LINGKUNGAN HIDUP
PROVINSI SULAWESI TENGGARA
NOMOR: 14 TAHUN 2009**

**TENTANG
REKOMENDASI KELAYAKAN LINGKUNGAN DOKUMEN UPAYA PENGELOLAAN
LINGKUNGAN HIDUP (UKL) DAN UPAYA PEMANTAUAN LINGKUNGAN HIDUP (UPL)
PENINGKATAN KONSTRUKSI JEMBATAN DI KABUPATEN BUTON UTARA
DAN KABUPATEN MUNA PROVINSI SULAWESI TENGGARA**

**KEPALA BADAN LINGKUNGAN HIDUP
PROVINSI SULAWESI TENGGARA,**

- Menimbang :
- a) bahwa setiap usaha dan/atau kegiatan pembangunan yang tidak termasuk dalam kategori wajib AMDAL, maka wajib menyusun dokumen Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL);
 - b) bahwa Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna adalah salah satu jenis usaha dan/atau kegiatan yang wajib melakukan Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL);
 - c) bahwa Jembatan dimaksud adalah Jembatan Wamorapa (BR-8) di Kecamatan Wakorumba Utara Kabupaten Buton Utara, Jembatan Labuan Wolio III (BR-9) di Kecamatan Wakorumba Utara, Jembatan Maligano II (BR-12) di Kecamatan Maligano Kabupaten Muna, Jembatan Pakaka II (BR-14) Kecamatan Maligano Kabupaten Muna, Jembatan Labungka (BR-15) di Kecamatan Wakorumba Selatan Kabupaten Muna, Jembatan Tolie (BR-16) di Kecamatan Wakorumba Selatan Kabupaten Muna dan Jembatan Wakorumba (BR-17) di Kecamatan Wakorumba selatan Kabupaten Muna.
 - d) bahwa dokumen Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna telah diperiksa dan dinilai layak dari aspek lingkungan hidup oleh tim penilai UKL-UPL Daerah Provinsi Sulawesi Tenggara;
 - e) bahwa atas pertimbangan tersebut di atas, dipandang perlu menetapkan Keputusan Kepala Badan Lingkungan Hidup Provinsi Sulawesi Tenggara tentang Rekomendasi Kelayakan Lingkungan Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan

Kabupaten.....

Kabupaten Muna oleh Direktorat Jenderal Bina Marga Departemen Pekerjaan Umum RI.

- Mengingat :
1. Undang-undang RI Nomor 13 Tahun 1964 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang RI Nomor 2 Tahun 1964, tentang Pembentukan Daerah Tingkat I Sulawesi Tengah dan Daerah Tingkat I Sulawesi Tenggara, dengan mengubah Undang-Undang RI Nomor 47 Prp. Tahun 1960 tentang Pembentukan Daerah Tingkat I Sulawesi Utara-Tengah dan Daerah Tingkat I Sulawesi Selatan-Tenggara (Lembaran Negara RI Tahun 1964 Nomor 94, Tambahan Lembaran Negara Nomor 2687);
 2. Undang-undang Nomor 5 tahun 1990 tentang Konservasi Sumberdaya Alam Hayati dan Ekosistimnya (Lembaran Negara Republik Indonesia Tahun 1990 Nomor 49, Tambahan Lembaran Negara Republik Indonesia Nomor 3419);
 3. Undang-undang Nomor 23 Tahun 1997 Tentang Pengelolaan Lingkungan Hidup (Lembaran Negara Republik Indonesia Tahun 1997 Nomor 68, Tambahan Lembaran Negara Republik Indonesia Nomor 3699);
 4. Undang-undang Nomor 41 Tahun 1999 tentang Kehutanan;
 5. Undang-undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 125, Tambahan Lembaran Negara Nomor 4437) sebagaimana telah diubah dua kali terakhir dengan Undang-Undang Nomor 12 Tahun 2008 tentang Perubahan kedua atas Undang-Undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 59, Tambahan Lembaran Negara Republik Indonesia Nomor 4344);
 6. Undang-undang Nomor 26 Tahun 2007 tentang Penataan Ruang (Lembaran Negara Republik Indonesia Tahun 1992 Nomor 115; Tambahan Lembaran Negara Republik Indonesia Nomor 3501);
 7. Peraturan Pemerintah RI Nomor 27 Tahun 1999 Tentang Analisis Mengenai Dampak Lingkungan (Lembaran Negara Republik Indonesia Tahun 1999 Nomor 59, Tambahan Lembaran Negara Republik Indonesia Nomor 3838);
 8. Peraturan Pemerintah RI Nomor 38 Tahun 2007 tentang Pembagian Urusan Pemerintah Antar Pemerintah, Pemerintah Provinsi, dan Pemerintah Daerah Kabupaten/Kota;

9. Keputusan.....

9. Keputusan Menteri Negara Lingkungan Hidup Nomor 86 Tahun 2002 tentang Pedoman Pelaksanaan Upaya Pengelolaan Lingkungan Hidup dan Upaya Pemantauan Lingkungan Hidup
10. Peraturan Menteri Negara Lingkungan Hidup Nomor 11 Tahun 2006 tentang Jenis Rencana Usaha dan atau Kegiatan yang wajib dilengkapi dengan Analisis Mengenai Dampak Lingkungan Hidup;
11. Keputusan Kepala BAPEDAL Nomor 08 Tahun 2002 tentang Keterlibatan Masyarakat dan Keterbukaan Informasi dalam AMDAL;
12. Peraturan Daerah Nomor 3 Tahun 2004 tentang Rencana Tata Ruang Wilayah Provinsi Sulawesi Tenggara Tahun 2004-2019;
13. Peraturan Daerah Nomor 5 Tahun 2005 Tentang Pengelolaan Sumberdaya Alam dan Lingkungan Berbasis Masyarakat;
14. Peraturan Daerah Nomor 6 Tahun 2005 Tentang Perlindungan Air Provinsi Sulawesi Tenggara;
15. Peraturan Daerah Nomor 7 Tahun 2005 Tentang Penetapan Baku Mutu Lingkungan Hidup Daerah Provinsi Sulawesi Tenggara;

- Memperhatikan:
1. Hasil peninjauan lapangan, sosialisasi dan konsultasi publik atas rencana usaha/kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna.
 2. Hasil pemeriksaan tim penilai atas Dokumen Upaya Pengelolaan Lingkungan dan Upaya Pemantauan Lingkungan Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna;

W E M U T U S K A N

- Menetapkan : REKOMENDASI KELAYAKAN LINGKUNGAN DOKUMEN UPAYA PENGELOLAAN LINGKUNGAN HIDUP (UKL) DAN UPAYA PEMANTAUAN LINGKUNGAN HIDUP (UPL) PENINGKATAN KONSTRUKSI JEMBATAN DI KABUPATEN BUTON UTARA DAN KABUPATEN MUNA PROVINSI SULAWESI TENGGARA.
- PERTAMA : Menyatakan memberikan rekomendasi layak terhadap Dokumen Upaya Pengelolaan Lingkungan (UKL) dan Upaya Pemantauan Lingkungan (UPL) usaha dan/atau kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna.
- KEDUA : Keputusan kelayakan lingkungan Kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna oleh Direktorat Jendral Bina Marga Departemen Pekerjaan Umum RI sebagaimana dimaksud dalam diktum PERTAMA, mengandung arti bahwa kegiatan dimaksud adalah layak ditinjau dari aspek lingkungan hidup;

KETIGA.....

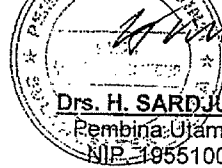
- KETIGA : Rekomendasi Kelayakan ini adalah bagian yang tidak terpisahkan dari Daftar Isian Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) usaha dan/atau kegiatan Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna;
- KEEMPAT : Rekomendasi Kelayakan Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) beserta dokumennya sebagaimana dimaksud dalam diktum KETIGA Surat Keputusan ini merupakan pedoman bagi:
1. Instansi yang membidangi usaha dan/atau kegiatan dalam pembinaan Pengelolaan Bidang Jalan dan Jembatan di Provinsi Sulawesi Tenggara dan Pengelolaan Bidang Jalan dan Jembatan di Kabupaten Buton Utara dan Kabupten Muna;
 2. Instansi yang berwenang memberikan izin melakukan usaha dan/atau kegiatan Pengelolaan Bidang Jembatan di Provinsi Sulawesi Tenggara dan Pengelolaan Bidang Jalan dan Jembatan di Kabupaten Buton Utara dan Kabupaten Muna;
 3. Instansi yang bertanggung jawab di bidang pengendalian dampak lingkungan hidup dalam pelaksanaan Pemantauan dan evaluasi pelaksanaan Upaya Pengelolaan Lingkungan Hidup (UKL) dan Upaya Pemantauan Lingkungan Hidup (UPL) Peningkatan Konstruksi Jembatan di Kabupaten Buton Utara dan Kabupaten Muna.
- KELIMA : Direktorat Jendral Bina Marga Departemen Pekerjaan Umum RI selaku pemrakarsa dan/atau kegiatan wajib melaksanakan dan melaporkan hasil Pengelolaan Lingkungan Hidup dan Pemantauan Lingkungan Hidup kepada Gubernur Sulawesi Tenggara, Bupati Buton Utara dan Bupati Muna setiap 6 (enam) bulan sekali terhitung sejak tanggal ditetapkannya keputusan ini;
- KEENAM : Melakukan revisi dokumen UKL-UPL apabila ada rencana pengembangan kegiatan ke depan dan wajib menyampaikan rencana perubahan kegiatan dimaksud pada dinas/instansi yang bertanggung jawab di bidang pengendalian dampak lingkungan hidup;
- KETUJUH : Apabila dikemudian hari timbul dampak lingkungan diluar perencanaan dan perkiraan yang tercantum dalam Dokumen UKL-UPL yang telah disetujui, agar segera melaporkan kepada instansi sebagaimana yang tercantum dalam diktum KEEMPAT untuk diambil langkah-langkah yang diperlukan.

KEDELAPAN.....

- KEDELAPAN : Setiap kelalaian dan/atau penyimpangan yang dilakukan oleh pemrakarsa usaha dan/atau kegiatan dalam persetujuan ini dapat dikenakan sanksi sesuai peraturan yang berlaku.
- KESEMBILAN : Keputusan ini mulai berlaku sejak tanggal ditetapkan dan apabila dikemudian hari terdapat kekeliruan di dalam penetapannya maka akan dilakukan perbaikan sebagaimana mestinya.

Ditetapkan di : Kendari
Pada Tanggal : 4 September 2009

An. GUBERNUR SULAWESI TENGGARA,
KEPALA BADAN LINGKUNGAN HIDUP,



Drs. H. SARDJUN MOKKE, M. Pd.
Pembina Utama Muda, Gol. IV/c
NIP. 19551009 198303 1 015

Tembusan :

1. Menteri Pekerjaan Umum RI di Jakarta;
2. Menteri Negara Lingkungan Hidup RI di Jakarta;
3. Gubernur Sulawesi Tenggara (sebagai laporan) di Kendari;
4. Bupati Muna di Raha;
5. Bupati Buton Utara di Buranga;
6. Kepala Dinas Kimpraswil Prov. Sultra di Kendari;
7. Kepala Badan Lingkungan Hidup Kab. Muna di Raha;
8. Kepala Dinas Kimpraswil Kabupaten Muna di Raha;
9. Kepala Badan Lingkungan Hidup Kab. Buton Utara di Buranga;
10. Kepala Dinas Kimpraswil Kabupaten Buton Utara di Buranga;
11. Arsip.

(English Translation)

DECREE OF HEAD OF REGIONAL ENVIRONMENTAL AGENCY (BLH)

SOUTH-EAST SULAWESI PROVINCE

NO: 13 / 2009

CONCERNING

RECOMMENDATION OF ENVIRONMENTAL FEASIBILITY FOR ENVIRONMENTAL
MANAGEMENT MEASURES (UKL) AND ENVIRONMENTAL MONITORING MEASURES
(UPL) OF THE PROJECT FOR IMPROVEMENT OF BRIDGES IN SOUTH KONAWA
REGENCY AND KOLAKA REGENCY OF SOUTH-EAST SULAWESI PROVINCE

HEAD OF BLH

SOUTH-EAST SULAWESI PROVINCE

- Considered : a) That the activity not included into category which requires Environmental Impact Assessment (AMDAL), it is requires to prepare the Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL).
- b) That the Project for Improvement of Bridges in South Konawe Regency and Kolaka Regency is one of the activity type which requires to prepare the Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL).
- c) That the bridges mentioned above, cover Roraya II Bridge (BR-4) in Lalembuu District, South Konawe Regency, Roraya III Bridge (BR-1) in Lalembuu District and Basala District, South Konawe Regency, Lapoa Bridge (BR-7) in Tinanggea District, South Konawe Regency and Pinanggo Bridge (BR-3) in Lambandia District, Kolaka Regency.
- d) That the Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL) of the Project for Improvement of Bridges in South Konawe Regency and Kolaka Regency has been examined and evaluated by the Evaluation Team of UKL & UPL of South East Sulawesi Province and stated that the document is feasible from environmental aspect.
- e) That based on the above consideration, it is necessary to stipulate the Decree of Head of BLH of South East Sulawesi Province concerning Recommendation of Environmental Feasibility for Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL) of the Project for Improvement of Bridges In South Konawe Regency and Kolaka Regency by Directorate General of Highways, Minister of Public Works.

- In view of : 1. Law No: 13/1964 concerning the Stipulation of Government Regulation as Substitute of Law No: 2 /1964 concerning Establishment of Central Sulawesi Province and South East Sulawesi Province by changed the Law No: 47/1960 concerning Establishment of Central North Sulawesi Province and South East South Sulawesi Province;
2. Law No: 5/1990 concerning Conservation of Biological Natural Resource and Its Ecosystem;
3. Law No: 23/1997 concerning the Environmental Management;
4. Law No: 41 / 1999 concerning the Forestry;
5. Law No: 32 / 2004 concerning the Regional Government;
6. Law No: 26 / 2007 concerning the Spatial Structuring;
7. Government Regulation No: 27/1999 concerning Environmental Impact Assessment;
8. Government Regulation No: 38/2007 concerning Division of Government Affairs among Central Government, Provincial Government and Regency/City Government;
9. State Ministerial Decree of Environment No: 86 / 2002 concerning Guideline for Implementation of Environmental Management Measures and Environmental Monitoring Measures;
10. State Ministerial Regulation of Environment No: 11/2006 concerning the type of business and/or activity plan which requires to prepare Environmental Impact Assessment (AMDAL);
11. Decree of Head of BAPEDAL No: 08 / 2002 concerning Involvement of Community and Openness of Information in Environmental Impact Assessment;
12. Regional Regulation No: 3 / 2004 concerning Area Spatial Layout Plan of South East Sulawesi Province, 2004 to 2019;
13. Regional Regulation No: 5 / 2005 concerning Community-Based Environmental and Natural Resources Management;
14. Regional Regulation No: 6 / 2005 concerning Water Protection of South East Sulawesi Province;
15. Regional Regulation No: 7 / 2005 concerning Stipulation of Environmental Quality Standard of South East Sulawesi Province;

- Referred : 1. Result of field reconnaissance, socialization and public consultation on the Project for Improvement of Bridges In South Konawe Regency and Kolaka Regency.
2. Result of examination and evaluation on Environmental Management Measures and Environmental Monitoring Measures of the Project for Improvement of Bridges In South Konawe Regency and Kolaka Regency by the Evaluation Team.

HAS DECIDED

- Stipulated : RECOMMENDATION OF ENVIRONMENTAL FEASIBILITY FOR ENVIRONMENTAL MANAGEMENT MEASURES (UKL) AND ENVIRONMENTAL MONITORING MEASURES (UPL) OF THE PROJECT FOR IMPROVEMENT OF BRIDGES IN SOUTH KONAWA REGENCY AND KOLAKA REGENCY OF SOUTH-EAST SULAWESI PROVINCE.
- FIRST : Present the feasible recommendation for Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL) of the Project for Improvement of Bridges In South Konawe Regency and Kolaka Regency.
- SECOND : Recommendation of environmental feasibility of the Project for Improvement of Bridges in South Konawe Regency and Kolaka Regency of South-East Sulawesi Province by Directorate General of Highways, Minister of Public Works as intended in FIRST paragraph, meant that the activity is feasible from the environmental aspect;
- THIRD : This Recommendation is inseparable part of UKL & UPL of the Project for Improvement of Bridges in South Konawe Regency and Kolaka Regency of South-East Sulawesi Province;
- FOURTH : Recommendation of environmental feasibility for UKL & UPL as mentioned in THIRD paragraph of this decree as the guideline for:
1. Responsible institutions in Management of Road and Bridge sectors in South-East Sulawesi Province, South Konawe Regency and Kolaka Regency;
 2. Competence institution to present the permission to undertake the activity in Road and Bridge sectors in South-East Sulawesi Province, South Konawe Regency and Kolaka Regency;
 3. Responsible institutions in environmental impact management in implementation of monitoring and evaluation for implementation of UKL & UPL of the Project for Improvement of Bridges in South Konawe Regency and Kolaka Regency.
- FIFTH : Directorate General of Highways, Minister of Public Works as proponent of the activity is obligated to implements and reports the

result of Environmental Management and Monitoring to the Governor of South-East Sulawesi Province, Regent of South Konawe and Regent of Kolaka every 6 (six) months since the stipulated date of this decree;

- SIXTH : In case any plan to expand the activity in future, UKL &UPL should be revised and submit the alteration plan of activity to the responsible institution in environmental impact management;
- SEVENTH : In case any environmental impact outside the planning and prediction mentioned in approved UKL & UPL in the future, the proponent shall reports to the institution as mentioned in FOURTH paragraph immediately to take the required mitigation.
- EIGHT : Any dereliction and/or deviation undertaken by the proponent of the activity is subjected to a sanction according to prevail regulation.
- NINTH : This decree is effective since the stipulated date and it will be corrected for whatever extent necessary if any mistakes in the future.

Stipulated in : Kendari

Date : September 4, 2009

On behalf of GOVERNOR OF SOUTH-EAST
SULAWESI,

HEAD OF BLH

signature and seal

Drs. H. SARDJUN MOKKE M. Pd.

NIP. 19551009 198303 1 015

Cc.

1. Minister of Public Works in Jakarta;
2. State Minister of Environment in Jakarta;
3. Governor of South East Sulawesi (as a report) in Kendari;
4. Regent of South Konawe in Andoolo;
5. Regent of Kolaka in Kolaka;
6. Head of Public Works Agency of South-East Sulawesi Province in Kendari;
7. Head of Regional Environmental, Cleanliness and Gardens Agency of South Konawe Regency in Andoolo;
8. Head of Public Works Agency of South Konawe Regency in Andoolo;
9. Head of Regional Environmental and Cleanliness Agency of Kolaka Regency in Kolaka;
10. Head of Public Works Agency of Kolaka Regency in Kolaka;
11. File.

DECREE OF HEAD OF REGIONAL ENVIRONMENTAL AGENCY (BLH)

SOUTH-EAST SULAWESI PROVINCE

NO: 14 / 2009

CONCERNING

RECOMMENDATION OF ENVIRONMENTAL FEASIBILITY FOR ENVIRONMENTAL
MANAGEMENT MEASURES (UKL) AND ENVIRONMENTAL MONITORING MEASURES
(UPL) OF THE PROJECT FOR IMPROVEMENT OF BRIDGES IN NORTH BUTON
REGENCY AND MUNA REGENCY OF SOUTH-EAST SULAWESI PROVINCE

HEAD OF BLH

SOUTH-EAST SULAWESI PROVINCE

- Considered : a) That the activity not included into category which requires Environmental Impact Assessment (AMDAL), it requires to prepare the Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL).
- b) That the Project for Improvement of Bridges in North Buton Regency and Muna Regency is one of the activity type which requires to prepare the Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL).
- c) That the bridges mentioned above, cover Wamorapa Bridge (BR-8) in North Wakorumba District, North Buton Regency, Labuan Wolio III Bridge (BR-9) in North Wakorumba District, North Buton Regency, Maligano II Bridge (BR-12) in Maligano District, Muna Regency, Pakaka II Bridge (BR-14) in Maligano District, Muna Regency, Labungka Bridge (BR-15) in South Wakorumba District, Muna Regency, Tolie Bridge (BR-16) in South Wakorumba District, Muna Regency and Wakorumba Bridge (BR-17) in South Wakorumba District, Muna Regency.
- d) That the Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL) of the Project for Improvement of Bridges in North Buton Regency and Muna Regency has been examined and evaluated by the Evaluation Team of UKL & UPL of South East Sulawesi Province and stated that the document is feasible from environmental aspect.
- e) That based on the above consideration, it is necessary to stipulate the Decree of Head of BLH of South East Sulawesi Province concerning Recommendation of Environmental Feasibility for Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL) of the Project for Improvement of Bridges In North Buton Regency and Muna Regency by Directorate General of Highways, Minister of Public

Works.

- In view of : 1. Law No: 13/1964 concerning the Stipulation of Government Regulation as Substitute of Law No: 2 /1964 concerning Establishment of Central Sulawesi Province and South East Sulawesi Province by changed the Law No: 47/1960 concerning Establishment of Central North Sulawesi Province and South East South Sulawesi Province;
2. Law No: 5/1990 concerning Conservation of Biological Natural Resource and Its Ecosystem;
3. Law No: 23/1997 concerning the Environmental Management;
4. Law No: 41 / 1999 concerning the Forestry;
5. Law No: 32 / 2004 concerning the Regional Government;
6. Law No: 26 / 2007 concerning the Spatial Structuring;
7. Government Regulation No: 27/1999 concerning Environmental Impact Assessment;
8. Government Regulation No: 38/2007 concerning Division of Government Affairs among Central Government, Provincial Government and Regency/City Government;
9. State Ministerial Decree of Environment No: 86 / 2002 concerning Guideline for Implementation of Environmental Management Measures and Environmental Monitoring Measures;
10. State Ministerial Regulation of Environment No: 11/2006 concerning the type of business and/or activity plan which requires to prepare Environmental Impact Assessment (AMDAL);
11. Decree of Head of BAPEDAL No: 08 / 2002 concerning Involvement of Community and Openness of Information in Environmental Impact Assessment;
12. Regional Regulation No: 3 / 2004 concerning Area Spatial Layout Plan of South East Sulawesi Province, 2004 to 2019;
13. Regional Regulation No: 5 / 2005 concerning Community-Based Environmental and Natural Resources Management;
14. Regional Regulation No: 6 / 2005 concerning Water Protection of South East Sulawesi Province;
15. Regional Regulation No: 7 / 2005 concerning Stipulation of Environmental Quality Standard of South East Sulawesi Province;

- Referred : 1. Result of field reconnaissance, socialization and public consultation on the Project for Improvement of Bridges In North Buton Regency and Muna Regency.
2. Result of examination and evaluation on Environmental Management Measures and Environmental Monitoring Measures of the Project for Improvement of Bridges In North Buton Regency and Muna Regency by the Evaluation Team.

HAS DECIDED

Stipulated : RECOMMENDATION OF ENVIRONMENTAL FEASIBILITY FOR ENVIRONMENTAL MANAGEMENT MEASURES (UKL) AND ENVIRONMENTAL MONITORING MEASURES (UPL) OF THE PROJECT FOR IMPROVEMENT OF BRIDGES IN NORTH BUTON REGENCY AND MUNA REGENCY OF SOUTH-EAST SULAWESI PROVINCE.

FIRST : Present the feasible recommendation for Environmental Management Measures (UKL) and Environmental Monitoring Measures (UPL) of the Project for Improvement of Bridges In North Buton Regency and Muna Regency.

SECOND : Recommendation of environmental feasibility of the Project for Improvement of Bridges in North Buton Regency and Muna Regency of South-East Sulawesi Province by Directorate General of Highways, Minister of Public Works as intended in FIRST paragraph, meant that the activity is feasible from the environmental aspect;

THIRD : This Recommendation is inseparable part of UKL & UPL of the Project for Improvement of Bridges in North Buton Regency and Muna Regency of South-East Sulawesi Province;

FOURTH : Recommendation of environmental feasibility for UKL & UPL as mentioned in THIRD paragraph of this decree as the guideline for:

1. Responsible institutions in Management of Road and Bridge sectors in South-East Sulawesi Province, North Buton Regency and Muna Regency;
2. Competence institution to present the permission to undertake the activity in Road and Bridge sectors in South-East Sulawesi Province, North Buton Regency and Muna Regency;
3. Responsible institutions in environmental impact management in implementation of monitoring and evaluation for implementation of UKL & UPL of the Project for Improvement of Bridges in North Buton Regency and Muna Regency.

FIFTH : Directorate General of Highways, Minister of Public Works as proponent of the activity is obligated to implements and reports the result of Environmental Management and Monitoring to the Governor of South-East Sulawesi Province, Regent of North Buton and Regent

- of Muna every 6 (six) months since the stipulated date of this decree;
- SIXTH : In case any plan to expand the activity in future, UKL &UPL should be revised and submit the alteration plan of activity to the responsible institution in environmental impact management;
- SEVENTH : In case any environmental impact outside the planning and prediction mentioned in approved UKL & UPL in the future, the proponent shall reports to the institution as mentioned in FOURTH paragraph immediately to take the required mitigation.
- EIGHT : Any dereliction and/or deviation undertaken by the proponent of the activity is subjected to a sanction according to prevail regulation.
- NINTH : This decree is effective since the stipulated date and it will be corrected for whatever extent necessary if any mistakes in the future.

Stipulated in : Kendari
Date : September 4, 2009
On behalf of GOVERNOR OF SOUTH-EAST
SULAWESI,
HEAD OF BLH

signature and seal

Drs. H. SARDJUN MOKKE M. Pd.
NIP. 19551009 198303 1 015

Cc.

1. Minister of Public Works in Jakarta;
2. State Minister of Environment in Jakarta;
3. Governor of South East Sulawesi (as a report) in Kendari;
4. Regent of Muna in Raha;
5. Regent of North Buton in Buranga;
6. Head of Public Works Agency of South-East Sulawesi Province in Kendari;
7. Head of Regional Environmental Agency of Muna Regency in Raha;
8. Head of Public Works Agency of Muna Regency in Raha;
9. Head of Regional Environmental Agency of of North Buton Regency in Buranga;
10. Head of Public Works Agency of North Buton Regency in Buranga;
11. File.