



## Authority Of Local Governments In Issuing Environmental Impact Assessment Permits

### Kewenangan Pemerintah Daerah dalam Penerbitan Izin Analisa Dampak Lingkungan

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#### ABSTRAK

Penelitian ini bertujuan Penelitian ini bertujuan untuk mengkaji kembali kewenangan pemerintah daerah terkait pemberian izin AMDAL, dengan mempertimbangkan perubahan dalam peraturan hukum, khususnya Undang-Undang Nomor 6 Tahun 2023 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja. Pemerintahan di Indonesia telah menerapkan kebijakan otonomi daerah sebagai upaya untuk memberikan wewenang yang lebih luas kepada Pemerintah Daerah dalam mengatur urusan di wilayahnya. Salah satu aspek yang menjadi fokus dalam pelaksanaan otonomi daerah adalah pengelolaan lingkungan hidup. Pengelolaan lingkungan menjadi krusial dalam pembangunan berkelanjutan, mengingat potensi alam yang dimiliki oleh Indonesia. Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup menjadi landasan normatif dalam hal ini, yang juga melibatkan aspek perindustrian, penegakan hukum, dan peran serta masyarakat. Hasil dari penelitian ini diharapkan dapat memberikan pemahaman yang lebih komprehensif mengenai konsekuensi perubahan regulasi terhadap otonomi daerah dalam pengelolaan lingkungan hidup, serta memberikan rekomendasi kebijakan yang relevan untuk menjaga keseimbangan antara keberlanjutan lingkungan dan pemberdayaan pemerintah daerah. Kata Kunci : kewenangan, otonomi daerah, lingkungan hidup.

#### ABSTRACT

*This study aims This study seeks to reassess the jurisdiction of local governments in granting Environmental Impact Assessment (AMDAL) permits in light of legal amendments, specifically Law Number 6 of 2023 regarding the Ratification of Government Regulation replacing Law Number 2 of 2022 on Job Creation. The Indonesian government has enacted a policy of regional autonomy to delegate greater authority to local governments in managing affairs within their regions. Environmental management is a key focus of regional autonomy implementation. Effective environmental management is essential for ensuring sustainable development in Indonesia, which boasts plentiful natural resources. Law Number 32 of 2009 on Environmental Protection and Management provides the regulatory foundation for matters related to industrial elements, law enforcement, and community involvement. This research aims to enhance understanding of the effects of regulatory changes on regional autonomy in environmental management and to provide policy recommendations for maintaining the balance between environmental sustainability and local government empowerment.*

## INTRODUCTION

Governance in Indonesia is mostly achieved through regional autonomy laws, granting Regional Governments significant freedom to independently control numerous issues within their boundaries. Regional autonomy implementation entails the allocation of authority between Regional Governments and the Central Government, with each having certain tasks and obligations (Mina, 2016). Regional autonomy aims to promote the development of regions and enhance the quality of life and income of local inhabitants. Regional Governments have the authority to regulate the environment as part of the implementation of regional autonomy. Indonesia's governance system relies heavily on regional autonomy initiatives, which give Regional Governments substantial independence to manage different areas within their own regions. Regional autonomy involves the allocation of authorities between Regional Governments and the Central Government, with each having certain responsibilities and tasks (Mina, 2016). The primary objective of regional autonomy is to drive regional development and improve the quality of life and income of local residents. Regional Governments under regional autonomy are responsible for administering environmental affairs in this context (Farid et al., 2017).

Environmental management plays a crucial role in global initiatives aimed at achieving sustainable development on a worldwide scale. Indonesia must maximize the use of its renewable natural resources to enhance the prosperity and well-being of its population, as stated in Article 33, paragraph (3) of the Constitution. The environment, recognized as a valuable national asset, requires a careful approach to safeguard the well-being of Indonesian society. Having a cautious approach is crucial to guarantee that

the utilization of natural resources is coupled with efficient environmental protection, thereby safeguarding the environment for both present and future generations (Yusa & Hermanto, 2018). The regulatory framework for environmental management and use is detailed in Law Number 32 of 2009, which focuses on Environmental Protection and Management. Over time, this legislation has broadened its scope to encompass environmental issues, industrial matters, law enforcement, community involvement, and particularly, the licensing of corporate entities interested in conducting environmental exploratory activities (Saija, 2014)

Transferring the power for environmental management from the Central Government to Regional Governments is urgently needed. This pertains to the ability of Regional Governments to comprehend and acknowledge the environmental conditions specific to their areas, taking into account things like socioeconomic and cultural features that are intrinsic to the life of local residents. Furthermore, transferring environmental management responsibilities is considered essential due to the Central Government's perceived lack of specific understanding of the varied characteristics of each region in Indonesia, especially regarding environmental elements (Fatanen, 2021). The Law on Environmental Protection and Management governs the responsibilities and entitlements of Regional Governments in overseeing their environment, which includes issuing business or environmental permits through Environmental Impact Assessments (EIA) (Biesse Putri, 2022).

Environmental Impact Assessment (EIA), also known as AMDAL in Indonesian, is an important process that evaluates the major effects of corporate operations. The impacts include a wide range of areas, including chemical, biological, economic, socio-cultural, and public health concerns. Environmental Impact Assessment (EIA) is consistently and scientifically undertaken as a key criterion for environmental licenses, utilizing specialized techniques. The government is responsible for providing Environmental Impact Assessment (EIA) permits for corporation or business activities. The government evaluates the viability of a business proposal by analyzing the potential positive and negative effects that may arise from the proposed activity. The government can deny the permit to the application if its assessment shows that the negative implications are greater than the positive ones (Sukananda & Nugraha, 2020)

Environmental Impact Assessment (EIA) is a government responsibility in delivering public services to society. The government can provide a feeling of security and reassurance to the public by approving or rejecting EIA permits for enterprises or economic operations according to particular criteria. The government's type of public service connected to EIA is the issue of permits in a tangible and factual manner. The granting of this permit is intended to regulate societal conduct in several areas of life (Rumkel et al., 2020). An example of this is the granting of permits to release liquid waste into water bodies under certain conditions to regulate water contamination. A company activity can function efficiently without negatively impacting the environment and the local population (Saija, 2014)

In 2020, the government implemented Law Number 10 of 2020 on Job Creation to streamline regulations and avoid conflicts or legal duplications in Indonesia. The Job Creation Law addresses an aspect concerning environmental management. The Act delegates responsibility for overseeing and safeguarding the environment to the Central Government, among other functions (Sianturi, 2023). This has raised concerns among the public, particularly because the Job Creation Law was designed without internalizing public or community participation (Rahma, 2022). The Job Creation Law introduced substantial modifications to corporate activity permits, especially concerning environmental laws. One significant change is substituting environmental permits with environmental approvals. This change suggests a more efficient process that could reduce the bureaucratic procedures for businesses seeking approval for their activity. The Job Creation Law shifts the responsibility of assessing and evaluating environmental feasibility from government entities to the private sector. Private firms are now tasked with performing environmental evaluations and evaluating the environmental effects of proposed developments. This move may lead to concerns regarding conflicts of interest and the neutrality of environmental evaluations, as private corporations might prioritize their own interests above environmental conservation.

The bill eliminates the Environmental Impact Assessment (EIA) commission, which formerly assessed the environmental impact of projects and suggested mitigation methods. Without this autonomous committee, there could be doubts regarding the thoroughness and impartiality of environmental evaluations carried out inside the new structure. The Job Creation Law also restricts public involvement in the development and establishment of Environmental Impact Assessments (EIAs). Public participation in the EIA process is crucial for maintaining transparency, accountability, and inclusivity. The rule limits public participation, reducing the chance for impacted communities to express their concerns, offer input, and ensure decision-makers are held responsible for their environmental choices. The Job Creation Law has raised concerns about its ability to compromise environmental protection initiatives and diminish the power of Regional Governments in upholding regional autonomy. The law's modifications



impact environmental governance, public involvement, and the equilibrium between economic progress and environmental preservation (Devara et al., 2021)

## LITERATUR REVIEW

### Concept of the Environment

The concept of the environment comprises various interconnected and mutually influencing aspects. Firstly, ecological balance is a crucial point in ensuring a healthy environment. Ecosystem stability is maintained when each organism has well-defined roles and functions. Furthermore, the sustainability of human well-being becomes the primary focus in the concept of the environment. A healthy environment provides sufficient natural resources and supports various human life activities, ensuring the survival and socio-economic well-being of communities. Protection of biodiversity also constitutes an integral part of the concept of the environment. Biodiversity, including flora, fauna, and microorganisms, not only provides natural beauty but also maintains ecosystem balance and environmental resilience.

In striving to maintain and restore disturbed environmental ecosystems, it is appropriate to recognize that issues concerning the environment should transcend national responsibilities and become integral to global concerns.

In English, the term "environment" corresponds to "lingkungan hidup" in Indonesian, "milieu" in Dutch, and "l'environnement" in French (Siahaan, 2004). Various definitions of the environment have been proposed by legal scholars:

1. Michael Allaby, in his environmental dictionary, defines the environment as "the physical, chemical, and biotic surroundings and organisms" (Allaby, 1979).
2. S.J. McNaughton and Larry L. Wolf offer a definition stating that it encompasses external biological and physical factors that directly impact the life, growth, development, and reproduction of organisms (Mc Naughton & Wolf, 1973).
3. Prof. Dr. Ir. Otto Soemarwoto defines "the environment as the collective sum of objects and conditions present in the space humans inhabit, which influence human life" (Soemarwoto, 1977).
4. Prof. Dr. St. Munadjat Danusaputro defines "the environment as all objects and conditions, including human beings and their actions, within the space where humans reside, affecting human and other living beings' lives and well-being" (Danusaputro, 1985).

### Environmental Regulation in Indonesia.

Before the enactment of "Law Number 32 of 2009" in Indonesia, rural communities had been actively engaged in preserving the harmony between humans and nature through the establishment of customary legal norms in various forms, notably through customary land rights (Danusaputro, 1985). One example of such practices was the creation of compost from waste materials, utilized for soil enrichment. During the Dutch colonial period, environmental regulations were inadequately codified and comprehensive. They comprised regulations from the colonial era, still in effect under Article 2 of the Transitional Provisions of the 1945 Constitution, alongside regulations promulgated by the Government of the Republic of Indonesia (Meta, 2015).

The enforcement of "Law Number 4 of 1982 regarding Basic Provisions for Environmental Management" on February 25, 1982, marked a pivotal moment in the trajectory of environmental governance within Indonesia. This legislation introduced a framework for environmental management characterized by its foundational principles and overarching objectives. Specifically, "Law Number 4 of 1982" aimed to establish a legal foundation for environmental protection and management practices across various sectors. It delineated the fundamental guidelines and principles governing environmental management initiatives, outlining key responsibilities, regulations, and mechanisms for enforcement. The scope of "Law Number 4 of 1982" was primarily centered on regulating activities related to environmental management. This encompassed a wide range of measures aimed at preserving and enhancing environmental quality, including pollution control, natural resource conservation, land use planning, and sustainable development practices.

Society continually evolves in response to changes, and accordingly, the legal framework must adapt to societal developments. "Law Number 23 of 1997 Concerning Environmental Management," ratified on September 19, 1997, consists of 12 chapters and 52 articles. This legislation encompasses provisions that were not addressed in "Law Number 4 of 1982," including the rights of communities to obtain environmental information, both orally and in writing. It extends beyond public information access to encompass the resolution of environmental disputes through non-litigation mechanisms outside the

court system, based on freedom of choice. Regarding the imposition of criminal penalties, "Law Number 23 of 1997" introduces formal offenses, alongside substantive and corporate offenses (Rahmadi, 2012).

### **Government Authority**

A unitary state is characterized by its sovereignty and control over all territories or regions, which are governed exclusively by a central government. This form of governance operates based on the principle of unitarism, which entails the consistent exercise of supreme legislative authority by a singular central power. Authority is derived from the term "wewenang," which, in legal discourse, differs from power ("macht"). Power simply refers to the right to act or not, or the capability to carry out one's desires. In legal contexts, authority encompasses both rights and duties ("rechtenenplichten"). It is evident that in a Unitary State, the central government possesses full authority over the entire national territory, despite its division into various regions. However, these regions do not inherently wield power. Recognizing this often sparks criticism of excessive centralization of authority and bureaucratic processes, particularly in large nations with inefficient communication systems and considerable distances between the central government and remote areas, leading to frequent delays in various matters.

In the realm of public law, authority is closely linked with power. The powers vested in the Executive, Legislative, and Judicial branches collectively establish the foundational power structure of a state. This power is essential in governance, operating alongside key elements such as law, justice, honesty, policymaking, and wisdom. Authority, often termed "wewenang" in Indonesian legal discourse, is akin to the Dutch term "bevoegheid," which denotes the right or power to act. As per the Kamus Besar Bahasa Indonesia cited by Kamal Hidjaz, wewenang is synonymous with "kewenangan," indicating the authority or jurisdiction to take specific actions, make decisions, govern, and delegate responsibilities (Hidjaz, 2010). From a legal perspective, authority is the capacity granted by statutory regulations to produce legal effects. This capacity can be acquired through three primary means: attribution, delegation, and mandate. Attribution involves inherent authority granted by law to a particular entity or office. Delegation refers to the transfer of authority from one entity to another, often from a higher to a lower authority, through legal channels. Mandate involves authorization given by a principal to an agent to act within a specified scope of authority.

### **Environmental Impact Assessment (EIA) / Amdal**

Environmental Impact Analysis (EIA), commonly referred to as Amdal in Indonesian, is a vital process undertaken before initiating a project to assess the potential repercussions of human activities on the environment. Its objective is to identify, evaluate, and manage potential impacts, ensuring that decisions made prioritize sustainability considerations. This analysis involves diverse fields such as environmental science, social science, economics, and engineering. The significance of environmental impact assessment cannot be overstated. By comprehending the consequences of human actions on the environment, measures can be implemented to mitigate adverse effects and promote sustainable development. Environmental impacts encompass a wide array of serious outcomes. Activities like infrastructure development, mining, and deforestation can lead to extensive ecosystem damage, endangering the survival of various animal and plant species. Pollution of air, water, and soil stemming from industrial sectors, transportation, and domestic activities also poses risks to human health and environmental stability. Moreover, emissions of greenhouse gases from fossil fuel combustion contribute to global climate change, while human-induced degradation of natural habitats further exacerbates biodiversity loss.

Various interpretations regarding the regulation of Environmental Impact Assessment (EIA) stem from expert opinions, international regulations, and legislation (Sugiyanto et al., 2022). These include:

1. The United Nations Conference on Environment and Development views EIA as eco development and sustainable development, as outlined in the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992.;
2. According to the National Environmental Policy Act of 1969 (NEPA), Environmental Impact Assessment (EIA) is a methodical process involving the identification, prediction, evaluation, and presentation of potential consequences of proposed actions, specifically targeting the stage in the decision-making process where serious environmental damage can be prevented or minimized;
3. Law Number 32 of 2009 concerning Environmental Management and Protection" defines EIA as a study of significant environmental impacts resulting from planned business and/or activities, serving as a prerequisite for decision-making regarding the implementation of said business and/or activities, and is incorporated into business licensing or approval by either the Central Government or Regional Government.



4. "Government Regulation Number 22 of 2021 concerning the Implementation of Environmental Protection and Management" similarly describes Environmental Impact Assessment (EIA) as an evaluation of significant environmental impacts arising from planned business and/or activities, required for decision-making regarding their implementation, and included in business licensing or approval by either the Central Government or Regional Government.
5. Bradley and Caldwell (1978) assert that EIA is a process integrating environmental considerations into planning, program development, and decision-making processes, ensuring their inclusion or integration into project planning, design, and execution.
6. Taufik Imam Santoso (2009) characterizes EIA as part of the study of development ecology, examining the reciprocal relationship between development and the environment. EIA is not solely focused on technical aspects but also addresses legal and administrative concerns.
7. Otto Soemarwoto (1997) defines EIA as a tool for planning preventive actions against potential environmental damage resulting from development activities.

## METHODS RESEARCH

### Methods Research

The research method employed is normative legal research, which entails utilizing legal regulations, legal principles, and various literature as the basis for journal composition. Additionally, conceptual approaches rooted in legal theories and perspectives in the field of law are utilized in this journal's development. To support the topic under discussion, the conceptual method employed in crafting this legal journal also refers to principles of consumer protection law, health regulations, and various other legal frameworks (Marzuki, 2007)

## RESULT AND DISCUSSION

### Regional Government's Jurisdiction in Issuing Environmental Impact Assessment (EIA) Permits According to "Law Number 32 of 2009 concerning Environmental Protection and Management".

The Environmental Impact Assessment (EIA), often known as AMDAL, is one of the 13 tools used in environmental management. It functions as a method to reduce adverse effects and dangers arising from commercial operations, carried out through scientific examination within environmental structures and systems. The Indonesian government has traditionally made great efforts in this area, as seen by the implementation of "Law No. 32/2009 on Environmental Protection and Management". The legal framework is strengthened by "Government Regulation (PP) No. 27/2012 on Environmental Permits," which serves as the regulatory mechanism for environmental protection laws. As a result, environmental management and protection through AMDAL have achieved legal stability. According to "Article 1 paragraph (35) of Law No. 32/2009," anyone involved in commercial operations or acts that necessitate EIA or UKL-UPL must get a "environmental permit" before acquiring company licenses. As specified in Article 1 paragraph (36), a "Business and/or activity permit" is granted by the technical agency for carrying out business and/or activities. AMDAL is essential for company operators to get licenses or permits, as the government has the power to issue and withdraw them (Amiq, 2013)

Law No. 32 of 2009 includes various provisions for the issue of AMDAL / Environmental Impact Assessment (EIA) permits (Ruhayat et al., 2022). The assessment of AMDAL / EIA Documents is carried out by the AMDAL/EIA Assessment Commission as per Law No. 32 of 2009. The Regional Government, specifically the Governor or regent/mayor, is responsible for appointing AMDAL assessors. Law No. 32 of 2009 involves various stakeholders in Environmental Impact Analysis, including:

- a. The local community potentially affected by the impact.
- b. Environmental experts and observers.
- c. All communities impacted by AMDAL decisions.

Law No. 32 of 2009 specifies several prerequisites for obtaining environmental permits for companies or business activities, namely:

- a. AMDAL
- b. Environmental permit
- c. Business activity permit

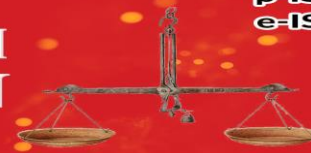
Regional Governments have exclusive control over issuing Environmental Impact Assessment (EIA) permits as stipulated in Law Number 32 of 2009. The procedure commences with a corporation or commercial entity submitting EIA paperwork, which are subsequently evaluated by the EIA Assessment Commission directly created by the Regional Government. Article 65 of Law No. 32 of 2009 grants Provincial Regional Governments the power to issue environmental permits in their provinces, and District/City Governments the authority to issue permits within their jurisdictions. Law Number 32 of 2009 rules align with autonomy and decentralization principles, allowing Regional Governments to control and use natural resources in their areas (Wagner, 2020). This is done to promote economic self-sufficiency in regions, reduce environmental harm from corporate activities, support environmental conservation initiatives, and achieve other objectives. Law No. 32 of 2009 delegates responsibilities, privileges, and power to Regional Governments for granting EIA permits to enterprises or business operations (Rumkel et al., 2020).

### **Revisions to Job Creation Legislation Law No. 6 of 2023 Establishing the Authority of Local Governments to Issue Environment Impact Assessment (EIA)**

The Environmental Impact Assessment (EIA), initially known as "environmental assessment" and "environmental impact statement," was introduced by the United States in the late 1960s to early 1970s as a component of environmental regulations outlined in the National Environment Policy Act (NEPA). The initial United Nations Conference on the Human Environment in Stockholm had a role in advancing debates on Environmental Impact Assessment (EIA), which subsequently led to its ongoing development and worldwide acknowledgment. The Stockholm Conference had an impact on the development of environmental law in Indonesia, leading to the implementation of Law Number 4 of 1982 on Basic Environmental Provisions. Munajat Danusaputro observed that the year 1979 appeared to be a crucial year for the advancement and establishment of environmental law in Indonesia (Danusaputro, 1985). Law No. 23 of 1997 introduced extensive regulations on Environmental Impact Assessment (EIA), which were further upon by Government Regulation No. 27 of 1999. Despite the explicit rules set by Government Regulation Number 27 of 1999 for Environmental Impact Assessment (EIA), the criteria for EIA documents were often disregarded in practice after the implementation of Law Number 23 of 1997. This made EIA paperwork a simple formality to secure business or activity permits (Wagner, 2020).

Three primary policy papers controlling environmental development in Indonesia overlap in their development. The MPR Decree Number IV/MPR/1999 pertains to the National Guidelines for State Policy (GBHN) for the period 1999-2004. Law Number 25 of 2000 outlines the National Development Program (Propenas) for the years 2000-2004, establishing a structure for national development during that period. Law Number 17 of 2007 outlines the National Long-Term Development Plan for the years 2000-2005, coordinating development activities across many sectors. This overlap suggests the possibility of conflict or inconsistency in the goals and priorities of environmental development. For instance, variations may exist in the focus on particular components of environmental preservation or in the precise preferences for allocating resources. This may result in difficulties in executing uniform and efficient environmental policies and initiatives. Improved cooperation among different institutions and government levels is required to address this overlap. Harmonizing these policy papers is crucial to ensure that environmental development fits with national requirements and priorities. Cross-sectoral cooperation and policy integration are crucial for attaining sustainable environmental development in Indonesia.

The Indonesian Government officially authorized and implemented the Omnibus Bill on Job Creation on October 5, 2020, making it Law Number 11 of 2020. This law signifies a significant advancement in the restructuring of many economic policies and laws in Indonesia, particularly in environmental management. The influence of these changes on environmental management has attracted significant attention (Khoirotul Hijriah & Syam, 2024). Indonesia previously had Law Number 32 of 2009 on Environmental Protection and Management, which was the primary basis for environmental control in the country. The Job Creation Law has led to considerable reforms and changes in environmental legislation. The enforcement of this rule has elicited intense responses from scholars, environmental advocates, and the public, primarily because of its possible effects on environmental sustainability. Debates focus on potentially easing environmental restrictions, decreasing protection requirements, and limiting Regional Governments' jurisdiction in local environmental management. Several parties petitioned Law Number 2011 for constitutional review (judicial review) to the Constitutional Court in response to these concerns. This suggests the heightened anxiety and worries regarding the consequences of alterations in environmental legislation. Decision Number 91/PUU-XVIII/2020 from the Constitutional Court pointed out various discrepancies between the Job Creation Law and the legal principles and environmental protection requirements outlined in Law Number 32 of 2009. The President issued Government Regulation in Lieu of Law (Perppu) Number 2 of 2022 on Job Creation, which was later amended to Law Number 6 of 2023. The changes are causing controversy and debate, especially



concerning the implementation of more effective and sustainable environmental management with rapid economic development. An important necessity exists to achieve a balance between sustainable economic growth and sufficient environmental protection, while also guaranteeing public involvement in environmental decision-making processes.

Law Number 6 of 2023, Article 1, Section 11, defines Amdal as an evaluation study done to assess the important environmental repercussions that may result from a planned business or activity. This study attempts to provide the foundation for making decisions about implementing a business or activity. An Environmental Impact Assessment (Amdal) is necessary for obtaining company authorization or approval from the central or local government. This Law removes the power of regional governments to issue AMDAL permits, transfers the responsibility for evaluating environmental feasibility to private entities and the central government, limits public involvement in AMDAL preparation, and dissolves the AMDAL Assessment Commission. Within the framework of the Cipta Kerja (Job Creation Law), these modifications are a component of larger initiatives aimed at simplifying rules and enticing investment. The Cipta Kerja Law intends to streamline bureaucratic procedures, such as environmental licenses, to boost economic growth and facilitate job creation. Nevertheless, critics contend. Government Regulation (PP) No. 22 of 2021, Article 5, Paragraph (2) concerning the Implementation of Environmental Protection and Management specifies that "Business plans and/or activities subject to Environmental Impact Assessment (Amdal) requirements as outlined in paragraph (1) include:

1. Categories of business plans and/or activities necessitating Amdal based on their scale;
2. Categories of business plans and/or activities situated within or directly adjoining protected areas."

The Environmental Impact Assessment (EIA) method outlined in Government Regulation Number (PP) 22 of 2021 includes the following steps:

a. Concise overview of initial details about the planned business plans and/or activities that are required to undergo mandatory Environmental Impact Assessment screening. This screening includes:

1. identification of the proponent;
2. Detail the nature and scope of the intended company operations.
3. Assessment of the environmental status and circumstances in and around the proposed company location.
4. Analysis of expected environmental effects, accessibility of environmental technologies, and scientific reasoning;
5. additional relevant information.

b. Announcement Procedure

Business plans and activities for an Environmental Impact Assessment (EIA) must comply with Article 30 of Government Regulation No. 22 of 2021, and include procedures for engaging the community by receiving suggestions, opinions, and responses. Business plans and activities for an Environmental Impact Assessment (EIA) must comply with Article 30 of Government Regulation No. 22 of 2021, and include procedures for engaging the community by receiving suggestions, opinions, and responses.

1. Scoping Process

Scoping is an early stage procedure that aims to define the range of concerns and identify important effects associated with the proposed actions. The scoping process attempts to broaden the research area limits, recognize important environmental consequences, specify the study scope, and evaluate other activities to create the ultimate conclusion in the form of an EIA framework (Environmental Impact Assessment Reference Framework).

2. Preparation and Assessment of EIA Framework (KA-ANDAL)

Developing and evaluating the Environmental Impact Assessment (EIA) framework entails producing a document that defines the extent and thoroughness of the EIA investigation. This document is created during the scoping process to define the study area limits and recognize important environmental consequences associated with the planned activities. The framework is prepared to define the scope and depth of the EIA investigation, ensuring its effective progression. This enables a thorough assessment of possible environmental consequences and aids in creating plans to reduce negative impacts on the environment. The framework acts as a guide for carrying out the EIA study in compliance with existing norms and regulations.

3. The preparation and evaluation of the EIA and RKL-RPL documents

The process of preparing and evaluating the Environmental Impact Analysis (EIA) document and the Environmental Management Plan (RKL-RPL) requires a comprehensive and meticulous review of the notable effects of a proposed business plan or activity on the environment. The RKL is a strategy designed to mitigate the environmental consequences of the planned corporate operations or activities. The RPL entails monitoring the environmental components impacted by the planned business plan or activity.

4. Approval of Environmental Suitability

According to the minutes of the environmental suitability assessment team meeting, the team secretary compiles the final assessment recommendations regarding the EIA and RKL-RPL documents to be conveyed to the Chairperson of the Assessment Team. The timeframe for presenting the final assessment is communicated by the Chairperson of the Assessment Team to the Minister, Governor, Regent/Mayor, within a maximum of 50 working days from the date the EIA, RPL, RKL documents are deemed administratively complete

5. The Minister, Governor, or Regent/Mayor issues the Environmental Suitability or Unsuitability Decree based on a comprehensive procedure. Upon receiving the final evaluation recommendation from the environmental feasibility assessment team, the competent authority, whether at the national or regional level, proceeds to issue the decree indicating either the project's compliance with environmental standards or its failure to meet them. These decrees play a pivotal role in assessing whether the proposed project aligns with the environmental criteria outlined in the Environmental Impact Assessment (Amdal).

## CONCLUSION AND LIMITATION

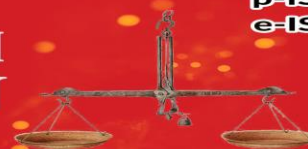
### Conclusion

The Environmental Impact Assessment (EIA) procedure is crucial in Indonesia's environmental management framework. Each stage, from the initial screening to the issuing of environmental licenses, plays a crucial role in the comprehensive and sustainable assessment of environmental impacts related to different business strategies and operations. During the screening phase, potential business plans or activities are evaluated to decide if they require an Environmental Impact Assessment (EIA). This initial assessment includes examining aspects such as the type of business, its size, and the possible environmental impacts. Subsequently, public notices are issued to include local people in offering input and feedback on the planned plans. After the second scoping stage, a more thorough identification of critical concerns and important environmental impacts is conducted. This procedure helps to clearly define the study's scope and ensures that all relevant environmental factors are considered. At the scoping step, the Environmental Impact Assessment Reference Framework (KA-ANDAL) document is created and evaluated. This paper defines the study area's limits and specifies the environmental effects that need additional investigation. The purpose of developing the KA-ANDAL is to clearly outline the extent and thoroughness of the EIA research to guarantee its efficient implementation. The following procedures include preparing and assessing AMDAL records, as well as the Environmental Management Plan and Environmental Monitoring Plan (RKL-RPL) documents. The AMDAL involves a thorough assessment of the important effects of company plans or actions on the environment, whereas the RKL-RPL is used as a method for controlling and overseeing these effects. In the final step, environmental feasibility approval is sought by submitting the final assessment results to the appropriate authorities for review. Government officials like ministers, governors, or regents/mayors make decisions on environmental suitability based on evaluations and recommendations from the environmental feasibility assessment team. The AMDAL process is crucial for evaluating and minimizing unfavorable environmental implications in all corporate plans or actions. The government can achieve a balance between fostering sustainable economic development and effective environmental conservation measures by carefully following this approach.

### Limitation

1. Strengthening Oversight: Implementing stricter measures to supervise the Environmental Impact Assessment (EIA) process is essential to ensure the proper and transparent execution of each stage.
2. Engagement of Stakeholders: Actively involving local communities in the evaluation of EIAs can bolster their participation and foster public confidence in the decision-making process.
3. Enhanced Coordination: Improving coordination among the central government, local authorities, and relevant institutions is vital for maintaining consistency and effectiveness in EIA implementation.
4. Focus on Sustainability: Prioritizing sustainability considerations within the EIA process is imperative to ensure that decisions account for long-term environmental impacts.





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