

# Indonesian Government's Policy on Environmental Law in the Era of Regional Autonomy

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## ABSTRACT

This study aims to investigate Indonesian government policy on the environmental law in the era of regional autonomy by analyzing the by the conception of Indonesian government policy towards regional autonomy or decentralization, the relation between regional autonomy policy and law enforcement and violation to the environment and the Indonesian government's strategic policy towards environmental law in the era of regional autonomy. The methodology in this research uses a qualitative method with a descriptive research design. The results showed that the laws and regulations relating to environmental management are sufficient, but in their implementation, including in the supervision of their implementation, they need to receive serious attention. This is closely related to the good intentions of the government including the regional government, the community and the parties concerned to manage the environment as well as possible.

**Keywords:** Government Policy, Environmental Law, Decentralization, Regional Economic Growth, Indonesia

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## INTRODUCTION

Development policy is on economic growth to support the improvement of human welfare. In pursuing this economic growth, there is often a race of growth which often results in unexpected outcomes for the natural environment and social environment (Everett, 2010; Beckerman, 1992). The implementation of development policy was carried out by exploring and exploiting natural resources often without regard to the environment conditions, causes the environmental situation to worsen and causes various development problems in many regions that are not principled in sustainable development policies. Development of an area's business that causes damage to the environmental conditions of the ecosystem. Regional authority to grant industrial business licenses and mineral resource mining does not appear to be heeded by businesses to preserve the environment. Many regions have experienced environmental damage due to the exploitation of natural resources and industrial development (Setiawan & Hadi, 2007; Duncan, 2007).

In its development policy, every activity in development that is in contact with the environment requires a standard regarding Environmental Quality Standards. Article 15 of Law Number 4 of 1982 concerning Basic Provisions for Environmental Management stipulates that the Environmental Quality Standards are governed by laws and regulations (Warren & Elston, 1994). Thus, Environmental Quality Standards are important instruments in environmental management. The existence of activities or production activities that are not in accordance with the existing Environmental Quality Standards, means that there has been a violation of the applicable legal provisions. At a certain level, if there is environmental pollution, then it can be clarified as a crime against the environment. This can be legally processed by the court. The desire of the community through environmental NGOs or individuals who are informed through the mass media to bring perpetrators of environmental crimes to justice, increasingly gives reasons for perpetrators of crimes against the

environment must be made deterrent, so that they are processed according to existing legal provisions.

Environmental damage due to massive exploitation of natural resources has become a serious problem in the regions. Based on Law No. 32 of 2009 concerning Environmental Protection and Management, environmental protection and management is a systematic and integrated effort undertaken to preserve environmental functions and prevent environmental pollution and/or damage which includes planning, utilization, control, maintenance, supervision and law enforcement (Sulistiyo et al., 2018; Mardiyah, 2018; Kalalo, 2020). In paragraph 63, it is mentioned that the central and regional governments have the authority and duty to determine and implement policies in accordance with the environmental management and protection plan. Environmental Law also explained about the need to involve the community's participation in environmental management and protection, both passive and active.

The expectation or goal of the Indonesian government's policy towards environmental law in the era of regional autonomy is to equalize development in urban and rural areas, not to the contrary bring up new problems namely damage to the environment. This study aims to investigate Indonesian government policy on the environmental law in the era of regional autonomy by analyzing the by the conception of Indonesian government policy towards regional autonomy or decentralization, the relation between regional autonomy policy and law enforcement and violation to the environment and the Indonesian government's strategic policy towards environmental law in the era of regional autonomy

## LITERATURE REVIEW

### Regional Autonomy and Violations of the Environment

The most important issue in environmental management in the context of regional autonomy is natural resources. This is important because natural resources are the foundation of the regions in obtaining funds to hold the

governmental activities. On the other hand, the arbitrary use of natural resources has the potential to cause various environmental problems. Without a clear regulation, the people's welfare will not be guaranteed because it is vulnerable to damage to the local environment. The use of natural resources that cannot be depleted such as sunlight, wind, and waves does not reduce its ability to support human welfare. Another case with non-renewable resources such as natural gas, petroleum, coal, copper, aluminum, and other non-renewable resources in a fast time period, will certainly directly reduce environmental durability and quality. Regions that rely on natural resources for economic development often do not pay attention to environmental principles. Environmental damage hence becomes a strategic issue in regional economic growth (Komarulzaman & Alisjahbana, 2006).

Law No. 32 of 2009 about Environmental Protection and Management explained that the Government gives broad authority to the regional government which includes planning carried out through environmental inventory, determination and preparation of environmental protection and management plan, utilization of natural resources, control over pollution and damage to environmental functions which include prevention, mitigation and recovery, environmental preservation carried out through efforts to conserve natural resources, supervision and law enforcement.

Substantially, the regional governments have an important role in preserving the environment. However, in reality the local government rights and obligations set forth in article 21 paragraph 6 of Law No. 32 of 2004 which stated that the region has the right to get the results from the management of natural resources and other resources. In order to increase regional revenues, regions open investment to businesses to invest capital and industrial development in the region, outside of revenue sharing with central government from natural resources (Bahl, & Tumennasan, 2004; Brodjonegoro & Asanuma, 2000; Butt & Parsons, 2012). Regional obligations to find sources of funding for the administration of government often exploit natural resources. It seems that environmental damages occur because the regions are not careful in giving business licenses to investors (Venugopal, 2014). Meanwhile, there is no public compliance with the law. Global warming, which has become a global issue, does not seem to be fully understood by local governments. The region seems to close its eyes and allow environmental violations that damage the environment with the most important reason that my region experienced an economic increase and became a rich region. Understanding of the principles of sustainable development has also not been implemented optimally by the regions. Sustainability of the environment for future life should be considered by local governments in the perspective of increasing economic growth and regional development.

#### **Regional Strategic Steps for Environmental Damage**

Natural resources are the wealth owned by a region to advance the region itself. Abundant resources become economic resources to achieve community welfare. In this endeavor, the regional government utilizes the availability of resources to be managed as a source of funding for the implementation of regional autonomy. Environmental damage that has occurred in the regions clearly violates the Law on Environmental Protection and Management. The central government needs to take

alternative steps both in terms of the commitment of local decision makers as well as the technical ability to determine the potential and problems in the use of natural resources. One strategic step is a serious study of regional policies in environmental management. The ideal policy is a policy that considers appropriately various aspects such as economic growth, social security, ecological vulnerability, and the interests of future generations.

The quality of such policies naturally requires adequate quality human resources. However, it is generally known that almost all regions that face the same problem are about the low competence of human resources to manage a sustainable environment-based economy. The utilization of natural resources must be balanced with human resources capable of managing natural resources in a planned and wise manner. The availability of abundant natural resources may be potential for increasing local own-source revenue. However, without the support of qualified human resources there is no guarantee that the people can prosper.

Regional autonomy basically has the potential to trigger environmental conflicts between regions. Commodities of natural resources generally come from regional ecosystem which includes a number of provinces, districts and cities. Therefore, in the implementation of regional autonomy there needs to be coordination between regions.

To overcome the arbitrary exploitation of the region to the environment, it is necessary to strengthen the empowerment of bureaucrats in the regions. This is done by some steps including reaffirming commitment to empower environmental institutions in districts and cities both in terms of urgent environmental problems, setting priority programs, human resources, and environmental partners, implications of strengthening environmental institutions at all government units, renegotiation of business actors whose business activities violate and damage the environment, imposing severe sanctions against individual officials or the private sector proven to have done damage to the environment; Strict supervision and licensing of business actors engaged in the exploitation of natural resources. These steps are expected to reduce the implementation of regional autonomy so that it does not violate environmental principles.

#### **METHODOLOGY**

The methodology in this research uses a qualitative method with a descriptive research design. The research uses the type of descriptive research, as it is deemed very appropriate in designing and gathering information or real conditions. Understanding of qualitative research according to Miles and Huberman (1992) in Basrowi and Susilo (2012) and Subagyo (2006), states that one of the research procedures produced descriptive data in the form of speech or writing and behavior of people observed in the field through primary and secondary data through documentation studies. Using qualitative research enables to recognize the subject and feel what they experience in everyday life from the informant.

The main objective in using qualitative research methods is to describe the nature of a situation that is temporarily running at the time the study is carried out, and examine the causative factors for a particular symptom (Creswell, 2007). Descriptive qualitative research according to Sugiyono (2011), is for studying the problems in society,

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as well as the procedures that apply in society and certain situations. Including about relationships, activities, attitudes, views, and processes that are taking place and the effects of a phenomenon.

The study was carried out for about six months, from February to August 2018 in the Province of West Java, to the problems taken. Namely the Indonesian government's policy towards environmental law in the era of regional autonomy. The informants interviewed for research in the research have been determined before going to the field. Informants are people who are considered to know or possess a high level of knowledge on issues of government policy towards environmental law in the era of regional autonomy. Primary informants here are policy makers in the relevant ministries or institutions.

### **RESEARCH RESULTS AND DISCUSSION**

#### **National Development and Sustainable Development**

National Development is a series of sustainable development efforts that encompasses the entire life of the community, nation and state to carry out the task of realizing national goals contained in the Preamble of the 1945 Constitution. In carrying out national development it is necessary to pay attention to the three pillars of sustainable development in a balanced manner. This is in accordance with the results of the United Nations Conference on Environment held in Stockholm in 1972 and an Environmental Declaration on the Earth Summit in Rio de Janeiro in 1992 which agreed to the principles in development decision making must pay attention to environmental and human dimensions and the High Level Conference of Sustainable Development in Johannesburg in 2002 which addresses and addresses the deterioration of environmental quality.

For Indonesia, given that a reliable contribution in contributing to economic growth and foreign exchange sources and development capital is from natural resources, it can be said that natural resources have an important role in the Indonesian economy both in the past, present and future. In its application must pay attention to what has been agreed internationally. However, in addition to natural resources making a large contribution to development, on the other hand sustainability for its availability is often ignored and so are the rules that should be adhered to as the basis for carrying out the management of a business and/or activity supporting development from the economic sector less attention. There is a tendency for a decrease in power support the environment and the depletion of available natural resources and environmental degradation.

Management of natural resources and the environment that are not carried out in accordance with their carrying capacity can lead to a food crisis, water crisis, energy and environmental crisis. In general, it can be said that almost all types of natural resources and environmental components in Indonesia tend to decrease in quality and quantity from time to time. In the implementation of development in the era of Regional Autonomy, environmental management still refers to Law Number 23 of 1997 concerning Environmental Management and also Law No. 32 of 2004 concerning Regional Government and Law Number 33 of 2004 concerning Central and Regional Financial Balance. In carrying out its authority regulated by Government Regulation Number 25 of 2000, concerning Government Authority and Provincial Authority as Autonomous Region. In environmental

management the Provincial Government has 6 authorities, especially in handling cross-regency/city, the focus of handling environmental management is in the regency/city. In a circular letter of the Minister of Home Affairs Number 045/560 dated May 24, 2002 concerning recognition of the Authority/Positive List there are 79 authorities in the environmental field.

In line with the pace of national development carried out, environmental problems currently often faced are environmental damage around mining areas that have the potential to damage the landscape and overlapping land uses for mining in protected forests. Cases of environmental pollution also tend to increase. The progress of transportation and industrialization that is not accompanied by 3 applications of clean technology has a negative impact, especially on the urban environment. Rivers in urban areas are polluted by industrial and household waste. Soil conditions are increasingly polluted by chemicals both from solid waste, fertilizers and pesticides. This pollution problem is caused by the still low awareness of the business community or public awareness to live clean and healthy with good environmental quality. In other words, environmental problems are not getting lighter but will only become more severe, especially considering that natural resources are used to carry out development aimed at meeting and improving the welfare of the community.

With these conditions, sustainable management of natural resources and the environment is enhanced by the support of fair and strict environmental law enforcement, quality human resources, the expansion of the application of environmental ethics and increasingly socio-cultural assimilation. having an environmental ethics perspective through internalization into activities or processes of production and consumption and instilling environmental values and ethics in daily life including social learning processes and formal education at all levels.

In the implementation of sustainable national development, the natural resources and environment sector needs to pay attention to further elaboration of the mandate contained in the National Development Program, which is basically an effort to utilize natural resources as much as possible for the prosperity of the people by taking into account the preservation of environmental functions and balance, sustainable development, economic and cultural interests of local communities and spatial planning.

As a result of the 2002 World Summit on Sustainable Development (WSSD) in Johannesburg, Indonesia was active in discussing and attempting to address the deterioration in environmental quality. It was decided to carry out sustainable development for the welfare of the present and future generations based on development economic, socio-cultural, balanced environment as interdependent pillars that strengthen one another.

Sustainable development is defined as development that meets the needs of the present without compromising the right to meet the needs of future generations. Sustainable development implies a guarantee of the quality of human life and does not exceed the ability of ecosystems to support it. Thus, the notion of sustainable development is development to meet the needs of the present without compromising the ability of future generations to meet their needs. This concept contains two elements. The first is the need, especially the basic needs of disadvantaged

groups of people, who really need to get high priority from all countries. The second is limitations. The mastery of technology and social organizations must pay attention to the limitations of the ability of the environment to meet human needs now and in the future (Khairunnisa & Supriatna, 2018).

This is because the vision of sustainable development departs from the Preamble of the 1945 Constitution, namely the protection of all Indonesians and the whole of Indonesia's blood spills; the achievement of public welfare and intelligent national life; and can play a role for the Indonesian people in carrying out world order based on independence, eternal peace and social justice. Thus, the vision of development that we profess is development that can meet the aspirations and needs of the current generation of society without reducing the potential of fulfilling the aspirations and needs of future generations. Therefore, the function of the environment needs to be preserved.

National development policy applies the principle of sustainable development that combines the three pillars of development, namely economic, social and environmental fields. In applying the principle of Sustainable Development to National Development requires an agreement of all parties to proportionally combine the three pillars of development. In line with that, efforts have been made to prepare a National Agreement and Sustainable Development Action Plan through a series of meetings attended by various parties. The concept of sustainable development arises and develops due to the realization that economic and social development cannot be separated from environmental conditions.

#### **Environmental Management Policies in the Regional Autonomy Era**

Environmental management including prevention, mitigation of damage and pollution and restoration of environmental quality have demanded the development of a variety of policy tools and programs and activities supported by other environmental management support systems. The system includes institutional stability, human resources and environmental partnerships, in addition to legal and regulatory instruments, information and funding. The interdependence and holistic nature of the essence of the environment has the consequence that environmental management, including its supporting system, cannot stand alone, but is integrated and becomes a spirit and integrated with the entire implementation of sector and regional development

In terms of National and Regional Policies on Environmental Management, in accordance with Law No. 32 /2004, concerning Regional Government and Government Regulation No. 25 of 2000 concerning Government Authority and Provincial Authority as an Autonomous Region, in the environmental sector, provides political recognition through the transfer of authority from the central government to the regions by (a) placing the region in an important position in environmental management; (b) requiring local initiatives in designing policies; (c) building interdependent relations between regions; and (d) establishing a territorial approach.

It can be said that the consequences of implementing Law No. 32 of 2004 with Government Regulation Number 25 of 2000, Environmental Management has its emphasis in the Regions. The national policy in the field of environment explicitly the National Development

Program formulates a program called natural resource development and the environment. This includes some programs.

First, Development and Improvement Program for Access to Information on Natural Resources and the Environment. This program aims to obtain and disseminate complete information about the potential and productivity of natural resources and the environment through inventory and evaluation and strengthening information systems. The targets to be achieved through this program are the availability and access to information on natural resources and the environment, both in the form of spatial data infrastructure, the value and balance of natural resources and the environment by the wider community in each region.

Second, Program for Increasing the Effectiveness of Management, Conservation and Rehabilitation of Natural Resources. The purpose of this program is to maintain a balanced use and preservation of natural resources and the environment of forests, seas, air water and minerals. The target to be achieved in this program is the utilization of natural resources to support the needs of industrial raw materials in an efficient and sustainable manner. Other targets in the program are to protect conservation areas from damage due to uncontrolled and exploitative use of natural resources.

Third, Environmental Damage and Pollution Prevention and Control Program. The purpose of this program is to improve the quality of the environment in an effort to prevent damage and/or environmental pollution and restore the quality of the environment damaged by excessive use of natural resources, as well as industrial and transportation activities. The objective of this program is to achieve a quality of a clean and healthy environment is to achieve a quality of a clean and healthy environment in accordance with the specified environmental quality standards.

Fourth, Institutional and Law Enforcement Structuring Program, Natural Resource Management and Environmental Conservation. This program aims to develop institutions, organize the legal system, legal instruments and policies, and enforce the law to realize natural resource management and environmental preservation that is effective and equitable. The target of this program is the availability of strong natural resources and environmental institutions supported by law and regulations as well as the implementation of fair and consistent law enforcement efforts.

Fifth, Programs for Enhancing the Role of Communities in Natural Resource Management and Preservation of Environmental Functions. The purpose of this program is to increase the role and concern of the parties concerned in the management of natural resources and the preservation of environmental functions. The target of this program is the availability of facilities for the community in natural resource management and preservation of environmental functions from the process of policy formulation and decision making, planning, implementation to supervision.

Moreover, in terms of National and Regional Policies in Enforcement of Environmental Law, the weak side in carrying out prominent environmental legislation is law enforcement; therefore, this section will address issues related to environmental law enforcement. With the rapid development of national development aimed at improving the welfare of the community, there are a



number of weaknesses that stand out, among others, that are not balanced by rules of compliance by development actors or often ignoring the basis of rules that should serve as guidelines to carry out and manage their businesses and/or activities, particularly concerning the social and environmental fields, causing environmental problems. Therefore, in accordance with the Action Plan for Sustainable Development in the Protection and Management of the Environment, efforts are made to improve the quality of the environment through efforts to develop the legal system, legal instruments, compliance and law enforcement including alternative instruments, as well as environmental rehabilitation efforts. Regional policies in overcoming environmental problems, especially policy and law enforcement issues which are one of the environmental problems in the region may include some policies, such as (a) regional regulation on the environmental strengthening of environmental institutions; (b) application of environmental management documents in the licensing process; (c) socialization/education about laws and environmental knowledge; (d) improve the quality and quantity of coordination with relevant agencies and stakeholders; (d) integrated supervision of environmental law enforcement; (e) forms and types of sanctions for environmental violations; (f) increasing the quality and quantity of human resources; (g) increasing funding in environmental management. environmental management henceforth is an integrated effort to preserve the function of the environment which includes policies on the arrangement, utilization, development, maintenance, recovery, supervision and control of the environment. Meanwhile, the environment is defined as the unity of space with all objects, power, conditions and living things including humans and their behavior that affect the continuity of life and welfare of humans and other living creatures.

Environmental conditions from time to time there is a tendency to decrease in quality, the main cause is because at the level of decision making, the importance of preservation is often neglected, leading to pollution and environmental damage. With the occurrence of pollution and environmental damage it also creates social conflicts and environmental conflicts. With these various problems required legal instruments for the protection of the environment, in general have been regulated by Law Number 4 of 1982. However, based on experience in implementing various provisions regarding law enforcement as stated in the Environmental Law, then in the Management Act Environmental changes have been made to facilitate the application of provisions relating to environmental law enforcement, namely Law No. 4 of 1982, replaced with Law Number 23 of 1997, on Environmental Management and then further regulated in its implementing regulations. This law is a powerful tool in protecting the environment. In its application it is supported by sectoral laws and regulations. This is because Environmental Management requires sectoral coordination and integration to be carried out by departments and non-departmental government institutions in accordance with their respective areas of duties and responsibilities, such as Law Number. 22 of 2001 concerning Gas and Earth, Law Number 41 of 1999 concerning Forestry, Law Number 24 of 1992, concerning Spatial Planning and followed by further regulation with Government Regulations, Presidential Decrees,

Ministerial Decrees, Regional Regulations and Governor Decrees.

Furthermore, the existence of the Environmental Management Act No. 23 of 1997, was deemed inadequate to solve the problem of environmental damage, because of it in 2009, after going through a fairly long process of enacting the Environmental Protection and Management Law No. 32 of 2009 as a substitute for Environmental Management Number 23 of 1997. The commitment of the two institutions of the House of Representatives of the Republic of Indonesia and the Government that form the Law on Environmental Management underlines that the word protection has a strong meaning of pressure as the main orientation of environmental management.

There are a lot of reforms in the Environmental Management Law. Affirmation of the constitutional rights to the environment based on the mandate of the 1945 Constitution and the dynamics of regional autonomy have become an important basis for consideration and initiated the formation of the Environmental Management Law. The General Explanation states that a good and healthy environment is a human right and constitutional right for every Indonesian citizen. Therefore, the state, the government, and all stakeholders are obliged to carry out environmental protection and management in the implementation of sustainable development.

In addition, this Law according to the General Explanation also regulates the integrity of the elements of environmental management, clarity of authority between the center and the regions, strengthening efforts to control the environment, strengthening of instruments for preventing pollution and/or environmental damage, which includes instruments such as strategic environmental studies, spatial planning, environmental quality standards, standard criteria for environmental damage, environmental impact analysis, environmental management efforts and environmental monitoring efforts, licensing, environmental economic instruments, environmental based legislation, environment based budget, the analysis of environmental risks, and other instruments that are appropriate to the development of science and technology. Other elements include the utilization of licenses as an instrument of control, utilization of the ecosystem approach, certainty in responding to and anticipating developments in the global environment, strengthening environmental democracy through access to information, access to participation, and access to justice as well as strengthening community rights in environmental protection and management, clearer civil, administrative and criminal law enforcement; strengthening institutional protection and management of the environment that is more effective and responsive; and strengthening the authority of environmental supervisory officials and environmental civil servant investigators.

Furthermore, this Law gives the Minister broad authority to carry out all governmental authorities in the field of environmental protection and management and to coordinate with other agencies. Through this Act also, the Government gives very broad authority to regional governments in carrying out environmental protection and management in their respective regions that are not regulated in Law Number 23 of 1997, concerning Environmental Management.

Therefore, an institution which has a workload based on this Law is not enough for an organization to determine

and coordinate the implementation of policies, but an organization with a portfolio is required to establish, implement and oversee environmental protection and management policies. In addition, this institution is also expected to have the scope of authority to oversee natural resources for conservation purposes. To guarantee the implementation of the main tasks and functions of the institution, funding support from an adequate state budget for the Government and an adequate regional budget for the regional government is required.

Will the explanatory information contained in the Environmental Management Act, Indonesia will have "Environmental Sustainability Plus" aka Environmental Sustainability which has full authority to protect and manage the environment in a tangible way? Sectoral parties should be able to understand departmentally on the occurrence of a large shift in authority to Environmental Sustainability. The legal position of Environmental Sustainability is clearly increasing and will certainly reduce the sector's authority a little. This event is always experienced by developed countries that have great intentions to improve their environmental destiny. The shift of the power plate can always occur by making environmental policy an epicenter of the development of a nation. Moreover, there must be a Strategic Environmental Assessment, Environmental Development Plan, namely environmental permits, as well as integrated environmental law enforcement.

#### **Portrait of the Environment in the Regional Spatial Planning Policy**

Considering the complexity of environmental management and cross-sector and regional issues, development planning and implementation of environmental management are required in line with the principles of sustainable development, namely economic, socio-cultural development, balanced environment as interdependent pillars and reinforce each other. The implementation involves various parties, as well as firmness in compliance with environmental law. It is hoped that with the participation of various parties and supervision and legal compliance that can truly be upheld, it can be used as a common reference for managing the environment in a prudent manner. The objectives of sustainable development can truly be implemented in the field and do not stop at mere slogans. However, the facts on the ground often contradict what is expected. This is proven by the declining quality of the environment from time to time, shown a number of facts on the ground that can be observed. Matters relating to environmental management in the region in the era of regional autonomy include some considerations.

First, sectoral and regional ego. Regional autonomy which is expected to be able to grant some authority to manage the environment in the regions has not been able to be implemented properly. The ego of regionalism is still often seen in the implementation of environmental management, life, as well as sector ego. Environmental management is often carried out overlapping between one sector with another sector.

Second, overlapping planning between sectors. The fact shows that program planning, including environmental management, is an overlap between one and another sector.

Third, funding which are still lacking in the environmental field. Programs and activities must be supported with adequate funds if they expect success well. Although everyone recognizes that the environment

is an important and indispensable region, in reality the regional own-source revenues is still too low allocated for environmental management programs, made worse by the lack of funds from the State budget which is allocated directly to the regions for environmental management.

Fourth, limited human resources. It must be recognized that in the management of the environmental environment in addition to adequate funds must also be supported by qualified resources. Human resources are often still not supportive. Many personnel who are supposed to be tasked with carrying out environmental management, including local government officials do not understand well the importance of the environment.

Fifth, exploitation of natural resources still prioritizes profits from the economic side. Natural resources should be used for development to achieve community welfare. Although the reality is not the case; exploitation of mining materials, logging benefits only a part of the community, environmental aspects that should be, in fact much ignored. The facts show that there is no balance between the economy and the environment. Environmental problems are still not getting the proper portion.

Sixth, weak implementation of legislative regulations. There are quite a lot of regulations relating to the environment, but their implementation is still weak. There are some parties who actually do not implement the laws and regulations properly, even looking for weaknesses of the laws and regulations to be used to achieve their goals.

Seventh, weak enforcement of environmental law, especially in supervision. Related to the implementation of laws and regulations is the supervision side of the implementation of laws and regulations. Many violations committed such as environmental pollution, environmental destruction, but very weak in providing legal sanctions.

Eighth, community understanding of the environment. Understanding and awareness of the importance of the environment in some communities is still weak and this needs to be improved.

Ninth, application of technology that is not environmentally friendly. The application of environmentally unfriendly technology can occur to expect instant, fast results that can be enjoyed. The economic benefits frequently ignore the environmental impacts caused. Inappropriate use of fertilizers, pesticides can cause environmental pollution.

#### **CONCLUSIONS AND RECOMMENDATIONS**

There are so many problems related to the environment related to development. These problems can arise due to the development process that does not pay attention to environmental aspects. In this era of autonomy, it appears that there is a tendency for environmental problems to become more complex, which should not be the case. There is a temporary suspicion that environmental degradation is related to the implementation of regional autonomy, where the regions want to increase regional original revenues by exploiting natural resources that pay less attention to environmental aspects properly. In this way there is a deterioration in the quality of the environment everywhere, followed by the onset of natural disasters. There are many things that cause environmental aspects to be less attention in the development process, which varies from one region to another, from things that are local such as the availability of human resources to things

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that are broader scale such as the application of technology that is not friendly environment. The laws and regulations relating to environmental management are sufficient, but in their implementation, including in the supervision of their implementation, they need to receive serious attention. This is closely related to the good intentions of the government including the regional government, the community and the parties concerned to manage the environment as well as possible. The principles of environmentally sustainable development can be implemented properly. Because development is basically for the welfare of the community, the aspirations of the community need to be heard and the programs of development activities truly touch the interests of the community.

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