



Telapak Gd. Alumni IPB Pelataran Parkir Pool Damri Jl. Raya Pajajaran No.54 Bogor INDONESIA

Environmental Investigation Agency 62/63 Upper Street London N1 0NY ENGLAND www.eia-international.org

19th March 2012

To: Ajun Komisaris Besar Polisi Viktor Theodorus Sihombing, Chief of Police Pulang Pisau Regency

## Regarding: Evidence of legal irregularities in plantation concession PT Suryamas Cipta Perkasa

Dear AKBP Sihombing,

We are writing to draw your attention to compelling evidence of serious and continued illegality in a private plantation concession within your jurisdiction.

It is our belief that the scope and detail of the documentary evidence contained in the annexes to this letter are sufficient to warrant an immediate and full investigation into the legal compliance, or otherwise, of the company PT Suryamas Cipta Perkasa (PT SCP). Further, that the investigation should encompass the role of regency officials in issuing permits to PT SCP in an irregular fashion and allowing the company to operate in breach of the law for several years.

EIA and Telapak's assessment of the lack of compliance with the relevant legislation is contained in Annex I, with supporting documentation in Annexes II and III.

We believe that the failure of the regency government to properly follow and enforce the law and the failure of PT SCP to comply with it have resulted in severe environmental damage and significant loss of state revenues. Further, it is clear that continued failings in law enforcement in relation to this company, and others

like it, undermine the ability of Central Kalimantan to deliver substantive results as the President of Indonesia's selected REDD+ Pilot Province.

We hereby give you notice that Telapak and EIA intend to make the evidence contained in this dossier, and this appeal to your office to take appropriate action, public in the second quarter of this year. We are bringing it to your attention now to provide you with ample information and opportunity to initiate an investigation that leads to the rule of law being upheld, and the opportunity to influence our report on progress in this case when we make this matter public.

You will note that this letter has been shared with other Indonesian officials who may be able to assist you with your investigation.

Yours sincerely,

Khusnul Zaini President

Telapak

**Faith Doherty** 

**Head of Forests Campaign** 

EIA

### CC:

H. Achmad Amur, SH. MH, Bupati Pulang Pisau

Slamet Untung Riyanto, Seketaris Dinas Perkebunan dan Kehutanan Pulang Pisau Sari Mumpung, Kepala Kantor Lingkungan Hidup Pulang Pisau

Brigadir Jenderal Daminanus Jacky, Kepala Kepolisian Daerah Kalimantan Tengah Erman P Ranan, Kepala Dinas Perkebunan Kalimantan Tengah

Badan Pengendalian Dampak Lingkungan Kalimantan Tengah

Teras Narang, Gubernor Kalimantan Tengah

R Atu Narang, Ketua DPRD Kalimangan Tengah

Prof. DR. Johermansyah Johan, MA, Direktur Jenderal Otonomi Daerah

Dr. Diani Sadiawati, SH, Direktur Hukum dan Hak Asasi Manusia, Bappenas

Dr. Gunanegara, S.H., M.Hum, Direktur Pengaturan Dan Penetapan Hak Tanah, BPN Kuntoro Mangkusubroto, Ketua Satuan Tugas REDD+

Mas Achmad Santosa, Ketua Kelompok Kerja Kajian Hukum dan Penegakan Hukum REDD+, Satgas REDD+

Hadi Daryanto, Sekretaris Jenderal, Kementerian Kehutanan

Hadi Poernomo, Ketua Badan Pemeriksa Keuangan

Ir. Darori, MM, Direktur Jenderal Perlindungan Hutan dan Konservasi Alam,

Kementerian Kehutanan

Denny Indrayana, Wakil Menteri Hukum dan HAM

Diah Anggraeni, SH., MM, Sekretaris Jenderal, Menteri Dalam Negeri

Abraham Samad, Ketua KPK

Jenderal Polisi Timur Pradopo, Kepala Kepolisian Negara RI

#### Annex I:

# Analysis of non-compliance by PT Suryamas Cipta Perkasa and Government of Indonesia authorities with prevailing legislation

## PT Suryamas Cipta Perkasa Concession location

Province: Central Kalimantan Regency: Pulang Pisau [Pulpis] Sub-district: Sebangau Kuala

### **Table 1: Summary of permits:**

Permit	Date issued	Permit Number	Area (ha)	Issuing authority
Arahan Lokasi	24-01-2006	503/721/EK/XII/06	20,000	Bupati Pulpis
Izin Lokasi	24-01-2007	25 Year 2007	20,000	Bupati Pulpis
Izin Lokasi	27-12-2007	332 Year 2003 <sup>1</sup>	3,000	Bupati Pulpis
IUP	10-01-2007	09 Year 2007	20,000	Bupati Pulpis

Source: Perkembangan Usaha Perkebunan Besar, Provinsi Kalimantan Tengah, Posisi 30<sup>th</sup> June 2011

### Summary of evidence indicating non-compliance with prevailing legislation

- (a) By Government of Indonesia authorities:
- Issuing plantation business permit (IUP) without approved Environmental Impact Assessment (AMDAL);
- Failure to enforce laws, preventing state losses and environmental damage, while aware of ongoing clearance/cultivation by PT SCP in the absence of AMDAL, forest release letter and possibly IPK.

### (b) By PT SCP:

- Obtaining IUP without approved AMDAL;
- Clearing and cultivating in forest area without forest release letter from the Minister of Forestry;
- Clearing forest without IPK or with illegitimately issued IPK;
- Operating without AMDAL in breach of Law 32 of 2009 on Protection and Management of the Environment;
- Clearing and cultivating in Protected Forest and Nature Reserve;
- Clearing and cultivating deep peat (>3m deep);
- Operating outside concession boundaries;
- Failing to mitigate risk of fire during land clearing.

### Analysis of non-compliance with prevailing legislation

# 1) Issuing/obtaining Plantation Business Permit (IUP) without approved Environmental Impact Assessment (AMDAL)

- At the time that the Arahan Lokasi, Ijin Lokasi and IUP were issued for the PT SCP concession [hereafter "the concession"] the prevailing decree guiding the process of establishing plantations was Minister of Agriculture Decree No.357/Kpts/HK.350/5/2002.
- Article 10 states:

"To obtain a Business Plantation License [IUP], a plantation company as referred to in Article 4 paragraph (1) shall meet the following requirements:
[...]

k. An AMDAL document approval letter from the regional AMDAL commission."

- At the time PT SCP's IUP was issued the company had not obtained approval for AMDAL documents. In fact, the company has not obtained an AMDAL document approval letter to date.<sup>2</sup>

# 2) Opening plantation in/encroaching on forest area without forest release letter

- Government Regulation 44 of 2004 on Forestry Planning, Article 47, states: "The conversion of forest area designations in the Provincial Spatial Plan [RTRWP] to non-forestry cultivation areas (KBNK) or other-use areas (APL) must be conducted through the process of land use change."
- In a letter dated April 13th, 2007, cited by the Supreme Audit Agency in 2009,<sup>3</sup> the Minister of Forestry informed the Governor and Regents of Central Kalimantan that, in the absence of the harmonization of the TGHK and RTRWP, use of forest areas without following the forest release process could lead to violations of the law and result in criminal sanctions. This provision specifically included the use of Non-Forestry Cultivation Areas (KBNK) and Other Use Areas (APL).
- The Ministry of Forestry's database of forest release letters issued by June 2011 indicates that PT SCP has still not received a forest release letter.<sup>4</sup> Minister of Forestry Decree No.SK292/Menhut-II/2011 indicates that the area covered by the concession remains in the forest estate.<sup>5</sup>

# 3) Possible clearing of forest area without Timber Utilization Permit (IPK), or with illegitimately issued IPK, resulting in losses to the state

- The issuance of IPK permits is regulated by Minister of Forestry Regulation No.SK382/Menhut-II/2004. Article 2 states:
- "Areas for which an IPK can be requested are:
- a. State forest designated as APL [Other Use Area] or KBNK [Non Forest Cultivation Area]
- b. Forest areas converted either through the release of forest land or by way of exchange of forest land."
- According to the letter from the Minister of Forestry on April 13<sup>th</sup> 2007, cited above,<sup>6</sup> cultivation of forest lands in Central Kalimantan, and areas designated as APL and KBNK, may not occur until a forest relinquishment letter covering the relevant area has been issued by the Minister of Forestry.

Annex I

- In view of the above, given the absence of a forest relinquishment letter an IPK cannot have been legally applied for or issued for the PT SCP concession.
- Article 26 (1) of Minister of Forestry Regulation No. SK382/Menhut-II/2004 states:
- "The IPK applicant shall be liable to sanctions based on Law No.5 of 1990 on the Conservation of Natural Resources and Ecosystems, and Law No.41 of 1999 on Forestry, if logging is conducted before the IPK is published."
- Satellite data reveals that large-scale forest clearance occurred in the concession between 2007 and 2010,<sup>7</sup> and suggests that in the absence of a valid IPK the state may have suffered significant financial losses from illegal timber harvesting.

# 4) Operating in breach of Law 32 of 2009 on Protection and Management of the Environment

- On 4<sup>th</sup> April 2011 the Regional Secretary of the Pulang Pisau regency government, Ir H Muhajirin MP wrote to the Head of the regency Environment Office enclosing a list of companies in the regency with and without approved AMDAL or UKL-UPL documents.<sup>8</sup> The list identified the fact that PT SCP was still operating without an approved AMDAL or UKL-UPL over four years after having received its IUP.<sup>9</sup>
- On 24<sup>th</sup> May 2011 Bupati H. Achmad Amur, SH. MH issued a letter to the directors of companies in Pulang Pisau regency, including PT SCP. Citing Law 32 of 2009. The letter states:
- "Article 109 states that any person who carries out business and / or activities without environmental permits as referred to in Article 36 Paragraph (1), shall be punished with between one and three years imprisonment and a fine of between Rp 1,000,000,000 (one billion rupiah) and Rp 3,000,000,000 (three billion rupiah).
  [...]
- "With respect to the above, we hereby convey to you all the businesses and/or activities that are required to have Environmental Management Documents: AMDAL, UKL-UPL and SPPL, as in the list enclosed.
- "Those businesses and/or activities that have or do not have Environmental Management Documents must quickly report to the Bupati of Pulang Pisau through the Head of the Environment Office of Pulang Pisau...no later than August 2011." <sup>10</sup>
- By late December 2011 PT SCP had still not reported to the Environment Office and continued to operate without an AMDAL, in clear violation of Law 32 of  $2009.^{11}$

## 5) Cultivation in Protected Forest/Conservation Forest.

- Minister of Forestry and Plantation regulation 728/Kpts-II/1998, Article 6, states:
- "Forest harvesting and the release of areas for the cultivation of plantations cannot be given in protected areas based on the Provincial Spatial Plan (RTRWP) which has been harmonised with the Land Use by Consensus (TGHK)..."
- On 31st May 2011 the Minister of Forestry issued Decree No.SK292/Menhut-II/2011 on changing the status and functions of designated forestland in Central Kalimantan. This broadly reflects the provincial spatial plan that is currently being considered for approval by the House of Representatives (DPR). According to the spatial plans associated with the decree, PT SCP's concession area occupies 3,802 hectares of Protected Forest (Hutan Lindung) and 492 hectares of Nature Reserve

(Kawasan Suaka Alam). The remainder, 18,887 hectares, occupies Production Forest (Hutan Produksi). $^{12}$ 

## 6) Operating in deep peat (>3m deep).

- Presidential Decree 32 of 1990 on the Management of Protected Areas, Article 34, outlines the responsibility of provincial governments to designate protected areas according to terms outlined in the decree. Article 37 (1) states:

"Cultivation is prohibited in protected areas, unless it does not interfere with the function of protection."

Article 4 (2) states:

"Areas given protection referred to in Article 3 consist of:

[...]

2. Peat areas."

Article 10 states:

"The criteria for peat area is an area with a peat depth of three meters or more located upstream of rivers and marsh."

- Minister of Forestry and Plantations Decree 376 of 1998, Article 1, states:

"The release of forest areas to plantation businesses for the cultivation of oil palm is based on the suitability of land in the forest area for the cultivation of oil palm plantations."

Article 2, states:

"Land suitable for cultivation of oil palm plantations as referred to in Article 1 has: [...]

d. A soil depth of:

- More than 100cm for mineral soil
- Less than 200cm for peat soil
- Government Decree 26 of 2008, Article 52 (1), states:

 $\hbox{\it ``Areas that provide protection to subordinate areas consist of:}$ 

[...]

b. Peat areas,..."

Article 55 (2) states:

"The criteria for peat areas referred to in Article 52, paragraph (1) letter b are areas with a peat depth of three meters or more located upstream of a river or swamp."

- Minister of Agriculture Decree 14 of 2009, on Guidelines for the use of peat land for the cultivation of oil palm, article II, states:

"Peat land that meets the following criteria can be used for the cultivation of oil palm: [...]

- 2. The depth of the peat layer is less than 3 (three) meters."
- Presidential Decree 80 of 1999, that provides guidelines for peatland development in Central Kalimantan, Article 1 (4), states:

"Wetland areas with a peat depth of more than 3 (three) meters [...] are to be utilized for the development of peatland conservation under the management of the Department of Forestry and Plantations."

- According to maps used by the Ministry of Forestry in its identification of peatland areas,  $^{13}$  almost the entire PT SCP concession falls in an area of peat between 4m and 8m deep.  $^{14}$ 

### 7) Operating outside concession boundaries.

- A comparison of concession maps held by the Provincial Plantation Office with Landsat imagery of the cultivated area indicates that PT SCP has cleared and cultivated forest land outside the boundaries of the concession.<sup>15</sup>
- These operations are therefore not permitted by PT SCP's IUP, cannot have received a legally viable IPK permitting wood utilization during forest clearance, and would appear to constitute entirely illegal activities.

### 8) Failing to mitigate risk of fire during land clearing

- Law 18 of 2004 on Plantations, Article 26, states:
- "All plantation businesses are prohibited from opening and/or processing land by burning that results in pollution and damage to the environment."
- Article 25, paragraph (2), states:
- "To prevent damage to the environment as referred to in paragraph (1), prior to obtaining a plantation business license plantation companies must:
- c. Make a statement on its ability to provide the facilities, infrastructure and emergency response systems that are adequate to tackle fire in the opening and/or preparation of land."
- Article 48, paragraph (1), states:
- "Any person who knowingly opens and/or cultivates land by burning that results in pollution and damage to the environment as referred to in Article 26 shall be punished with imprisonment of 10 (ten) years and a maximum fine of Rp 10,000,000,000 (ten billion rupiah)."
- Article 49, paragraph (1), states:
- "Any person who, due to their negligence, opens and/or cultivates land by burning which results in pollution and damage to the environment as referred to in Article 26 shall be punishable with imprisonment of 3 (three) years and a maximum fine of Rp 3,000,000,000 (three billion rupiah)."
- MODIS data obtained by EIA/Telapak from The Fire Information for Resource Management System (FIRMS), produced by NASA,  $^{16}$  indicates numerous hotspots/active fire detections within the borders of the PT SCP concession between the  $1^{\rm st}$  January 2007 and  $30^{\rm th}$  December 2011.  $^{17}$
- In view of Article 26 of Law 18 of 2004, it is incumbent on the authorities to determine whether the hotspots correlate with areas subsequently cultivated by PT SCP, if PT SCP met its obligations according to Article 25, and if fires occurred either intentionally or as a result of negligence by PT SCP.

### Note on data discrepancies

In the source cited for the summary of PT SCP permits in Table 1, above (*Perkembangan Usaha Perkebunan Besar, Provinsi Kalimantan Tengah, Posisi 30<sup>th</sup> June 2011*), an Izin Lokasi for 3,000ha is listed as having been issued on 27<sup>th</sup> December 2007, but is numbered "332 Tahun 2003". It is EIA/Telapak's assessment that the reference to 2003 is a typographical error, and that this permit was actually issued in 2007.

Additionally, this Izin Lokasi for 3,000ha is not included in the list of permits held by PT SCP in Figure 2 of Annex 2 of this dossier.

Further, while the IUP held by PT SCP in Figure 1, Annex 2 of this dossier is for 20,000ha, the concession map held by the Provincial Plantation Office, and used by EIA/Telapak in Annex 3, covers an area of approximately 23,000ha – an area matching the sum of the two Izin Lokasi supposedly issued to PT SCP according to Table 1, above.

EIA/Telapak can make no comment on the reason for discrepancies in data held by the Government of Indonesia. These discrepancies do not undermine the evidence contained in this dossier.

<sup>&</sup>lt;sup>1</sup> See Note on data discrepancies

<sup>&</sup>lt;sup>2</sup> Annex II, Figure 2

<sup>&</sup>lt;sup>3</sup> Letter No. S.255/Menhut-II/2007, cited in Badan Pemeriksa Keuangan Republik Indonesia (BPK) Laporan hasil pemeriksaan semester II tahun anggaran (TA) 2008, number 36/LHP/XVII/02/2009, dated 23<sup>rd</sup> February 2009

<sup>&</sup>lt;sup>4</sup> Progres Pelepasan Kawasan Hutan untuk budidaya perkebunan (tahap SK pelepnasa), data per Juni 2011, Ministry of Forestry. Available online

<sup>&</sup>lt;sup>5</sup> Annex III, Figure 3

<sup>&</sup>lt;sup>6</sup> Op cit

<sup>&</sup>lt;sup>7</sup> Annex III, figures 1 and 2

<sup>&</sup>lt;sup>8</sup> Letter no.500/24/Adm-EK/IV/2011; Annex II Figure 1

<sup>&</sup>lt;sup>9</sup> Annex II, Figure 2

<sup>&</sup>lt;sup>10</sup> Letter no.660.1/119/KLH/2011; Annex II Figure 3

<sup>&</sup>lt;sup>11</sup> Borneo News, KLH bakal Audit Dua Pabrik Sawit, 16th December 2011

<sup>&</sup>lt;sup>12</sup> Annex III Figure 3

<sup>&</sup>lt;sup>13</sup> Wahyunto, S. Ritung dan H. Subagjo (2004) 'Peta Sebaran Lahan Gambut, Luas dan Kandungan Karbon di Kalimantan / Map of Peat land Distribution Area and Carbon Content in Kalimantan, 2000 – 2002' Wetlands International - Indonesia Programme & Wildlife Habitat Canada (WHC)

<sup>&</sup>lt;sup>14</sup> Annex III Figure 4

<sup>&</sup>lt;sup>15</sup> Annex III Figure 2 & Figure 5

<sup>&</sup>lt;sup>16</sup> NASA/University of Maryland. 2002. MODIS Hotspot / Active Fire Detections. Data set. MODIS Rapid Response Project, NASA/GSFC [producer], University of Maryland, Fire Information for Resource Management System [distributors]. Available online

<sup>&</sup>lt;sup>17</sup> Annex III Figure 5

Figure 1: Letter no.500/24/Adm-EK/IV/2011, dated 4th April 2011.

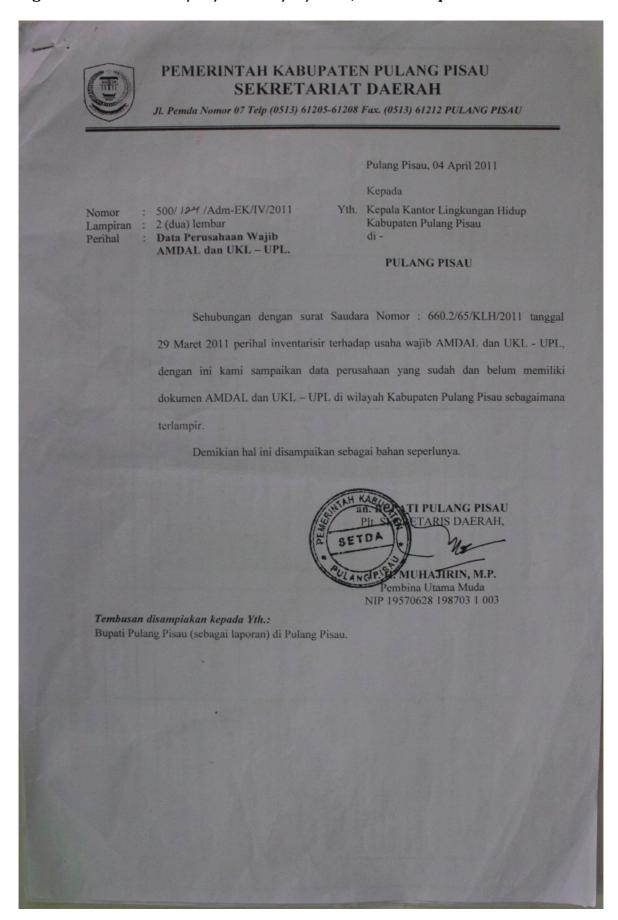


Figure 2: List accompanying Letter no.500/24/Adm-EK/2011, dated 4th April 2011.

Title: Data for companies that have and do not have AMDAL and UKL-UPL Section for the Administration of Economy and SDA [Natural Resources] in Pulang Pisau

NO.	NAMA PERUSAHAAN ALAMAT PERUSAHAAN DIREKTUR UTAMA	BIDANG USAHA/SEKTOR	NOMOR/TANGGAL PERIZINAN	LOKASI	LUAS (HA)	STATUS KAWASAN	KET
,		,	1	4	6	7	8
1.	PT. MENTENG KENCANA MAS PLAZA GREAT RIVER 9 TH FLOOR JLHR RESUMA SAID KAVA-2 NO.01 Johanta 12950 OB 1 3 ST GSD 6 20 . SAYTO	PERKEBUNAN KELAPA SAWIT	Arahan Lokasi No.503/868/EK/XII/2005 Tgl. Desember 2005.     Izin Industri Perkebunan Besar (IUPB) No. 83 Tahun 2005 tanggal 4 april 2006     Izin Lokasi NO. 98 Tahun 2007 tanggal 17 Maret 2007.     ANDAL Gubernur No.: 188.44/245/2008 tanggal 29 Juli 2008.	Kecamatan Maliku	A: 16.000 B: 5.000 Ker: A: Inti B: Plasma	Berdasarkan Perda Nomor : 08 Tahun 2003 Tentang RTRWP berada pada kawasan pengembangan produksi (KPP)	Pembibitan dan penanaman
2.	PT. SURYAMAS CIPTA PERKASA  Jin Jend Gatot Subroto Kar. 43Kuningan Timur – Jakarta Selatan 12950 Telp. (021) 5276888 (Hunting) )Fax. 021 5257979  Jin Janoh Jari No 37 P. Raya Fax. (0536) 3220037  OB 16 51 1 455 Buno	PERKEBUNAN / KELAPA SAWIT	Arahan Lokasi No.503/721/EK/XII/2006     Tgl. Des 2006.     IUPB Nomor 09 Tahun 2007 tgl. 10-1-2007     IUIPB Nomor 10 Tahun 2007 tlg. 10-1-2007.     Izin Lokasi No. 25 Tahun 2007 tanggal 24 januari 2007.	Kec. Sebangau Kuala	20.000	Bordasarkan Perda Nomor : 08 Tahun 2003 Tentang RTRWP berada pada kawasan pengembangan produksi (KPP)	Pembibitan dan penanaman
	PT. KARYA LUHUR SEJATI  Jln. Jend Gasos Subroto Kav. 43Kuningan Timur – Jakarta Selatan 12930 Telp. (021) 5276888 (Hamtings) Fax. 021 5257979  Jln. Janak Jari No. 37 P. Raya Fax. (0536) 3220037	PERKEBUNAN KELAPA SAWIT	Arahan Lokasi No. 503/726/EK/XII/2006     Tgl. 28 Des 2006.     IUPB Nomor 15 Tahun 2007 tgl. 10-1-2007     IUPB Nomor 16 Tahun 2007 tgl. 10-1-2007     IZin lokasi No. 28 Tahun 2007 tanggal 24 Januari 2007	Kec. Kahayan Kuala	16.000	Berdasarkan Perda Nomor: 08 Tahun 2003 Tentang RTRWP berada pada kawasan pengembangan produksi (KPP)	Pen.bibitan dan penanaman
CONTROL OF THE PERSON NAMED IN	PT. UANGEL SIGMA ENERGI  IL Lingker Mega Kuningan 6.2  Jakarta 1834 08 4871605	GAS METANA BATUBARA (GMB)	Izin Prinsip Nomor : \$46/143/Adm Ek/VI/2010 tanggal 11 Juni 2010 UKL dan UPL 2010.	Kahayan Kusla, Maliku, Kahayan Hilir		Berdasarkan Perda Nomor : 08 Tahun 2003 Tentang RTRWP berada pada kawasan pengembangan produksi (KPP)	Belum ada kegiat
	PT. TADJAHAN ANTANG MINERAL  A. Nyai Undang No 90  Palangka Raya  ZIL. 0812, 51143 009  0811 510905 7	STOCK ROM BATUBARA	Izin Prinsip Nomor : 540/334/Adm-Ek/I/2011	Jabiren Raya	4	Berdasarkan Perda Nomor : 08 Tahun 2003 Tentang RTRWP berada pada kawasan pengembangan produksi lainnya (KPPL)	Pembersihan lahan



### **BUPATI PULANG PISAU**

Pulang Pisau, 24 Mei 2011

Kepada

Nomor Sifat

: 660.1/W9 /KLH/2011

: Penting

Lampiran : 1 (satu) berkas

Perihal

: Wajib Amdal, UKL-UPL & SPPL

Yth. Sdr. Pimpinan PT/BUMN/CV/

Pelaku Usaha / Kegiatan

Se Kab. Pulang Pisau

#### SURAT EDARAN

Dengan diberlakukannya Undang-undang Republik Indonesia Nomor 32 Tahun 2009 tentang perlindungan dan pengelolaan Lingkungan Hidup sejak 3 Oktober 2009 serta mengacu kepada surat Gubernur Kalimantan Tengah Nomor 660/200/II/BLH/2010 tanggal 2 Maret 2010 perihal Dokumen AMDAL atau UKL-UPL, maka dengan ini kami sampaikan hal-hal sebagai berikut:

- 1. Pasal 68 butir c yang menyatakan bahwa " setiap orang yang melakukan usaha dan/atau kegiatan berkewajiban mentaati ketentuan tentang baku mutu Lingkungan dan/atau kriteria baku kerusakan Lingkungan Hidup.
- 2. Pasal 109 menyatakan setiap orang yang melakukan usaha dan/atau kegiatan tanpa memiliki izin lingkungan sebagaimana dimaksud dalam Pasal 36 ayat (1) dipidana dengan pidana penjara paling singkat 1 (satu) tahun dan paling lama 3 (tiga) tahun dan denda paling sedikit Rp. 1.000.000.000,00 (satu miliar rupiah) dan paling banyak Rp. 3.000.000.000,00 (tiga miliar rupiah).
- 3. Pasal 112 Ayat (2) Setiap pejabat berwenang yang dengan sengaja tidak melakukan pengawasan terhadap ketaatan penanggung jawab usaha dan/atau kegiatan terhadap peraturan perundang-undangan dan izin lingkungan sebagaimana dimaksud dalam Pasal 71 dan Pasal 72, yang mengakibatkan terjadinya pencemaran dan/atau kerusakan lingkungan yang mengakibatkan hilangnya nyawa manusia, dipidana dengan pidana penjara paling lama 1 (satu) tahun atau denda paling banyak Rp. 500.000.000,00 (lima ratus juta rupiah).

Sehubungan dengan perihal tersebut di atas, dengan ini kami sampaikan kepada Saudara dan semua pelaku usaha dan/atau kegiatan agar wajib memiliki Dokumen Pengelolaan Lingkungan : AMDAL, UKL-UPL dan SPPL, sebagaimana daftar terlampir.

Bagi usaha dan/atau kegiatan yang sudah ataupun belum memiliki Dokumen Pengelolaan Lingkungan, agar segera melaporkan kepada Bupati Pulang Pisau melalui Kepala Kantor Lingkungan Hidup Kabupaten Pulang Pisau Jl.Trans Kalimantan Rey IV Mantaren II paling lambat bulan Agustus 2011.

Demikian kami sampaikan, atas perhatian dan pelaksanaannya di ucapkan terima kasih.

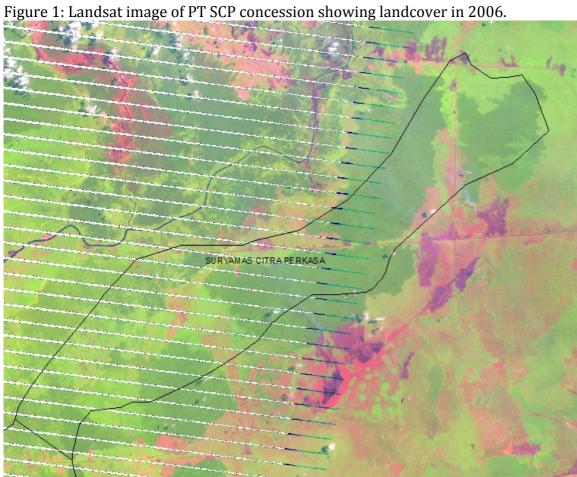
CHM≰D AMUR, SH. MH

Tembusan kepada Yth.

Gubernur Kalimantan Tengah di Palangka Raya

Kepala BLH Provinsi Kalimantan Tengah di Palangka Raya

3. Camat Se-Kabupaten Pulang Pisau



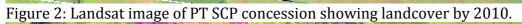




Figure 3: Forest designation in PT SCP concession. Source: Minister of Forestry Decree No.SK292/Menhut-II/2011

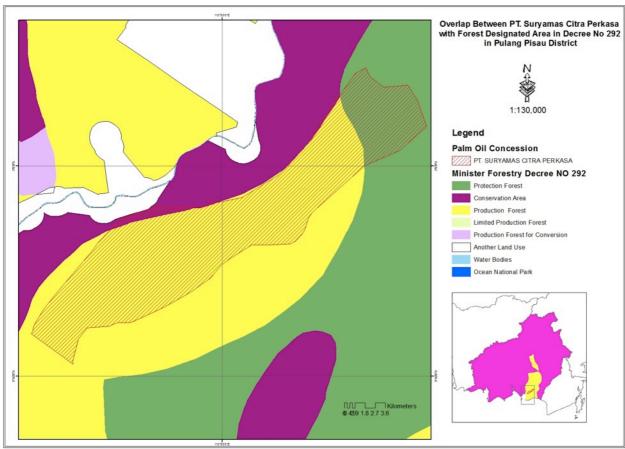


Figure 4: Peat depth in PT SCP concession. Source: Wetlands International - Indonesia Programme & Wildlife Habitat Canada, 2004

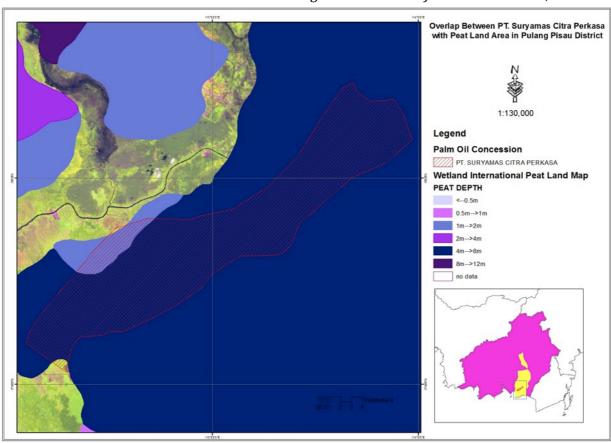


Figure 5: MODIS hotspots/active fire detections in and around PT SCP concession between  $1^{\rm st}$  January 2007 and  $30^{\rm th}$  December 2011.

Source: NASA/University of Maryland. 2002. MODIS Hotspot / Active Fire Detections. Data set. MODIS Rapid Response Project, NASA/GSFC [producer], University of Maryland, Fire Information for Resource Management System [distributors]. Available online.

