

BEACH ABRASION REDUCTION EFFORTS IN NATURE CONSERVATION AND SECTOR DEVELOPMENT OF MARINE TOURISM IN BALI

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ABSTRACT

Preparation of this article aims to: (1) to determine the aspects of setting the beaches in Bali. This article forms of information data, both derived from the documents and the respondent, and literature references derived from scientific literature scholars with regard to assessment issues. The authors carried out legal research focuses on the nature of research that is normative for the search problem which is more dominant on the substance of legislation and related to coastal erosion in a legal environment that highlights the normative aspect of a rule in practice. Preparation of this article is essentially descriptive analysis. Environmental law has grown rapidly not only in relation to the function of the law as protection, control and certainty for the community (social control) with the role of an agent of stability, but even more prominent as a means of development. Thus, prevention of abrasion should also pay attention to supporting aspects that helped build the preservation of nature conservation and development of marine tourism sector.

Keywords: Abrasion, nautical, nature conservation, coastal, tourist.

INTRODUCTION

The beach of Balinese people have a role and a very strategic functions, ranging from fishermen activities, tourism activities and perform religious ceremonies for Hindus. Even some famous tourist locations in the island of a thousand temples is a stretch of beach with white sand. Such as Sanur and Kuta Beach Tulamben is even here its been to famous parks to foreign countries.

Coastal areas which have been mentioned above is already famous ukup tourism so it is unfortunate if this damaged area renders abrasion. This damage is feared will eliminate the attraction of Bali as a tourist area marine has a very beautiful beach. Not only on the beach the already very famous for tourist area, along the southern coast of Jembrana (Cupel Beach), a beach in Herzliya Beach of Candidasa (Karangasem) and the North coast of the island of Bali is also are in a condition which is quite worried. But that is only a small part of the beach in Bali, when in fact there are still many other beaches are also a wonderful place to visit because it is essentially the island itself is surrounded by the sea.

Almost all areas (counties) in Bali has a coastal location. Some of them can still enjoy the beauty till now but some are leaving only concerns all parties because of the condition of the several beaches that suffered damage from the sea water abrasion. The actual threat to the annihilation of mainland Bali was in sight since tourism gushing faucets here. Although not directly, but by making tourism as a source of income for this region, a wide range of accommodation in the provision of development support were influential. Construction of a hotel, residential, and others require a land that is quite extensive. Unfortunate thousands of fertile soil disappear and open green space is transformed into a concrete-covered runga. Rampant land needs to mangroves were intercepted. Whereas the function of mangrove is very strategic as the protector of the coast from a surprising surge of sea water.

Not yet exhausted the issue coupled with new problems regarding development (reclamation) on the island of attacks that inflict prolonged polemics that time, but the result has to be felt now. According to some sources, dredging and stockpiling which occurred on the island Attack for the realization of the project the means of connecting a road connecting transform to PuraSakenan is one of the causes of the occurrence of abrasion Beach in Bali. The reason, dredging and stockpiling Serangan Island surrounding ocean currents cause changes. It's only a small part of activities identified as the cause of abrasion in Bali recently.

There are also connecting with the symptoms of global warming around the world. Moreover, according to opinion of experts, the conditions of the polar ice caps start to melt and influenced the volume of sea water so that their surface come up. We can imagine several small islands that exist in this world would sink when it does occur. Effects of global warming (global warming) the predict will submerge about 30 thousand small islands in the world. The risks of global warming are also unavoidable in Bali. The proof, abrasion in Bali reached 86.950 km long coastline of 430,000 miles. Obviously this is quite worrying. Opinions of the experts on the need for restrictions on the use of fuels that are not environmentally friendly needs to be supported due to join bring a share of global warming.

But we know that is not supported, the transformation of adequate public encouraging its people to have a private vehicle. And ownership of property in Bali is very high. On the other hand, the rules concerning exhaust emission vehicle thresholds not yet enacted as tightly as possible. That means more dirty air Bali by the process of global warming. And the same meaning also plays cause abrasion that occur lately. This last one shows Data from 430,000 miles of coastline area in Bali which suffered abrasion reaches 86.950 km. Symptoms of nature that accelerates the removal of this land will obviously be a serious threat to the citizens of the coast of Bali. Even a lot of tourism accommodation services built on shore without heeding the borders the

beach. Should be a rule that has been made should be enforced and strict controls. Do not let the buildings left standing on the boundary line has been determined. Due to abrasion waves make the land get decrease.

Based on records at least there are 35 locations in Bali who experienced the encroachment of approximately 64 kilometers to immediately get long beach, from the handling of the entire Bali 438 kilometers. The limitations of the Government-owned funds have not been thoroughly handle Beach abrasion. See the phenomenon such as this, we should have been able to respond to any problems that occur to immediately be solved together. Because according to the consideration of proper, do not let us capitalize on this coastal area without heeding the sustainability of the environment itself. Do not let the condition of our mangrove habitats of the coast with destructions so disturbing natural ecosystems that exist.

Community participation is very important in maintaining the sustainability of the coast. In addition, Government efforts to build a security tool (krib) that serves as a break up ocean waves to the rate of coastal abrasion can be minimised also proved effective for now. So far through the installation of the concrete shore protection of various sizes (krib or barrier) or reinforced concrete walls have been reaching out to several locations in the tourist area of Kuta, Sanur, Nusa Dua, Tanah Lot, Candidasa and in areas of the North coast of the island of Bali. Of course efforts will be done according to ability and funds. Steps taken by the Government in the rescue of the beach from the threat of abrasion should be counterbalanced by the behavior of the community by actively taking part safeguard and secure immediately the beach from abrasion, among others by not taking sand and rock sepnjang coast. Mangrove planting greening movement is also often performed local government authorities, NGOs and communities. Certainly hope in the future, we as the younger generation is not right let casually beautiful beaches in Bali are lost due to abrasion. For it is preventive and repressive countermeasures is our common task. From the explanation above, the authors will examine what aspects of the setting, the beaches in Bali?

METHODS

The study in this paper follows the normative view of the flow. The study, the authors carried out legal research focuses on the nature of the research that is normative for the search problem is more dominant on the substance of the legislation related to coastal erosion in a legal environment that highlights the normative aspect of a rule in practice .To complete the necessary data to researchers, also using juridical empirical research. Therefore, this study is a combination of empirical legal research and normative legal research.

According to the normative view, any theory of law (in the broad sense) can meet the requirements set forth as a science, so the branch theory of the law (in the broad sense) can hold the title of ' science'. Therefore, prevention and control of environmental pollution and damage the environment requires the cooperation of experts from various disciplines to work together to examine factors that inhibit or encourage the formation and development of the environment in the country of Indonesia according to the scientific capability for the success of sustainable development. Preparation of this article is essentially descriptive, the analysis is qualitative.

ASPECTS OF SETTING UP THE BEACHES IN BALI

Environmental issues can be reviewed from the medical aspect, planologis, technologists, environmental engineering, economics and law. In terms of law-in terms of environmental management and conservation of natural resources in Indonesia need to be studied intensively, because environmental management is not possible without the legal arrangements. Environmental law has developed rapidly not only in relation to the functioning of the law as a protection, control and kepatian for the Community (social control) with the role of agent of stability, but what stands out more as a means of development (a tool of a social engineering) with the role of agent of development or agent of change.

Development of the setting of the environment first in Indonesia has enacted law number 4 in 1982 about the Basic provisions of Environmental Management, abbreviated to UULH and enhanced with UUPH Number 23 in 1997. On the management of the environment we are dealing with the law as a means of fulfilling the interests. Based on the interests of the environment can be distinguished parts of environmental law:

- a. The law of disaster (Rampenrecht);
- b. Environmental Health Law (Milleaugienerecht);
- c. The law on natural resources (Rechtbetreffendenatuurlijkrijkdommen) or law of conservation (Natural Resources Law);
- d. The law of Spatial Distribution of usage (Rechtbetreffende de verdeling van het ruimtegebruik) or Spatial Law;
- e. Environmental Protection Law (Milieubeschermingsrecht).

Of the substance of the law which is the Law of the environment, then the material gets into the realm of law functional (functionelerechtsvakken), which contains the breakthrough between the various disciplines of classical (traditional) laws. Thus it is clear that, environmental law as a separate branch of science is a genus, but its substance is the largest part of its administrative law. So too is the view espoused in Anglo-American countries, environmental law in the public law.

Environmental law known as the law of nuisance (hinderrecht) that is both simple and contain aspects of keperdataan. His development gradually shifted to administration law, pursuant to the enhancement of the role of the ruler in the form of intervention against various facets of life in an increasingly complex society. In terms of environmental law administrative

mainly appear in the decision of which is poured in the form of discretion rulings (beschikking) ruler, for instance in the licensing procedure, environmental quality, raw determination procedure analysis on environmental impact (AMDAL) 1 and so on.

So, the legal Environment is closely related to environmental policy laid down by the authorities in the field of the environment. In setting environmental policy authorities want to achieve specific objectives for it can be used a variety of means, such as outreach, education, subsidies for the implementation of real activities, and so on.

The constitutional foundation of structuring the environment contained in the Preamble Alenia IV, 1945, "... protects all the peoples of Indonesia and all the spilled blood of Indonesia ..." that the State is obliged to provide protection against all aspects of both the population and the resource that is owned by preserved. Refer to Article 33: in paragraph (3), (4) and (5) that the arrangement of natural resources related to the field of economy must insightful environment by improving their implementation based on the provisions of the applicable legislation.

Then UUPH No. 23 of 1997 as a Parasol (Umbrella Act Provision), which works as an act of environmental management have a vital strategic and juridical function in the field of environmental management. UUPH is a juridical base (basic law) for assessing and adjusting all the prok containing provisions LH, both existing (LexLata) and aka tone (LexFeranda)

Environmental Protection legal basis in Act No. 23 of 1997 (UUPH), the provisions of article 9 paragraph (3): environmental management must be integrated with spatial protection of the natural resources of non-biological artificial resources, protection, conservation of natural resources, the ecosystem and biodiversity, cultural heritage, biodiversity and climate change are some of the substance of the arrangements should continue to be developed and considered in relation to Countermeasures and the encroachment of the beach in Natural conservation efforts and development of Nautical Tourism Sector in Bali. It is intended for all kinds of development, structuring the coastal areas should still heed the provisions of procedure as outlined in article 9 paragraph (3) above.

Shove off from Act No. 10 of 2004 on the establishment of Regulations (LN. RI 2004 No. 53 and TLN. RI No. 4389) article 7 paragraph 1 specify the type and the hierarchy of legislation as follows:

1. the Constitution of the Republic of Indonesia in 1945;
2. laws/Government regulations Replacement legislation;
3. Government regulations;
4. presidential regulation;
5. local regulations.

CONCLUSION

By using types and the hierarchy of Legislation such as the above, in this study the norms of law as the object of study of conservation of natural resources, the ecosystem and biodiversity in article 12 of ACT No. 5 of 1990 concerning conservation of Biodiversity has been set the regulation.

Aspects of conservation which is set in it contains three elements, namely: (a) a buffer system of Protection of life; (b) Preservation and keeping of the diversity of plants and animals as well as their ecosystems at matra land, water and air; (c) the utilization of sustainable biodiversity and ecosystem SDA. In the sense of the above conservation including protection of animals Ordinances administered by human life, plants that have become rare and endangered, and protected forest.

The existing Legislation covering products: (1) Act No. 5 of 1990 concerning conservation of Biodiversity; (2) Act No. 5 of 1994 concerning ratification of the CBD; (3) Act No. 31 of 2004 about Fisheries Regulation Implementation, namely: (1) PP No. 18/1994: Nature Tourism Concession in the benefits zone TN, THR, nature tourism and parks; (2) REGULATION No. 68/1998: area of Natural Preservation and Nature Sanctuary. Thus, countermeasures should be also noticed the abrasion supporting build aspects of the preservation of nature conservation and the development of nautical tourism sector because all of the constituents of its existence requires contribution balance ecosystem supporters.

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