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Implementation of Special Economic Areas in Indonesia(Case study in Morowali district, central Sulawesi Province)

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Keywords

special economic zones; kawasan ekonomi khusus; mining; free trade; local communities

Abstract

Equalization of the economy into a main goal for the government in improving people's welfare is by opening free trade involving several countries so as to invite investors to invest in Indonesia. Government policy in supporting the existence of free trade is also seen through the concept of Special Economic Zones (KEK) launched by the government in providing mapping of potential natural resources owned in several areas, one of them in Morowali District, Central Sulawesi Province which is part of the Special Economic Zone nickel mining. Therefore, this study aims to identify and analyze the impact of the policy of establishing a Special Economic Zone (KEK) for local residents in terms of regional spatial plans after the entry of foreign investors to invest in Morowali District, Central Sulawesi Province. This study uses normative legal research methods and uses the case approach method. The results of this study indicate that there is an imbalance in the territorial structure in terms of regional spatial plans that are owned by the regional government of Morowali which specifically provide special economic zone policies only to mine management investors. The output of the research after analysis is to find a regional structure that is not balanced between the management carried out by investors and the community. Where people are not given management rights in special economic zones, the community is only allowed to become laborers without carrying out mining activities because of the policy of managing the nickel mine having to use a smelter. While ownership of smelters is only owned by large companies that obtain management permits by the government.

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Implementation of Special Economic Areas in Indonesia

(Case study in Morowali district, central Sulawesi Province)

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Abstract—Equalization of the economy into a main goal for the government in improving people's welfare is by opening free trade involving several countries so as to invite investors to invest in Indonesia. Government policy in supporting the existence of free trade is also seen through the concept of Special Economic Zones (KEK) launched by the government in providing mapping of potential natural resources owned in several areas, one of them in Morowali District, Central Sulawesi Province which is part of the Special Economic Zone nickel mining. Therefore, this study aims to identify and analyze the impact of the policy of establishing a Special Economic Zone (KEK) for local residents in terms of regional spatial plans after the entry of foreign investors to invest in Morowali District, Central Sulawesi Province. This study uses normative legal research methods and uses the case approach method. The results of this study indicate that there is an imbalance in the territorial structure in terms of regional spatial plans that are owned by the regional government of Morowali which specifically provide special economic zone policies only to mine management investors. The output of the research after analysis is to find a regional structure that is not balanced between the management carried out by investors and the community. Where people are not given management rights in special economic zones, the community is only allowed to become laborers without carrying out mining activities because of the policy of managing the nickel mine having to use a smelter. While ownership of smelters is only owned by large companies that obtain management permits by the government.

Keywords—special economic zones; kawasan ekonomi khusus; mining; free trade; local communities

I. INTRODUCTION

Indonesia as an archipelagic country has very large and diverse natural potential and strategic value. The extraordinary natural potential makes the government develop this potential in order to increase state revenues. Considering Indonesia as a developing country that requires very large income to increase state facilities to the community.

In the use of space for the development of existing natural potential the government seeks to map natural potentials owned by various regions. With a very unique structure of space where Indonesia has a very large pattern of land and sea space,

its arrangement and management must be in accordance with the spatial pattern of each region.

The aim of developing natural potential in order to increase state revenues made the government issue a new policy to attract investors to invest in Indonesia through the Special Economic Zone (KEK) program. Where the government identifies the natural potentials of each region and then provides a mapping of these areas as special economic zones. As what is done in Morowali District, Central Sulawesi Province, which has been mapped into a Special Economic Zone considering that the area has good natural potential in the bowels of the earth which contains forerennicles and tourism potential, there are Sambori beaches as one of the most beautiful tourist destinations because is a group of islands so called mini Raja Ampat.

Special economic zones are one of the steps of the Indonesian government in carrying out the policies of the ASEAN Economic Community (MEA) which is ASEAN economic integration in facing free trade among ASEAN countries. Start with the mutual opening of the potential of natural resources which are then offered in its management in the form of investment and in terms of agreements to eliminate taxes or customs and the freedom of a country to enter goods into other countries. Aside from the trade and investment side, the MEA also paved the way for skilled workers to enter one another in the countries involved in the MEA agreement so it is not surprising that some countries began to feel many foreign workers entering the country recently.

The MEA that has been running now has only been realized in 2015, but the idea of implementing this MEA has existed since 1997 agreed at the Kuala Lumpur Summit where ASEAN leaders agreed to decide to advance ASEAN by becoming a prosperous, stable and highly competitive region in development economy that is fair and can reduce inequality and socio-economic poverty (ASEAN Vision 2020). At the Bali Summit in 2003 continued an agreement to make it a goal of regional economic integration behavior in 2020. Furthermore, the blue print for the implementation of MEA was set in 2006 which provided arrangements for the concept of MEA for all ASEAN member countries. building the MEA or the ASEAN community in 2020.

Since the MEA changed countries in ASEAN, some of the countries referred to Indonesia provided several policies that simplified the implementation of the MEA in their country, one of which was the establishment of zones for special economic zones (KEK) in several regions and specifically for Morowali districts. Where since 2015 Morowali district has become a large nickel mining area and has become a target for investors both domestically and abroad. So that when visiting Morowali district at this time it looks very contrasting given the large number of miners with large capacity and small capacity.

The wealth of the bowels of the earth in Morowali district has indeed become one of the aspects that has been highlighted by the government in increasing regional and even state budgets. The Morowali district's space structure which used to be an area that still needs to be focused on its development becomes a residential area, offices and trade are turned into mining areas everywhere, this makes the impact on the environment around the mine area also affects the surrounding community.

The Special Economic Zone that was just announced by the government made a response from several circles as outlined in several studies. The research previously conducted by Sakti related to the harmonization of Government Regulation number 26 of 2012 concerning the Tanjung Lesung Tourism Special Economic Zone in Banten Province with Law Number 39 of 2009 concerning Special Economic Zones in Realizing Special Economic Zones in Tanjung Lesung, Banten Province. Explaining about the development of the country's economy, it is necessary to have good spatial planning so that the development can run well and in accordance with the regional planning. To carry out the construction of an area, there are funds that are not small. Therefore, it is necessary to establish a special area which is a priority for economic development so that economic development can run fast and attract investors [1]. Furthermore, the research conducted by Lembah which explained about the conflict of natural land for development of a special economic zone in Palu City. The declaration of the issue of land acquisition or land acquisition concerns two dimensions which must be placed in a balanced manner, namely the interests of the government and the interests of the community. The two parties involved are the ruler and the people must pay attention to and obey the applicable provisions regarding this matter. If this matter is not heeded, problems will arise as we read in mass media publications where the authorities are forced to take actions which are considered contrary to Human Rights (HAM) and so on. The people inevitably have to do everything they can to get what they believe to be a right that must be maintained [2].

Based on the description above, the problem statement is drawn:

Has the Determination of the Special Economic Zone for Nickel Mining in Morowali District considered the Strategic Environmental Assessment as an environmental protection effort?

II. RESEARCH METHOD

This study uses normative legal research methods and uses case approach method. Through the method of drafting

legislation as the primary writing material and data related to Special Economic Zones and the Spatial Planning of Morowali Regency, Central Sulawesi Province.

III. RESULT AND DISCUSSION

A. *Harmonization of the Determination of Special Economic Zones with Regional Spatial Planning Regional Regulations in Morowali District, Central Sulawesi Province*

Morowali District, Central Sulawesi Province has an area of 3037.04 km². Geographically, Morowali Regency is bordered by Southeast Sulawesi Province in the northeast, South Sulawesi Province in the west and southwest, and North Morowali District in Central Sulawesi Province and nickel content spread in the bowels of the earth reaches 200,000 hectares so it can be said that Nickel District for miners. Based on this, the government is aware of the potential of Nickel mining to make Morowali District a Special Economic Zone as a step to improve the economy for both the region and the country.

As a national policy vision for equitable development in realizing economic prosperity and improvement without ignoring the integration of social, economic, cultural and environmental aspects in a sustainable development goals [3].

The government's move began with the issuance of Law No. 39 of 2009, concerning Special Economic Zones (KEK) as an effort to seriousness of the government in accelerating regional development with the potential to sustain the economy [4]. The KEK terminology according to Law No. 39 of 2009: "Regions with certain limits within the jurisdiction of the Unitary State of the Republic of Indonesia are determined to carry out the functions of the economy and obtain certain facilities" [4]. Unlike the Special Economic Zones in other regions whose arrangements have been reduced in Government Regulations, in Morowali District, the implementation of Special Economic Zones still refers to Law No. 39 of 2009 page.

Special Economic Zones are areas with certain borders that cover regions or regions to carry out economic functions and certain facilities. With the development method through the preparation of a region that has the advantages of geoeconomics and geostrategic and serves to accommodate industrial activities, exports, imports and other economic activities that have high economic value and international competitiveness.

The new term Indonesian Special Economic Zone (SEZ/*Kawasan Ekonomi Khusus/KEK*) is actually a metamorphic process of several forms of economic activity in order to attract foreign investment such as the Free Trade Zone, Bended Zone Plus as practiced on Batam Island, but it is felt that it still does not provide significant benefits for either the country of Indonesia or for foreign investors [5].

The establishment of Special Economic Zones (KEK) in several potential and geoeconomic and geostrategic superior areas in Indonesia is actually a government step in facing the

challenges of the ASEAN Economic Community (MEA). The government's move aims to prepare for the arrival of Investors who will invest in Indonesia in various forms, such as the opening of Special Economic Zones in Morowali District, Central Sulawesi Province which have natural wealth in the form of Nickel. Nickel buried in the bowels of the earth in Morowali District is in the spotlight among investors, considering that the nickel content owned by Morowali District is very good throughout Southeast Asia because the nickel content reaches 40 percent. It is not surprising since the opening of Morowali District as an Investment area that several large companies immediately invested and carried out mining management as well as several large companies that were listed as companies that carried out mining in Morowali District namely; PT Indonesia Morowali Industrial Park (PT. IMIP) etc. Not only large companies, medium and small companies also participate in managing the mine in Morowali District.

One effort to improve the economic level of the community is to encourage industrial activity. With the planned development of the Special Economic Zone, it is hoped that the community can utilize the policy to improve economic levels. The Community Readiness of Tanjung Merah Village which is the planned development location must be able to fulfill aspects of readiness in knowledge, and skills, in order to be able to take advantage of the Special Economic Zone Development Policy plan [6].

The Special Economic Zone launched by the government to create the Morowali Industrial Zone is an area located in Bahodopi, Morowali District, Central Sulawesi Province and is used as the center of integrated nickel, stainless steel and downstream products. The area of 3,000 hectares has absorbed investments worth US \$ 6 billion in November 2017.

Determination of Special Economic Zones in a number of regions in Indonesia is reviewed not only from the potential of natural wealth owned by a region but also spatial planning of the area. As is known in a country, spatial planning is important because arrangements relating to spatial patterns and land structures are a reference in development.

A plan shows what policies will be carried out by the state administration in a particular field. Plans, like that or as mentioned above can be linked to the licensing system, for example a building permit application must be rejected if it is contrary to the designation plan. One well-known plan in state administrative law is the designation plan (*bestemmingplan*) which consists of planning maps, regulations with use (utilization) [7].

Spatial planning is a process of spatial planning, space utilization, and control of spatial use. The implementation of spatial planning is an activity that includes regulation, guidance, implementation, and supervision of spatial planning. While the arrangement of spatial planning is an effort to establish a legal foundation for the government, local government and society in spatial planning [8].

Observing the regional spatial plan (RTRW) as the government's reference in conducting spatial planning within a region, the division between the National Regional Spatial Plan and the Regency/City Spatial Plan can be clearly seen in its

management. all policies relating to the management and utilization of spatial patterns should go through a series of studies, also referred to in the establishment of Special Economic Zones in Morowali District, Central Sulawesi Province. Furthermore, spatial planning is set forth in the Regional Regulation (*Perda*) of Morowali District Number 10 of 2012 concerning the Morowali District Spatial Plan for 2012-2032 which aims to realize safe, comfortable, productive and sustainable regional space based on natural and resource potential human power with the support of adequate regional facilities and infrastructure [9].

In the field of spatial planning, to implement the provisions of the Spatial Planning Law, specifically regarding the spatial planning of the Province, and Regency/City, then in each Province and District/City form a Regional Regulation on Regional Spatial Planning. Each region makes a spatial plan in accordance with the vision and mission of the region and the characteristics and carrying capacity of local resources [10].

Article 2 Regional Regulation No. 10 of 2013 concerning the objectives of spatial planning explains: "Morowali Regency spatial planning aims to create a safe, comfortable, productive and sustainable regional space based on the potential of natural resources and human resources with the support of adequate regional facilities and infrastructure [9].

Furthermore, Morowali District Regulation No. 10 *vides* parameters for spatial planning in the Morowali district following the structure of space and natural resources owned, so that arrangements relating to spatial planning as stipulated in Article 3 related to spatial planning policies explain [9]:

- Development of agropolitan and minopolitan-based areas that are oriented to local resources and market needs;
- Increasing the quality of resources in the fields of agriculture and maritime affairs, as well as supporting fields;
- Increased access to urban services and the centers of economic growth in land and sea and small islands equally and hierarchically that support the production system of agricultural products, marine fisheries and basic community services;
- Development of key resources and other resources by taking into account sustainability, the carrying capacity of the land, the capacity of the area, and;
- Enhancing regional functions for state defense and security.

Observing the spatial planning policy in Morowali District as explained in article 3 of local regulation No. 10 of 2013 concerning spatial planning, which provides a focus on agropolitan and minopolitan development [9]. However, on the other hand the Regional Government which is aware of the potential in its area then provides further regulation related to mining potential in Morowali Regency stipulated in Article 28 which reads:

- a. Mining allotment area as referred to in Article 24 letter d, consists of:
 - Allocation of mineral and coal mining areas; and
 - Allocation of oil and gas mining areas;
- b. Allotment areas for mineral and coal mining as referred to in paragraph (1) letter a consist of:
 - Nickel mining designation areas are in South Bungku District, Bahodopi District, Central Bungku District and Petasia District;
 - The coal mining allotment area is located in Mori Subdistrict;
 - The chromite mining designation area is located in West Bungku sub-district.
- c. The designated area for oil and gas mining as referred to in paragraph (1) letter b, covers oil and natural gas mines in the North Bungku District area.

Furthermore, the affirmation related to the Mining Management Industry in Morowali District is regulated in Article 29, which reads:

- a. Industrial allotment area as referred to in Article 24 letter e, consists of:
 - Allotment based industry for agricultural raw materials;
 - Industrial allotment based on fishery raw materials;
 - Mining raw material based industrial allotment area; and
 - Home industry allocation area.
- b. Allotment-based industrial areas of agricultural and plantation raw materials as referred to in paragraph (1) letter a, are in the Bungku Mandiri Integrated City (KTM), Central Bungku District, Ungkaya, Wita Ponda District, Tompira District Petasia,
- c. Allotment-based industrial areas for fishery raw materials and marine products as referred to in paragraph (1) letter b, are in Bente Village, Central Bungku District, Bahonsuai Village, Bumi Raya District,
- d. Mining raw material-based industrial areas as referred to in paragraph 1 letter c, are in Bahodopi District, Petasia District, West Bungku District, Central Bungku District and South Bungku District; and
- e. The allotment of the household industry as referred to in paragraph 1 letter d is found in all Districts.

Often policies that have been made by the government experience some obstacles or are less successful at the stage of implementing the policy itself. However, in the implementation of the policy, the hopes of the government and also the layers of society are actually able to realize sustainable development from various policies that have been carried out [11].

In terms of the use of space in an area it should be the authority of the regional government in the arrangement to its supervision. Remember, in articles 8, 9, 10 and 11 of Law No. 26 of 2007 concerning Spatial Planning gives authority to the government and regional governments to conduct spatial planning (regulation, guidance, supervision, to the implementation of spatial planning (planning, utilization and control of spatial use) which is then set forth in the Regional Regulations as guidelines for implementation [12]. in the case of the Special Economic Zones of the Regional Government and the Central Government, sincron remembers the Special Economic Zones included in the National Spatial Planning and in the Regency/City Spatial Planning also regulates the potential of mining and even the management industry in its Local Regulation RTRW.

As explained by Waskito and Arnowo, the spatial plan details in the regency/city area are in the form of detailed district/city spatial plans. The detailed plan for district/city spatial layout becomes the basis for issuing construction site permits and defense administration. The principles of the preparation of Minister of Public Works Regulation No.20/PRT/M/2011 concerning Guidelines for Preparation of Spatial Detail Plans and District/City Zoning Regulations. Detailed spatial plans are prepared as operational tools for general spatial planning and are used as the basis for the preparation of zoning regulations [13].

In terms of the utilization of the potential of nickel mining in Morowali District between the Central Government and the Regional Government there is a Special Harmonization regulated in Local Regulation No. 10 of 2013 concerning the Potential of Mining and Specifically stipulated in Law No. 39 of 2009 concerning Special Economic Zones as the foundation to open the gate of foreign investment to Indonesia in the hope of increasing the Income of Original Regional Licensing etc., Utilization of Regional Indigenous Labor and the Entry of State Revenues through Taxation [2,9].

B. Impact of Nickel Mining Land use after the Establishment of Special Economic Zones in Morowali District, Central Sulawesi Province

Despite the fact, harmonization in the laws and regulations between the Central Government and the Regional Government has been found in clearing Nickel mining in Morowali District, however, another problem arises when the Nickel Mining Special Economic Zone (KEK) is running. Where, the problem of environmental pollution is starting to become a new problem. Considering in spatial planning aspects, land use through evaluation of soil structure, climate and conditions around the land which aims to ensure environmental functions remain as their original functions.

As explained by Wahid "Land use is in accordance with its capabilities. This means that a particular plot of land has the types of benefits (power benefits) in a constructive sense (where a fiscal building is located) because of its structural characteristics, such as hard rock or soft grass, or the power benefits of land cultivation. (growing crops) because of the various contents of the day" [14].

Utilization of space, especially for mining, requires the fulfillment of conditions for mining actors to open land for their businesses to maintain environmental preservation around the mining area. In terms of mining management, the local government has an obligation to fulfill mining management requirements, one of which is by fulfilling the Strategic Environmental Assessment (KLHS).

This then goes back to UUPPLH which states that the government is obliged to protect and manage the environment in the implementation of sustainable development so that the Indonesian environment can remain a source and support for the people of Indonesia and other living beings, as mentioned above regarding the order of regulations Acts from the highest to the lowest, starting from the 1945 Constitution of the Republic of Indonesia, the TAP MPR, Law/Perpu, Government Regulations, Presidential Regulations, and Regional Regulations, indicate a hierarchical hierarchy or theory [15].

The KLHS is a form of study that is required to exist in the formation of the RTRW both nationally and the RTRW in the area of the implementation of the KLHS provisions regulated in UUPPLH which contains as a direction/guidance in its implementation. KLHS is also considered to have similarities with the Environmental Impact Analysis (AMDAL), the basis of which is the AMDAL is an environmental feasibility study related to licensing that forms the basis of decision making, while KLHS is a study that is a decision Aiding for the government.

KLHS is thus an auxiliary instrument through improving the framework (logical framework) for a policy, plan or program, to overcome potential environmental problems. Until one day when the results of a strategic environmental study have been presented, then the realization of the plan for a business project and/or activity can begin with an environmental impact analysis (AMDAL and UKL-UPL) based on the results of the existing SEA [16].

Article 15 paragraph (1) Law No. 32 of 2009 concerning Environmental Protection and Management explains that the Government and regional governments must make KLHS to ensure that the principles of sustainable development have become the basis and integrated in the development of a region and/or policies, plans, and/or programs [17].

The KLHS application in Indonesia ranges from local to national and includes policies, plans and programs. The KLHS application is carried out throughout the KRP process. At the policy level it can be applied to Policy KLHS, at the level of plans and programs it can be Regional KLHS (including spatial planning), Program KLHS, and KLHS Sector. KLHS does not pretend or is directed to create a new and separate institutional and procedural system. KLHS is directed towards ensuring that a set of principles and basic values of KLHS are applied to existing systems so that the effectiveness of the system increases [18].

As stated in article 15 paragraph (2) UUPPLH, the implementation of KLHS is mandatory in the preparation or evaluation:

- Regional Spatial Planning (RTRW) along with detailed plans at the national, provincial and district / city levels;
- Long Term Development Plans (RPJP), national, provincial and district/city Medium Term Development Plans (RPJM);
- Policies, plans and/or programs that have the potential to infer environmental impacts and / or risks.

Policies, Plans and Programs (KRP), although the attributes that distinguish the three terms are often unclear, but the differences are generic as follows:

- Policy: the direction to be taken (road map) based on the objectives outlined, setting priorities, outlining the rules and mechanisms for implementing the objectives.
- Plan (Plan): design, priority, options, facilities and steps to be taken based on the direction of policy taking into account the availability and suitability of resources.
- Program (Program): a series of commitments, organizing activities or facilities that will be implemented in a certain period of time based on the policies and plans outlined [19].

The application of KLHS is carried out throughout the KRP process, resulting in policies, plans and programs that go through a process of participation, transparency and accountability by paying attention to environmental aspects and in the framework of sustainability development and their implementation is an integral part of the land use and natural resource planning system hierarchy and management.

Article 15 paragraph (3) UUPPLH explains that KLHS is carried out with a mechanism:

- Assessment of the influence of policies, plans and / or programs on environmental conditions in a region;
- Formulating alternative policies, plans, and / or programs; and
- Recommendations for improvements to policy decisions, plans, and/or programs that integrate the principles of sustainable development. The results of the KLHS are the basis for the Government and the Regional Government to implement a policy, plan and program.

Technically, the implementation of KLHS in development planning can be seen as a concrete step in mainstreaming sustainable development in Indonesia. But at the practical level, has not been found in detail how the steps for implementing KLHS in development planning? The generic procedure that has been applied in European countries, on the one hand can be a reference, but it cannot be adopted as such. This means that it must still pay attention and be integrated with the development planning system in Indonesia [20].

The government's obligation to fulfill the KLHS is very important where the sustainability of the environment in the implementation of mining is the main focus. Considering the existence of mining in Morowali District which has caused

pollution to land, water, air, dust and beaches is very much felt by the community. Not to mention the existence of smelters built by companies whose position is not so far from community settlements that the direct impact is felt by the community.

Interview by Arsad Jatam Morowali:

“The environmental pollution around the Nickel Morowali District mine area which is most felt by the community is the presence of clean water, where the availability of water that is currently mixed with the mud is no longer suitable for consumption. Furthermore, the presence of smelters that use coal in its operation causes air and dust pollution to also pose a considerable threat to the community, where the air is increasingly unhealthy which threatens public health considering the fuel used in the management of nickel uses coal while the management plant is very close with community housing. Not only that, the disposal of liquid waste from nickel mining companies directly to the beaches of the numbered bay has caused damage to the marine ecosystem. This can be proven by the increasing difficulty of fishermen in getting fish, so it takes a considerable distance from the plain for fishermen to find fish. In fact, the liquid waste disposed by the company to the beach is indicated by Hazardous and Toxic Waste (B3). Not only that, as a result of pollution from the mine, it also pollutes the soil, this has an impact on agricultural land that has difficulty farming because the seeds planted do not experience perfect growth (Arsad Morowali District Mining Advocacy Network).

According to Juwono, pollution consists of biological chemicals, radioactivity, which are liquid or gaseous substances originating from nature and human activities. Most human activities trigger pollution (pollutants) can cause adverse effects on humans and their environment [21].

Looking at this, the existence of KLHS is very important considering that KLHS is a series of systematic, comprehensive and participatory analyzes to ensure that the principles of sustainable development have become the basis and integrated in the development of a region and/or policies, plans and/or programs. So before the nickel mining process in Morowali District the government should have conducted an KLHS before issuing a nickel mine management permit.

This is in accordance with the opinion of Ridwan "Although usually the parameters of environmental quality standards have been stipulated in national regulations through Ministerial Regulations, quality standards do not need to be the same between one region and another, this is related to the carrying capacity of the local environment. That is, permits as the first legal instrument that is preventive in nature, can only contain limitations or conditions that are more stringent than national environmental quality standards, by applying regional or local mosaics (regions), to ensure maximum environmental sustainability [22].

The importance of KLHS both for environmental sustainability in terms of natural resource management, especially mining, is felt by the community and even the

government, since KLHS does not only regulate the mechanism but also regulates the implementation of mining management as stipulated in Article 17 UUPPLH which affirms:

- a. The results of the KLHS as referred to in Article 15 paragraph (3) shall become the basis for development policies, plans and/or programs in a region.
- b. If the results of the KLHS as referred to in paragraph (1) state that the carrying capacity and carrying capacity have been exceeded,
 - The development policy, plan and/or program must be corrected in accordance with KLHS recommendations; and
 - All businesses and/or activities that have exceeded the carrying capacity and capacity of the environment are no longer permitted.

Based on Article 17 of the UUPPLH, it can be stated that the government has authority in the management of mining if the carrying capacity and tamping capacity of the environment are considered no longer suitable after the KLHS review. Therefore, the Morowali District government should conduct a re-assessment of KLHS, considering the environmental damage that is felt by the community not only on water, but also air, land and even the KLHS.

IV. CONCLUSION

Based on the description above, it can be concluded that although the hierarchy of laws and regulations regarding the existence of Special Economic Zones (KEK) in both regional and National Spatial Planning (RTRW) that have taken place in Morowali District does not get any conflict between one another. Look again at the impact of the opening of Morowali District as a mining area and management of mining products that have an impact on ongoing nickel mining environmental pollution. Given the impact of nickel mining is very felt by the community not only from one aspect, but from several aspects, namely water, land, air and even the sea. The Morowali District Government should carry out the Strategic Environmental Assessment (KLHS) and make arrangements to tighten the issuance of mining permits and extension of mining permits. Moreover, as described above, the existence of a 200,000 nickel mine in Morowali District is predicted to only be managed for the next 60 years considering nickel is a consumable mining material. The Morowali District Government should protect the environment from pollution because if nickel mining has run out, the main commodity that can support the economy of Morowali District is agriculture and fisheries. From the agricultural aspect, the government can plant oil palm, nutmeg, cassava and cacao which are the original livelihoods of the residents. Furthermore, in terms of supporting the economy the government can also develop from the aspect of fisheries because the second largest livelihood is carried out by the community. Based on this matter, KLHS needs to be the basic reason for the government in preserving the environment in Morowali District.

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