



Journal Homepage: -www.journalijar.com

INTERNATIONAL JOURNAL OF ADVANCED RESEARCH (IJAR)

Article DOI: 10.21474/IJAR01/15731

DOI URL: <http://dx.doi.org/10.21474/IJAR01/15731>



RESEARCH ARTICLE

IMPLEMENTATION OF THE AUTHORITY OF THE WEST LAMPUNG REGIONAL GOVERNMENT IN LICENSING OF SUSTAINABLE FLOATING CRAFT CULTIVATION ACTIVITIES IN RANAU LAKE

Melisa, F.X Sumarja, Indra Gumay Febryano, Agus Setiawan, Muhammad Akib and Abdullah Aman Damai
Master of Environmental Science, Lampung University, Bandar Lampung, Indonesia.

Manuscript Info

Manuscript History

Received: 20 September 2022

Final Accepted: 24 October 2022

Published: November 2022

Keywords:-

Authority, Licensing, Floating Net
Cages, Sustainable

Abstract

The existence of 435 floating net cages in Ranau Lake, LumbokSeminung District, West Lampung Regency has a fairly large impact. This problem is feared to have an influence on environmental conditions. One of them is water pollution due to food residue. This study aims to describe and analyze the implementation of the authority of the local government of West Lampung Regency in licensing floating net cage cultivation activities in order to realize sustainable fisheries development in Lake Ranau. Describe and analyze the implementation of applicable law enforcement in order to realize sustainable fisheries development in Ranaulake in West Lampung Regency. Data collection is done by interviewing. Data analysis was carried out using qualitative descriptive. The results of this study are floating net cage cultivators in Lake Ranau, West Lampung Regency already have a Micro Small Business License (IUMK) which has been issued by the sub-district head. Micro Small Business Permits (IUMK) are granted to micro and small business actors according to the requirements determined by the City Government by referring to the Regulation of the Minister of Home Affairs. The IUMK in the field of floating net cage cultivation is issued by the Camat, so the authority to enforce the law rests with the Camat. theCamat is authorized to give a written warning and termination of business activities to parties conducting activities without a permit. If, within 14 (fourteen) days a written warning from the Camat and or the termination of business activities are not carried out, the Camat will coordinate with the Head of the Civil Service Police Unit of West Lampung Regency to take action.

Copy Right, IJAR, 2022,. All rights reserved.

Introduction:-

Ranau Lake with an area of about 127 km² is administratively located in two provinces, namely the northern part in the OganKomeriungUlu (OKU) Regency, South Sumatra Province,(Zaennudin et al. 2011) while the southern part enters the West Lampung Regency, Lampung Province. The community around Lake Ranau uses the lake mostly for aquaculture activities with the Floating Net Cage (KJA) system. The existence of 435 floating net cages in Lake Ranau, LumbokSeminung District, West Lampung Regency has a considerable impact. This problem is feared to have an influence with environmental conditions. One of them is water pollution due to deposits of feed residues.

Corresponding Author:- Melisa

Address:- Master of Environmental Science. Lampung University, Bandar Lampung,
Indonesia.

The Fisheries Service of West Lampung Regency has encouraged entrepreneurs to anticipate. It began with the establishment of the floating net cage Entrepreneurs Forum. This utilization must be carried out responsibly for the welfare of local communities and the preservation of the environment. (Rohany, Setiawan, and Dewi 2018)

The cultivation of floating net cages in Lake Ranau is still relatively small, because the fishery is managed by the local community itself, but if it is accumulated, the fishery becomes wide and numerous, and will definitely produce waste leftover feed which is also in large quantities. If this is allowed, it will cause polluted lake environment such as what happened in Cirata lake, Maninjau lake, and others. (Sulaiman et al. 2020)

On April 4, 2011, a large number of fish deaths occurred in Lake Ranau. (Ministry of Energy and Mineral Resources 2011) Several mass media, both local and national print and electronic media informed that thousands of fish had died in Lake Ranau. Local residents and fishermen in Bandar Agung Village, Way Curing, Way Hening, Batu Handak, Nehara, Lakai, Batu City, Bandingagung District, OKU Regency, South Sumatra Province, as well as Lombok, Sukabandar, and Haniarong Villages, West Lampung Regency, Lampung Province, had picked up drunk and dead fish on the surface of the lake.

The West Lampung Regional Government has the authority to make policies related to environmental permits regarding Environmental Permits for the Establishment of Floating Net Cages in the Ranau Lake Area, West Lampung Regency. Environmental Permits are intended to promote Environmental Control in minimizing water pollution in the lake area. (Siregar 2014) Environmental impact control is an effort to carry out supervisory actions on an activity carried out by everyone, especially cultivators or business activities that cause environmental impacts. (Soeikromo 2016)

Floating net cage cultivators in Lake Ranau, West Lampung Regency, already have a business license that has been issued by the sub-district head. Article 4 Number (1) of Presidential Regulation Number 98 of 2014 concerning Micro and Small Business Licensing explains that those who carry out Micro and Small Business Permits are sub-districts that receive delegation of authority from the Regent/Mayor. After the issuance of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions as referred to in Article 4 paragraph (1), it is explained that the Governor delegates the authority of the provincial government in the Implementation of Business Licensing in the regions to the head of the Regional Government (Investment and One-Stop Integrated Services Service) DPMPSTP, but it has not been implemented.

Article 3 of Regional Regulation Number 22 of 2012 concerning Delegation of The Regent's Authority Section in the Field of Licensing and Non-licensing Services to the sub-district explains in the Framework of Patent Administration (Implementation of District Integrated Administrative Services) that the procedures for licensing and non-licensing services in the Regency include the stages of receiving applications and administrative examinations, technical examinations, granting or refusing permits, payment of Levy Documents / Decisions and submission of Letters The Decision on Granting Permits or Letter of Refusal of Permits or Decisions on License Revocation, is carried out in an integrated manner.

At the beginning of 2022, the Fisheries Service has just carried out the data collection stage for people who have KJA, there are 435 KJA in Lake Ranau and those who meet the requirements are 39 cultivators, namely those who have floating net cages of more than 4 (four) units, provided that 1 (one) unit is equal to $4 \times (7 \times 7 \times 2.5) \text{ m}^3$, in making permits there are 39 cultivators, Meanwhile, for 396 cultivators, it is only to meet statistical data. After collecting data on people who have floating net cages, the Fisheries Service will socialize about the Fisheries Business License, farmers who want to take care of the SIUP (Fishery Business License) visit the Fisheries Service, then the fisheries service will recommend to DPMPSTP to issue permits.

With the issuance of Law Number 11 of 2020 concerning Job Creation, the impact of changes in environmental regulations in Law Number 32 of 2009 concerning Environmental Protection and Management has been enacted. Law Number 11 of 2020 concerning Job Creation was partially amended to 32 of 2009 concerning Environmental Protection and Management and its regulation through Government Regulation Number 22 of 2021 concerning the Implementation of Environmental Protection and Protection

The enforcement arrangements for the Administrative Law on the Licensing of floating net cages in Lake Ranau, West Lampung, are regulated in each licensing regulation which contains the provisions for supervision and

imposition of sanctions. The West Lampung regional regulation that specifically regulates licensing is explained in Regional Regulation Number 22 of 2012 concerning Partial Delegation of Authority of the Regent in the field of Licensing and Non-Licensing Services to the sub-district in the Context of Patent Implementation. Article 19 of this Regulation explains that in the context of preventive measures and guidance against violations related to licensing that is its authority, the sub-district has the authority to give a written reprimand and/or termination of business/development activities to parties who carry out activities without permission to take care of their permits in advance. If within 14 (fourteen) days a Written Reprimand from the sub-district and or the cessation of business/development activities are not carried out concerned, the sub-district shall coordinate with the Head of the Civil Service Police Unit of West Lampung Regency for enforcement. Article 11 of the West Lampung Regent Regulation Number 2 of 2016 concerning Guidelines for Granting Micro and Small Business Licenses explains that the Sub-District can revoke or invalidate IUMK. The revocation of IUMK can be carried out if the IUMK holder violates laws and/or regulations related to business activities.

With the enactment of the Regional Regulation on Environmental Permits for KJA Fish Farming Business Actors in Lake Ranau, West Lampung, farmers in carrying out their business must refer to existing regional regulations. For this reason, law enforcement is needed, in order to increase farmers' understanding of their rights and obligations in establishing a KJA floating net cage fish farming business. Law enforcement is the obligation of the whole community and for that understanding of rights and obligations is an absolute requirement.(Usman 2014) Enforcement of environmental laws can be carried out preventively and repressively, according to their nature and effectiveness.(Hukum and Candrakirana 2015)

Administrative law enforcement can be carried out with supervision as the main mechanism, namely the prevention and imposition of sanctions for parties in the supervision mechanism who commit violations, administrative sanctions are needed to prevent the worsening pollution and environmental damage in Lake Ranau.

Communities should use lakes with fishery activities by paying attention to the environment to realize sustainable fisheries.(Jumanto and Kurniati 2017) Efforts to use fish resources optimally, sustainably and sustainably are fisheries that are very important for the greatest prosperity of the people, especially to improve fish welfare, meet the nutritional needs of the community, broad job opportunities and business opportunities.(Khairi 2016) For this reason, it is necessary to analyze the Authority of the West Lampung Regional Government in Handling Sustainable Floating Cage Cultivation Activities in Lake Ranau. Based on the background of the problem above, the problem formulation in this study includes:

How is the implementation of the government's authority in West Lampung Regency in licensing KJA aquaculture activities in order to realize sustainable fisheries development in Lake Ranau? How is the law enforcement of the licensing of KJA DanauRanau cultivation activities, West Lampung Regency?

Research Methods:-

In-depth study of the licensing of floating net cages in the principle of sustainable development. This research is a type of normative-empirical legal research, namely research whose object of study includes statutory provisions (in abstracto), in this case the applicable regulations related to the problem to be studied and its application to events (in concreto). This type of research is descriptive, namely explaining completely, in detail, clearly, and systematically about the results of research in the form of scientific papers.(Marzuki 2007)

Discussion:-

A. Implementation of the Authority of the Regional Government of West Lampung Regency in Licensing Floating Net Cage Cultivation Activities

Article 4 Number (1) of Presidential Regulation Number 98 of 2014 concerning Licensing for Micro and Small Enterprises explains that those who carry out a Small Micro Business Permit are sub-districts that get delegation of authority from the Regent/Mayor. Small Micro Business Licenses (IUMK) are granted to micro and small business actors in accordance with the requirements determined by the Regency/City Government based on the Regulation of the Minister of Home Affairs. IUMK is given in the form of a one-sheet manuscript. The provision of IUMK to micro and small businesses is exempted or given relief without charges, levies, and/or other levies.

Article 5 of the Minister of Agriculture Regulation in the country Number 83 of 2014 concerning Guidelines for Granting Micro and Small Business Licenses explains the authority of the sub-district to collect data and determine the location of Small Micro Business Actors (PUMK) in their area through the village head/ village head. The location of the floating net cage business in Lake Ranau is located in Lumbok Seminung District. In determining the location designation, it is carried out by taking into account the public, social, cultural, aesthetic, economic, security, order, health, environmental cleanliness and in accordance with Regional Regulations. Data collection of micro and small business actors is carried out based on:

1. Identity of micro and small business actors;
2. Location of micro and small business actors located in the sub-district area;
3. Type of place of business;
4. Business field;
5. The amount of business capital.

The file that must be attached by the cultivator if you want to take care of licensing is explained in article 7 of the Minister of Agriculture Regulation in the country Number 83 of 2014 concerning Guidelines for Granting Micro and Small Business Licenses is at least must attach the following files:

- a. Cover letter from RT or RW regarding business location
- b. Identity Card
- c. Family Card
- d. 2 pieces of recent 4x6 cm color photographs
- e. Fill out a form that contains about:
 1. Name
 2. Identity Card Number
 3. Number Phone
 4. Address
 5. Business activities
 6. Business facilities used
 7. Total business capital

The sub-district head conducts an examination of the IUMK registration file. IUMK registration files that have met the requirements are the basis for providing IUMK. If the IUMK registration file does not meet the requirements, the sub-district will return the file to be completed. The return of the file is submitted to PUMK no later than 1 (one) working day from the date of receipt of the registration application letter.

The head of the sub-district provides IUMK in the form of a one-sheet manuscript. The granting of IUMK is based on the delegation of authority from the Regent/Mayor to the sub-district head, and can also be done to the Village Head/Village Head in accordance with regional characteristics. IUMK is issued no later than 1 (one) working day from the date of receipt of the registration application letter received, complete and correct. The provision of IUMK to micro and small businesses is free of charge, levy, and/or other levies.

In article 2 paragraph (2) of Regional Regulation Number 22 of 2012 concerning Partial Delegation of Authority of the Regent in the field of Licensing and Non-Licensing Services to the sub-district. in the Framework of Patent Implementation explains that if the requirements file submitted is in accordance with what is required by the laws and regulations, the application is declared accepted for further technical examination. Technical inspections in the field are carried out by the Technical Work Team under the coordination of the sub-district which is formed by the decision of the sub-district. The Technical Work Team has the task of:

1. Carry out a site review to check the suitability of the requirements file with reality;Melaksanakanpemeriksaanteknisterhadappermohonanizin yang diajukan; dan
2. Submit recommendations to the sub-district regarding the acceptance or rejection of a permit.

The Technical Work Team has the authority to make decisions in providing recommendations regarding the acceptance or rejection of a permit application. The sub-district head in granting or rejecting the permit application taking into account the minutes of the examination of the Technical Work Team. The Decree on the Granting of Permits or Letter of Refusal of Permits is signed by the sub-district head with a copy to the Regional Secretary, Head of the One-Stop Integrated Service Office and Head of Regional Apparatus who is also responsible for carrying out technical guidance.

In Article 3 of Regional Regulation Number 22 of 2012 concerning Partial Delegation of Authority of the Regent in the field of Licensing and Non-Licensing Services to the Sub-District, it is explained in the Framework of Patent Implementation that the procedures for licensing and non-licensing services in the District include the stage of receiving applications and administrative examinations, technical examinations, granting or rejecting permits, payment of documents / levy decisions and submission of Decisions on Granting Permits or Sural License Refusal or Permit Revocation Decision, carried out in an integrated manner.

After PUMK provides the file application, the sub-district will check the IUMK registration file. In the event that the IUMK registration file does not meet the requirements of the Sub-District, it will return the file to be completed. The return of the file will be submitted to PUMK no later than 1 working day from the date of receipt of the registration application letter.

The head of the sub-district provides IUMK in the form of a one-sheet manuscript. The granting of the IUMK is based on the delegation of authority from the Regent to the sub-district head. IUMK is issued no later than one working day from the date of receipt of the registration application letter received completely and correctly. The provision of IUMK to micro and small businesses is not subject to levy fees and or other levies.

This regional regulation also regulates the obligations of PUMK, including

1. Comply with the provisions of laws and regulations and,
2. Comply with business activities in accordance with IUMK.

The things prohibited by PUMK are as follows:

1. Trading illegal goods and or services,
2. Conducting business activities that are contrary to laws and regulations.

After the issuance of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions described in Article 4 paragraphs (1) and (2) of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the regions described in Article 4 number (1) the Governor delegates the authority of the provincial government in the Implementation of Business Licensing in the regions to the head of DPMPTSP. Article 4 paragraph (2) explains the Delegation of authority by the Governor as referred to in paragraph (1) including:

1. Implementation of Business Licensing which is the authority of the provincial government in accordance with the provisions of laws and regulations;
2. The implementation of business licensing which is the authority of the Central Government devolved to the governor based on the principle of deconcentration and auxiliary duties.

In early 2022, the West Lampung Regency Regional Government conducted data collection on people who have KJA to issue permits using the OSS application. There are 435 units of floating net cages, on average each unit per month produces 491.8 tons of fish, so that the average production per day is 16.4 tons, with a total of 103 cultivators. After data collection, there are 39 floating net cage cultivators who will get socialization about registering permits using the OSS application. They have met the requirement of having a floating net cage of more than 4 units. The farming community will apply for a permit to the Fisheries Service, then the Fisheries Service will recommend them to the DPMPTSP to make a permit through the OSS application. For farmers who have KJA less than 4 units, it is only in the data for statistical data purposes, a sign of recording fishery activities.

After collecting data on communities that have KJA, the Fisheries Service will socialize about the Fisheries Business License, farmers who want to take care of the SIUP go to the Fisheries Service, then the fisheries service will recommend to DPMPTSP to issue permits. Based on Government Regulation No. 10 of 2018, Electronically Integrated Business Licensing or Online Single Submission, hereinafter abbreviated as OSS, is a Business License issued by the OSS Institution for and on behalf of ministers, agency leaders, Governors, or Regents/Mayors to Business Actors through an integrated electronic system. The business actors who are required to use the Online Single Submission application are:

1. In the form of business entities and individuals,
2. Micro, small, medium and large enterprises,
3. Individual businesses / business entities both new and established before the operationalization of OSS,
4. Businesses with capital that is entirely from within the country, or there is a composition of foreign capital.

So far, KJA farmers in Lake Ranau, West Lampung Regency, have not registered for a fishery business license using OSS, this is caused by internal obstacles and also external obstacles. The obstacles are as follows:

a. Internal Constraints

1. Although all stakeholders support the implementation of this change project, the support is not balanced with sufficient capabilities considering the average ability there are still many stakeholders or users have not used website access so that the value of technological benefits does not have optimal meaning.
2. The mindset of stakeholders and business actors with limited abilities and they only have enthusiasm but cannot do.

b. External Constraints

1. The internet network for several areas in the West Lampung Regency area is not so good that when the institution accesses LKPM (Investment Activity report) data hampered because of the network, finally the data should be entered today can be delayed tomorrow and so on.
2. The power grid for some regions often experiences power outages, resulting in disruption of untimely data collection access.

Strategies to overcome these obstacles are as follows:

1. Conducting socialization as an effort to improve licensing services through online services and conveying through the media about the procedures for the licensing process that can be accessed through information technology
2. Conveying to business actors to submit activity reports by accessing business actors data through OSS
3. Prepare stakeholders and business actors to reprimand and remind the importance of submitting reports on activities carried out by each individual or group
4. Strive for business actors to have wifi in collaboration with Telkom
5. Seeking that every perpetrator of access rights has a generator or generator.

Electronically integrated Business Licensing or OSS has not been implemented by the West Lampung Regency Government. The Investment Office, One-Stop Integrated Service, and Manpower of West Lampung Regency are local government tools that have the main task and function of managing all forms of licensing and non-licensing services in the regions with one system where licensing and non-licensing management activities whose management process starts from the application stage to the stage of releasing documents is carried out in one place.

Inequality of competence in business licensing services in terms of human resources and facilities and infrastructure in West Lampung Regency using OSS also affects the success of licensing services. Limited number and quality of human resources, it affects the performance of the organization in general. The lack of facilities and infrastructure is also a fundamental problem that is almost encountered in West Lampung Regency. The internet network in West Lampung Regency does not yet support the OSS application to provide licensing services. When an interview was conducted with Mr. RaciaAlam as the Head of the service section in West Lampung Regency when we registered a permit through OSS, then the signal disappeared, the application procedure would disappear and would repeat from the beginning. Most of the people themselves are not very familiar with running computers.

Law Number 31 of 2004 concerning Fisheries explains that fisheries affairs can be carried out by local governments with the submission of affairs (decentralization) and assistance tasks. In Law No. 49 of 2009 which amended Law No. 31 of 2004, the handover of these affairs was abolished and left the task of assistance. The handover of affairs in the field of fisheries is further regulated in Government Regulation No. 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Governments as an implementing regulation of Law No. 32 of 2004 concerning Regional Government.

In order to utilize resources, the government and local governments play an important role in making policies in the field of fisheries (Akhmaddhian, 2017). Appendix Y of Law No. 23 of 2014 explains that the authority of the Regency/City Government:

1. Issuance of IUP in the field of fish farming whose business is in 1 (one) regency/city area,
2. Empowerment of small fish farming businesses,
3. Management of fish farming,

Government Regulation No. 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Local Governments there is also a division of compulsory affairs and

elective affairs (Article 6 paragraph 2 of Government Regulation No. 38 of 2007), the elective affairs referred to in the article are government affairs that actually exist and have the potential to improve the welfare of the community in accordance with conditions, peculiarities, and the superior potential of the area concerned, one of which is Article 7 paragraph 4 letter a, namely regarding marine and fisheries. This Government Regulation is no longer valid after the issuance of Law Number 23 of 2014 concerning Local Government. Article 12 paragraph 1 of Government Regulation Number 28 of 2017 concerning Fish Cultivation explains that the Minister, Governor, and Regent/Mayor in accordance with their authority to protect the land for Fish Farming, the community around Lake Ranau, West Lampung Regency, uses the land in Lumbok Seminung Village for KJA Activities.

Local Governments have the authority to make local policies to provide licensing services, increase participation, initiatives, and community empowerment aimed at improving the welfare of the people. (Mina 2016) In addition, the implementation of regional autonomy must also ensure the harmony of relations between regions and other regions, meaning that it is able to build cooperation between regions to improve common welfare and prevent inequality between regions. The implementation of business licensing in the regions includes:

- a) Risk-based business licensing in OSS is the sole reference for the Central Government, Local Governments and Business Actors;
- b) Local Governments are required to use the OSS system in licensing services;
- c) Local Governments can develop internal systems as support in verifying business permits (OSS) such as fulfilling requirements or paying regional levies in accordance with standards set by the Central Government;
- d) The Governor or Regent/Mayor delegates the authority to carry out business licensing which is the authority of the Provincial and Regency/City Governments to the Provincial/Regency/City DPMPTSP (Article 4 and Article 5 of PP Number 6 of 2021); The Head of Provincial DPMTSP as the coordinator of integrated supervision for provincial authority, and the Head of DPMPTSP of Regency/City as coordinator of integrated supervision for Regency/City authority.

Based on Article 2 of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions. that the implementation of business licensing in regulated areas on the basis of including:

- a) Authority to carry out business licensing in the regions;
- b) Implementation of business licensing in the regions;
- c) Regional regulations and regulations of regional heads regarding business licensing;
- d) Reporting on the implementation of business licenses in the regions;
- e) Coaching and supervision;
- f) Funding; and
- g) Administrative sanctions

In licensing mechanisms the agencies that handle usually vary and can usually be units, offices, or agencies. Where the applicant only deals with the implementation unit and is not allowed to have contact with the relevant agencies. Because usually the service office only accepts the applicant's file, coordinates with the relevant agency, after which it issues a permit. In Article 39 of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the regions

- a. When this Government Regulation comes into force Perda and Perkada which regulates Business Licensing in the regions must adjust to this Government Regulation no later than 2 (two) months from the time this Government Regulation is promulgated;
- b. The provisions as referred to in paragraph (1) do not apply to Perda and Perkada whose adjustment period is determined otherwise based on the provisions of laws and regulations.

Business actors, namely KJA cultivators in Lake Ranau, West Lampung Regency, experience obstacles and obstacles in applying for Business Permits on mobile services organized by DPMPTSP, then in Article 13 of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions explains that For Business Actors in disadvantaged, frontier, outermost areas, and/or areas that do not have adequate accessibility, applications for business permits can be submitted at sub-district offices or sub-district/village offices or other names, or can apply for business permits on mobile services organized by DPMPTSP.

The Environmental Document in the form of (SPPL) is intended so that every business actor knows their responsibility in maintaining the water quality of Lake Ranau, so that the management of floating net cage cultivation can be sustainable in Lake Ranau. For this reason, it is necessary to participate in the West Lampung

Regency Government to facilitate the community about the Benefits of Environmental Documents and their registration procedures. The issuance of Regional Regulations on Environmental Permits to KJA Fish Farming Business Actors in Lake Ranau, business actors in conducting their business must be based on existing regional regulations. There is socialization, guidance and also counseling to increase the understanding of the people of Lake Ranau about their rights and obligations when establishing a KJA fish farming business.

As for the importance of permits for the Government, floating net cage cultivators, and the surrounding community, it is first for KJA cultivators that permits serve to protect entrepreneurs from alleged violations, obtain opportunities to get guidance from the Government and business legality. Second, for local governments, it is as a completeness of real data in the KJA business sector, increasing local income, conducting guidance, supervision, and control programs for fisheries businesses.(Mayangsari, Soemarmi, and Hananto 2016) The purpose of granting a fishery business license is very important for the development of fishery resource business. Through the granting of a fishery business license, in addition to the business can be controlled and controlled, also on the other hand for entrepreneurs by having a license, the legality of the business is guaranteed by law. In other words, with a fishery business license, entrepreneurs can develop their business or access business opportunities that require licensing. Thus, the implementation of granting permits is very important for the construction and development of floating net cage cultivation businesses.

B. Enforcement of Applicable Administrative Laws in order to Realize Sustainable Fisheries Development in Lake Ranau, West Lampung Regency

Enforcement of environmental law through administrative efforts is a preventive, namely prevention efforts before pollution and environmental damage occur.(Akib 2016) Prevention is carried out through the instrument of supervision and the application of administrative sanctions if violations are found in the supervision, while law enforcement efforts aim to stop violations that have occurred before by providing sanctions. In essence, the purpose of law enforcement is to realize what the law wants to achieve. The essence of the purpose of the law itself lies in justice. Law enforcement is aimed at improving order and legal certainty in society. This is done, among others, by disciplining the functions, duties and authorities of institutions in charge of enforcing the law according to the proportion of their respective scopes, and is based on a good cooperation system and supports the goals to be achieved.(Thahira 2020)

The enforcement arrangements for the Administrative Law on the Licensing of floating net cages in Lake Ranau, West Lampung, are regulated in each licensing regulation which contains the provisions for supervision and imposition of sanctions. West Lampung regional regulations that specifically regulate licensing are described in Regional Regulation Number 22 of 2012 concerning Partial Delegation of Authority of the Regent in the field of Licensing and Non-Licensing Services to the sub-district in the Context of Patent Implementation. Article 19 of this Regulation explains that in the context of preventive measures and guidance against violations related to licensing which is its authority, the sub-district has the authority to give a written reprimand and/or termination of business/development activities to parties who carry out activities without permission to take care of their permits first. If within 14 (fourteen) days a written reprimand from the sub-district head and or the cessation of business/development activities are not carried out concerned, the sub-district shall coordinate with the Head of the Civil Service Police Unit of West Lampung Regency for enforcement.

In the guidance and supervision of this Regional Regulation, it is explained that each unit of work unit whose authority is delegated to the sub-district providing the District Integrated Administration Service (PATEN), in terms of technical guidance remains the responsibility of the work unit concerned. Technical guidance carried out by the task force unit includes:

1. Setting targets for licensing services that are his business;
2. Data collection of potential licensing objects;
3. Creation/preparation of technical guidelines for licensing services;
4. Technical supervision of licensing services;
5. Evaluation and control of the implementation of licensing services;
6. Technical guidance to officers handling licensing services;
7. Coordinating the implementation of socialization of licensing services.

Supervision of the implementation of integrated services in the sub-district is carried out by a work unit that has the task of supervising the implementation of local government affairs. The sub-district reports in writing the

implementation of the licensing service activities carried out; by the sub-district to the Regent through the Regional Secretary every month no later than the 10th of the current month, with a copy to the work unit unit that carries out one-stop integrated services and the work unit unit responsible for conducting technical guidance.

Article 11 of the West Lampung Regent Regulation Number 2 of 2016 concerning Guidelines for Granting Micro and Small Business Licenses explains that the sub-district can revoke or invalidate IUMK. The revocation of IUMK can be carried out if the IUMK holder violates laws and/or regulations related to business activities. In the field of guidance and supervision of the Regent through skpd related to conducting guidance and supervision on the implementation of IUMK granting activities. The guidance and supervision includes:

1. Data Collection,
2. Capital access facilities,
3. Institutional strengthening,
4. Coaching and technical guidance assistance,
5. Develop partnerships with the business world,

Article 20 number (3) of Permendagri Number 83 of 2014 concerning Guidelines for Granting Micro and Small Business Licenses explains that the sub-district conducts guidance and supervision on the implementation of IUMK grants in its area. Coaching and supervision include:

1. Logging,
2. Facilitating access to capital,
3. Institutional strengthening,
4. Coaching and technical guidance assistance,
5. Develop partnerships with the business world,

Article 72 of Government Regulation Number 28 of 2017 concerning Fish Farming explains that the Central Government and Regional Governments in accordance with their authority carry out guidance and monitoring of Fish Farming. Coaching and monitoring is carried out on:

1. Water utilization and Fish Farming land;
2. Utilization and preservation of Nutfah Plasma related to Ikan Resources;
3. Facilities and infrastructure of Ikan cultivation;
4. Quality control of Fish Farming;
5. Health and Environmental Management; and
6. Fish Farming Business.

In order to maintain water quality and quality for the preservation of the ranau lake area, LumbokSeminung District, the West Lampung Regency Fisheries Service carries out guidance to the local community and all KJA business owners. The local government conducts intensive guidance for the benefit of fish farming and the environment. However, the Local Government hopes that KJA Cultivators and also the surrounding community will have an independent awareness to carry out environmental control actions in order to preserve the environment of Lake Ranau.

KJA cultivators and also the surrounding community carried out actions to clean up the environment around the floating net cage. Such clean cleaning is carried out 3 times a year or 1 time after the harvest period. The cleanup of the Ranau Lake area by the community and cage owners is expected to be done independently without having to be commanded by the government.

In 2020 the Fisheries Service of West Lampung Regency has encouraged entrepreneurs to anticipate, because with the presence of 435 KJA in Lake Ranau, it will have a considerable impact and it is also feared that it will have an influence on environmental conditions. One of them is water pollution due to deposits of feed residues. In this regard, the Fisheries Service of West Lampung Regency formed the KJA Entrepreneurs Forum. This Forum will continue on the preparation of programs in order to address environmental issues that are of concern to a number of parties.

The establishment of the forum is a forum as an effort to improve coordination between entrepreneurs and across sectors. It is hoped that in the future this forum can actively carry out integrated actions in order to control environmental impacts due to the existence of KJA. The local government, namely the Fisheries Service, hopes that

the Floating Net Cage Entrepreneurs Forum can improve coordination between entrepreneurs and cross-sectoral. This forum can actively carry out integrated actions in order to control environmental impacts due to the existence of KJA.

Through this forum, it is also hoped that KJA entrepreneurs can compensate from the economic benefits obtained for the benefit of the surrounding community, as well as for the environment. The forum together with the surrounding community will carry out environmental clean-up actions in an integrated manner. Such as lifting water hyacinth, cleaning plastic waste in the lake and cleaning the beach, so that the floating net cages in Lake Ranau can be sustainable. Regarding the existing permits in Lake Ranau that cannot be implemented because so far there has been no socialization on how to manage fishery business permits, the West Lampung Regency Regional Government is only at the stage of collecting data for people who have floating net cages.

The implementation of regional authority in the environment must integrate the three pillars of sustainable development (social, economic and environmental) as one development approach that is not separated). In addition, environmental institutions in West Lampung Regency are also expected to be in a condition of being able to accommodate the participation and aspirations of stakeholders in the region and be able to carry out the role of law enforcement effectively. Thus maintaining water quality and managing sustainable floating net cage cultivation in West Lampung Regency.

In this case, for West Lampung regency, some environmental cases refer to the Provincial Bylaws, where violations of environmental protection and management permits are considered as violations of environmental permits, then based on Article 16 of Regional Regulation Number 6 of 2012, the Governor applies administrative sanctions to the person in charge of the business and/or activity if a violation of the environmental permit is found in the supervision. Administrative sanctions consist of:

- 1) Written reprimand;
- 2) Government coercion;
- 3) Freezing of environmental permits; or revocation of environmental permits.

The three types of administrative sanctions apply to all types of fishery activities that commit administrative violations in this case leaning more towards licensing documents.

In addition to the sanctions that have been presented by the author, the implementation of the sanctions also has a procedure or stage before the sanctions are certainly imposed by each violation that occurs, namely:

- 1) Verbal reprimand

A verbal reprimand is to give an understanding to those who violate the permission given, in order to do something in accordance with the designation of the permit in question. If verbal reprimands have not given optimal results, because the application of administrative sanctions is still weak and not severe and firm, it can also be followed by the provision of administrative sanctions in the form of written warnings. The purpose of the warning in writing is so that individuals or business entities can correct and or use the permit in accordance with its designation properly and correctly.(Joni 2012)

- 2) Administrative coercion

Administrative coercion as a compulsion of legal maintenance can be in the form of a ban on continuing an activity, violations are commemorated to do in accordance with the permission that has been granted.(Tarina 2020) This administrative coercive sanction as a coercion of legal maintenance is not resolved through the courts.

- 3) Forced money (dwangsom)

Forced money (dwangsom) can be applied to individuals or business entities that violate the permits granted and who have caused losses to the local community.(Sari, Budhiartie. Arrie, and Raharja 2020) Forced money is given in order to be used to finance losses to restore polluted environments.

- 4) Withdrawal of licenses and closure of business

Withdrawal of permission can be carried out by administrative officials, if according to consideration there has been a deviation in the use of the permit that has been granted, after the recipient of the permit does not pay attention to the reprimand and warning tertulis. Withdrawal of permission that has been made by administrative officials can be appealed, and as long as the appeal process is still in the process of examination and has not been decided, then the withdrawal of permission can be suspended, the request for appeal can be made within a time limit of 14 days after notification. Meanwhile, sanctions in the form of business closures, if in carrying out business operations are not in

accordance with the designation of permits that have been granted, business closures can be in the form of closing workplaces by sealing factory machines and other operational equipment.

The existence of floating net cages in Lake Ranau the existence of 435 KJA in Lake Ranau, Lumbok District, has a positive impact on the economic aspects of the community. However, on the contrary, in the environmental aspect, the existence of the KJA is actually feared to pollute lake water due to deposits of feed residues and other factors. The pollution is like the growth of hyacinths due to KJA's business activities. This means that administrative sanctions in the form of government coercion are given to farmers in order to reduce pollution in Lake Ranau.

Article 34 in Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions explains that the Development and supervision of the Implementation of Business Licensing in the Regions is carried out in a coordinated manner between the Central Government and Regional Governments. The KJA in Lake Ranau is included in the authority of the Regency/City, so this is carried out by the governor as the representative of the Central Government in the region for general and technical guidance and supervision.

Considering the impact of environmental pollution caused by KJA cultivation in Lake Ranau which is quite disturbing to the surrounding community, the emergence of unpleasant odors, hyacinths, mass deaths of fish, of course this needs to be taken anticipatory steps, not just applying administrative sanctions in the form of verbal and written reprimands, but more importantly done by the local government, is to increase coaching and supervision activities (controlling), namely:

a. Coaching, which is geared;

1. Fostering cultivators, to remain consistent in always paying attention to the environment, the West Lampung Regional Government provides guidelines in an effort to foster licensing by providing references, references or guidelines on procedures for applying for permits, and providing an understanding of the importance of permits

2. Provide guidance and counseling on procedures

In order to maintain water quality and quality for the preservation of the Ranau Lake area, LumbokSeminung District, the West Lampung Regency Fisheries Service carries out guidance to the local community and all Floating Net Cage (KJA) business owners. The Regional Government of West Lampung Regency conducts intensive development for the benefit of fish farming and the environment. However, the Regional Government of West Lampung Regency hopes that floating net cage cultivators and also the surrounding community will have an independent awareness to carry out environmental control actions in order to preserve the environment of Ranau Lake. KJA cultivators and also the surrounding community carried out actions to clean up the environment around the floating net cage. Such clean cleaning is carried out 3 times a year or 1 time after the harvest period. The cleanup of the ranau lake area by the community and the owner of the encroachment is expected to be carried out independently without having to be commanded by the government.

b. Surveillance, directed;

1. Take steps deemed necessary, including cracking down on cultivators who do not take care of licensing,
2. Monitor and supervise if there is a violation of permits in Lake Ranau, West Lampung.

The existence of supervision in the context of efforts to implement the recovery or mitigation of environmental damage is very necessary to maintain the functions carried out by the government can run well and ensure good governance. An effective surveillance system is the best means to make things work well in State Administration, especially preventive supervision. Repressive surveillance is only useful whenever;

1. Carried out comprehensively and quite intensively;
2. Where the report is sufficiently objective and analytical;and
3. When the report is submitted quickly enough.

Conclusion:-

1. Floating net cage cultivators in Lake Ranau, West Lampung Regency, already have a Micro and Small Business Permit (IUMK) that has been issued by the sub-district based on Presidential Regulation Number 98 of 2014 concerning Licensing for Micro and Small Enterprises, Permendagri Number 83 of 2014 concerning Guidelines for Granting Micro and Small Business Licenses, Regional Regulation Number 22 of 2012 concerning Partial Delegation of Authority of the Regent in the field of Licensing and Non-Licensing Services to the Sub-District, and West Lampung Regent Regulation Number 2 of 2016 concerning Guidelines for Granting Micro and Small

Business Licenses. After the issuance of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions, the Governor delegated the authority of Business Licensing in the regions to the One-Stop Integrated Licensing Investment Service (DPMPTSP), but it has not been implemented.

2. Considering that the IUMK in the field of floating net cage cultivation is issued by the sub-district, the authority to carry out law enforcement lies with the sub-district. In article 19 of Regional Regulation Number 22 of 2012 concerning Partial Delegation of Authority of the Regent in the field of Licensing and Non-Licensing Services to the Sub-District in the Context of Patent Implementation, the Sub-District is authorized to give a written reprimand and/or termination of business activities to parties who carry out activities without permission. If within 14 (fourteen) days a written reprimand from the sub-district head and or termination of business activities is not carried out concerned, the sub-district shall coordinate with the Head of the PamongPraja Police Unit of West Lampung Regency for enforcement..

Bibliography:-

1. Akib, Muhammad. 2016. *Environmental Law: Global and National Perspectives*. Jakarta: King Grafindo.
2. Hukum, Penegakan, and Rosita Candrakirana. 2015. "Penegakan Hukum Lingkungan Dalam Bidang Pengelolaan Sampah Sebagai Perwujudan Prinsip Good Environmental Governance Di Kota Surakarta." *Yustisia Jurnal Hukum* 4(3):581–601. doi: 10.20961/YUSTISIA.V4I3.8690.
3. Joni, Ahmad. 2012. "Implementation of Reclamation Obligations of Mining Business Permit Holders (IUP) Based on Law Number 4 of 2009 Concerning Mineral Mining." *Journal of Ilegal Ideas* 2(2):194–221.
4. Jumanto, and Sri AyuKurniati. 2017. "Tilapia Business Development Strategy in Kuantan Singingi Regency, Riau Province." *Journal of Agribusiness* 19(1):13–25.
5. Khairi, Mawardi. 2016. "Politik Hukum Pemerintah Dalam Penanganan Tindak Pidana Perikanan (Illegal Fishing) Di Indonesia. Government Law Politics in Handling Illegal Fishing Crime in Indonesia." *Fiat Justisia Journal of Law* 10(2):239–58.
6. Marzuki, Peter Mahmud. 2007. *Penelitian Hukum*. Jakarta: Kencana Perdana Media Group.
7. Mayangsari, Anggun, Amiek Soemarmi, and Untung Dwi Hananto. 2016. "Implementation of Duties and Authorities of the Ministry of Marine Affairs and Fisheries in the Issuance of Fisheries Permits in the Field of Capture Fisheries." *DIPONEGORO LAW JOURNAL* 5(3):1–16.
8. Mina, Risno. 2016. "Decentralization of Environmental Protection and Management as an Alternative to Solving Environmental Problems." 9(2):149–65.
9. Ministry of Energy and Mineral Resources. 2011. "Results of Fish Death Examination in Lake Ranau." <https://www.esdm.go.id/id/media-center/news-archives/hasil-pemeriksaan-kematian-ikan-di-danau-ranau>.
10. Rohany, YS Setiawan, and BS Dewi. 2018. "Potential of Priority Natural Tourism Objects in the KPH Work Area Unit XIII Gunung Rajabasa, Way Pisang, Batu Serampok, Lampung Province." *Sylva Lestari Journal* 6(2):84–93.
11. Sari, Meri Puspita, Budhiartie. Arrie, and Ivan Fauzani Raharja. 2020. "Arrangements for Making Business Place Permits Based on the Concept of Urban Spatial Planning Office." *State Administrative Law Section* 1(3):170–90.
12. Siregar, Chairil Nur. 2014. "Community and Fishermen Participation in Reducing Seawater Pollution in the Manado-North Sulawesi Coastal Area." *Journal of Sociotechnology* 13(1):25–333.
13. Soeikromo, Deasy. 2016. "Criminal Law Provisions against Illegal Logging Practices and Environmental Conservation Efforts in Indonesia." *Unsrat Law Journal* 21(5):1–15.
14. Sulaiman, Priyo Suharsono, Puput Fitri Rachmawati, Reny Puspasari, and Ngurah N. Wiadnyana. 2020. "Efforts to Prevent and Combat Mass Deaths of Fish in Lakes and Reservoirs." *Indonesian Fisheries Policy Journal (JKPI)* 12(2):59–73.
15. Tarina, Arum. 2020. "The Urgency of Business Licenses in Trading Through Electronic Systems for Micro and Small Enterprises." *Journal of Science* 14(2):88–106.
16. Thahira, Atika. 2020. "Environmental Administration Law Enforcement Reviewed from the Concept of a Legal State. *JCH (Journal of Law Scholars)*." *JCH (Journal of Law Scholars)* 5(2):260–74.
17. Usman, Atang Hermawan. 2014. "Kesadaran Hukum Masyarakat Dan Pemerintah Sebagai Faktor Tegaknya Negara Hukum Di Indonesia." *Jurnal Wawasan Yuridika* 30(1):26–53. doi: 10.25072/JWY.V30I1.74.
18. Zaennudin, Akhmad, Ahmad Basuki, Agus Solikhin, and Ugan B. Saing. 2011. "Preliminary Study of the Phenomenon of Fish Mortality in Lake Ranau, South Sumatra." *Journal of Environment and Geological Disasters* 2(2):77–94.