

Legal and Spatial Impacts of Land Conversion in Karanganyar: An Analysis of Regional Regulation 19/2019

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Abstrak

The objective of this research is to ascertain whether Local Regulation No. 19/2019 has sufficiently addressed the economic, social and environmental impacts that have the potential to give rise to regulatory inconsistency. The objective of this research is to analyse the economic, social and environmental impacts of land use change policies in Karanganyar Regency in accordance with Local Regulation No. 19/2019. The research methodology employed is descriptive legal geography. The findings are presented in the following section. The land conversion policy set out in Local Regulation No. 19/2019 in Karanganyar Regency has been designed with the intention of considering the full range of economic, social and environmental impacts. However, this policy may give rise to conflicts with other policies if the regulations on community participation and alternative site design are not addressed in a more holistic manner. In practice, this results in the exclusion of environmental impact analysis from the decision-making process, thereby enabling the conversion of agricultural land into tourist sites without sufficient consideration of the potential consequences. This approach creates an imbalance and may ultimately result in unsustainability. The findings of this research can be used to enhance land use change policies in Karanganyar, facilitate local development, and provide a foundation for further research. This research is notable for its use of a legal geography approach and its focus on the Karanganyar Regency.

Keywords: impact; economic; social; environmental; land conversion.

Introduction

Indonesia, as an agrarian country rich in natural resources and biodiversity, is one of the most important countries in the world. (Yudi et al., 2021) faces challenges in effective land management, especially when agricultural land is converted into tourism destinations. The growth of the tourism sector often results in a reduction in agricultural land, which is the main livelihood for most of the population. (Wati & Hariyanto, 2021). Natural resources that should have a positive impact on local communities are often poorly managed. (Fibrianto, 2021). This issue reflects the problems faced by many agrarian countries that are trying to strike a balance between tourism development and the preservation of the natural resources and livelihoods of the local population. In this context, research needs to be conducted to identify effective legal solutions and policies that can address these issues. (Dan et al., n.d., 2022).

The Karanganyar district in Indonesia is a particular example of this issue, with massive conversion of agricultural land into tourism destinations, particularly in the Kemuning tea plantation. This land conversion has led to tensions between local residents, third parties involved in land transactions, and local authorities. In recent years, there has been a notable decline in agricultural land in Karanganyar Regency as a result of tourism infrastructure development, which does not always comply with regulations. Land conversion without proper authorisation has become a pressing issue, inspiring research into the legal context and its impact on local communities and the environment. (Salamah et al., 2020).

This article makes a new contribution in the context of previous research that has considered the conversion of agricultural land for tourism development. This article focuses on Karanganyar Regency and Karanganyar Regency Regional Regulation No. 19/2019 on Karanganyar Regency Spatial Planning, which has not been extensively researched in the literature. This research also explores the principles of being efficient, effective, harmonious, balanced, and sustainable in the context of land conversion for tourism, providing a comprehensive view of this issue.

The purpose of this study is to conduct a legal study related to land conversion for tourism development in Karanganyar Regency, especially in relation to compliance with Karanganyar Regency Regional Regulation Number 19 of 2019 concerning Karanganyar Regency Spatial Planning. This article aims to discuss the legal aspects of land conversion for tourism and its impacts, with a focus on the principles of being efficient, effective, harmonious, harmonious, balanced,

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and sustainable. This research aims to provide a deeper understanding of how laws and regulations can help achieve a balance between tourism development and the preservation of the natural resources and livelihoods of local residents in Karanganyar Regency.

This article argues that in the context of land conversion for tourism development in Karanganyar Regency, it is important to consider the legal and regulatory aspects that govern the principles of efficiency, success, harmony, balance, and sustainability. This research will identify legal barriers that impede effective land management and present possible legal solutions to address issues arising from irregular land use change. This study aims to understand the need for a balance between tourism development and the preservation of the natural resources and livelihoods of local residents as an important step in achieving sustainability in the area.

Methods

This research is a type of legal geography research that is descriptive and uses normative methods with a focus on the legal framework that regulates the conversion of agricultural land in Karanganyar Regency. This method is appropriate for identifying, analysing and evaluating the legal aspects and impacts of land conversion on the environment and natural resources and uses a descriptive approach to describe these issues in detail.

The research subjects will focus on regulations and legal documents related to land conversion for tourism in Karanganyar Regency. Therefore, there are no subjects or physical locations that must be researched directly. The data in this research will be collected through document studies and analyses of legal regulations related to the conversion of agricultural land for tourism. Researchers will collect and analyse various relevant regulations, decisions, and legal documents concerning the spatial planning of the Karanganyar Regency, including Karanganyar Regency Regional Regulation Number 19 of 2019.

The data used are a regulatory document on the conversion of legal land that is still valid, namely, Regional Regulation Number 19 of 2019. The data analysis in this research is qualitative. Data analysis is carried out in harmony between *legal geography* considerations and the content of the regulation so that the findings will produce a level of logical coherence between *legal geography considerations* and the norm structure and scope of the regulation that is the object of research. The results of this analysis can be used to formulate more sustainable legal and policy recommendations in the context of the environment and natural resources. In particular, those related to the regulation of forestland conversion into tourism land and other commercial land

Results and Discussion

Land Use Change in the Context of Sustainable Regional Development

Land conversion is related to human activities that change the structure of the land by emphasising the functional use of the land. (Paul & Rashid, 2017). Land conversion is a common occurrence in developing regions. Land conversion is an important component of sustainable development and is supported by factors of land use change related to economic, social and environmental factors. These factors include population growth, labour equity, growth in the industrial sector, spatial planning that includes urban development strategies, and the creation of spatial plans that have legal force at the district or subdistrict level. (Masrukhin, 2019).

Land conversion, in terms of sustainable development, aims to meet overall needs in the long term while still paying attention to environmental interests. Land conversion that is not systematically arranged can result in negative changes to the ecosystem in the form of damage that can be felt directly. Land conversion can have negative impacts, such as the loss of environmental characteristics, that can cause natural disasters such as floods and landslides. (Riskanita & Widowaty, 2019).. In addition, land use change can affect food security. The erosion of agricultural lands reduces the ability of agricultural land to meet food needs for the community; if it occurs on an ongoing basis, it will result in a decrease in food production, especially that of rice crops. Extreme climate change is also one of the causes of the reduced ability of farmers to meet the food needs of the community. (Masrukhin, 2019). Water availability due to land use change will also decrease. This happens when the soil, which is the location of water infiltration, is depleted (Riskanita & Widowat, 2019). (Riskanita & Widowaty, 2019)(Riskanita & Widowaty, 2019), turning into settlements, roads, dams or industrial areas.

Thus, it can be concluded that land use change is an important component of sustainable development while taking into account environmental, economic and social aspects. Therefore, the maintenance of sustainable natural resources can be enjoyed for the long-term to the next generation. The role of the government in creating policies and regulations related to sustainable development also has an important impact on the process.

Spatial Planning and Environmental Policy in Karanganyar Regency

Spatial planning is designed to improve the welfare of the community in accordance with the objectives of the Karanganyar Regency Government, which formed the Karanganyar Regency Regional Spatial Plan. Karanganyar Regency, which continues to experience development in its territory, requires standard guidelines for spatial planning. In accordance with Law Number 26 of 2007 concerning spatial planning and Government Regulation Number 26 of 2008 concerning the National Spatial Plan, national policies and strategies are described in Karanganyar Regency Regional Regulation Number

1 of 2013 concerning the Karanganyar Regency Regional Spatial Plan 2013--2032, which was later amended into Karanganyar Regency Regional Regulation Number 19 of 2019.

The Regional Spatial Plan (RTRW) is designed to control the implementation of spatial planning, which is realised in several important ways, one of which is space utilisation control. Control of space utilisation is carried out in a planned manner through licensing, sanctions, the establishment of zoning regulations, and the provision of incentives and disincentives. (Anita et al., 2022).. Article 1 paragraph 13 of Regional Regulation Number 19 of 2019 stated that the implementation of spatial planning is carried out through spatial planning, space utilisation, and control of space utilisation. The three components are summarised into one development plan as one of the references in the implementation of sustainable development planning in the Karanganyar Regency area.

The government is aware of the impact of implementing sustainable development that can damage the environment; therefore, the Karanganyar Regency Government has formed regulations related to environmental management and protection. (Absori et al., 2023). The regulation in question is Karanganyar Regency Regional Regulation Number 5 of 2013 concerning Environmental Protection and Management. This regulation was formed as a form of effort to preserve the environment, which is the right of everyone to obtain a good and healthy environment as part of the ecosystem.

Challenges and Constraints in Land Use Change for Tourism and Infrastructure Development

Land conversion, which affects tourism development in an area, has both positive and negative impacts. These impacts affect the lives of local communities in the country. The greatest impact is the reduction in agricultural land in the region. Land conversion occurs due to rapid economic growth supported by population growth, as well as the need for land for housing and business for survival. (Anita et al., 2022). As a result, many farmers in the region have lost their livelihoods. Furthermore, this problem is exacerbated when the unemployment rate increases and social problems continue to grow, as evidenced by the number of unemployed people of productive age recorded by the Karanganyar Regency Statistics Agency at 5.7% (Karanganyar, 2023). (Karanganyar, 2023).

General Description of Land Use Changes According to Regional Regulation Number 19 of 2019

Descriptive analysis from a legal geography perspective of the legal norms of land conversion in Karanganyar Regency is an important step in understanding the impacts and consequences of policies related to land management. (Fibrianto, 2021). Regional Regulation No. 19/2019 of Karanganyar Regency covers several aspects related to land conversion, especially in the context of agriculture and spatial changes. To ensure sustainability and continuity in land and natural resource management, it is important to evaluate these legal norms by considering the principles of efficiency, effectiveness, harmony, balance, and sustainability.

First, the principle of usability is an important factor in analysing legal norms. In Article 57 paragraph 7e of Regional Regulation No. 19/2019, there is a provision that allows the conversion of plantation land. However, it is important to consider the extent to which the conversion fulfils the usability criteria, i.e., the extent to which the new land use fulfils existing or sustainable needs. It is important to ensure that the conversion not only aims for short-term economic gains but also considers aspects of sustainability, such as environmental preservation and long-term benefits for the community. (Priyono et al., 2022).

Second, the legal norms of the Karanganyar Regency Regional Regulation reflect the principle of effectiveness in land management. For example, article 5 paragraph 5b of Karanganyar District Regional Regulation No. 19/2019 emphasises the need to prevent the conversion of sustainable food agricultural land to nonagricultural land through the establishment of sustainable food agricultural areas (KP2B). This demonstrates an effort to maintain the sustainability of agricultural land, which contributes to regional food security. However, ensuring that the implementation of this provision is effective and prevents conflicting practices is important. (Afifah, n.d., 2021).

Third, the principles of consistency and harmony are important parameters in the analysis. The legal norms in this regional regulation must be in harmony with spatial plans and the public interest. Article 57 paragraph 6 of Karanganyar Regency Regional Regulation Number 19 of 2019 stipulates that the conversion of agricultural land is limited to supporting national strategic activities and government infrastructure. (S H Purnomo, A I Sari, n.d., 2021). This reflects the principle of being in line with the national spatial plan. However, it is important to ensure that the public interest is properly represented in this provision and not ignored in practice.

Fourth, the principle of balance plays a key role in land management. Article 57 paragraph 7e of Karanganyar Regency Regional Regulation Number 19 of 2019, which allows the conversion of plantation land, creates a policy that must achieve a balance between tourism development and environmental preservation. This shows an awareness of the importance of maintaining a balance between economic interests and environmental sustainability (Setyandito et al., n.d., 2021). However, the main challenge in this respect is how to measure and ensure that this balance is properly achieved in practice. The following is Table 1 with the addition of relevant articles from the Karanganyar Regency Regional Regulation:

Table 1. Land Use Change Clauses and Their Parameters

| Parameters | Land Transfer Clause | Description |
|-------------------|-----------------------------|---|
| Empowering | Article 5 paragraph 5b | Regulations reflect the principle of efficacy with the aim of preventing the conversion of sustainable food |

| | | |
|-------------------------|---|---|
| Successful Use | Article 15 paragraph 9c | agricultural land to nonagricultural uses. The purpose of improving irrigation channels is to maintain the area of technically irrigated paddy fields that have been converted to other functions. |
| Consistency and Harmony | Article 57 paragraph 6 (f, g, h, n) and article 57 paragraph 7e | Regulations create a framework that is aligned and harmonised with the public interest and spatial plans |
| Balance | Article 57 paragraph 6 (f, g, h, n) and article 57 paragraph 7e | Regulations create a balance between urbanisation development and preservation of agricultural land and plantations |

On the basis of the explanation above, the clauses contained in the regulation have not fully considered important aspects of sustainable land management and land conversion. First, in terms of long-term environmental impacts, regulations may not have strict enough requirements to evaluate and predict environmental impacts that may arise over a longer period of time due to land conversion. Environmental impact evaluations often focus on short- or medium-term impacts, leaving long-term aspects unaddressed. (Science, 2022). In addition, the regulation focuses more on legal and spatial aspects than on indicators of community welfare. This means that assessments of the long-term social and economic impacts on communities affected by land conversion often lack depth. The impacts on people's quality of life and natural resource utilisation may also not have been adequately focused on in these regulations. (Sari et al., 2022).

Furthermore, the regulations do not contain strong enough provisions on community participation and stakeholder involvement in the decision-making process related to land conversion. This lack of involvement may result in a mismatch between regulations and the aspirations and needs of local communities. In relation to environmental impact assessment (EIA), regulations that require EIA may not provide clear enough guidance on how EIA should be conducted or ensure that EIA is conducted comprehensively.

Finally, constraints in the provision of alternatives have also not been adequately accommodated in the regulation. Sustainable land management often requires the consideration of various options and alternatives. Better regulations can ensure that options are comprehensively explained and considered to maintain environmental sustainability and community welfare. Improvements in regulations and practices related to land conversion could include stricter monitoring, more comprehensive planning, and more extensive and in-depth evaluations of impacts. Involving communities and stakeholders in decision-making processes can also increase accountability and support more sustainable land management. The following are the assessment aspects for fulfilling the EIA category in Table 2.

Table 2. Environmental impact assessment

| Fulfilment Principle | | Categories of EIA (AMDAL) in the Clauses of Karanganyar Regency Regional Regulation Number 19 of 2019 | Description |
|---|---------------|---|---|
| Comprehensive Impact Assessment | Environmental | In Article 57 paragraph 12d | The EIA process is underway, and an environmental impact assessment is being conducted for the project to convert agricultural land into a tourist area. |
| Site-specific Data Analysis | | In Article 5 paragraph 5b, Article 15 paragraph 9c, Article 57 paragraph 6 (f, g, h, n) and article 57 paragraph 7e | Site-specific data has been carefully captured to analyse the impact of the project on the local environment |
| Identification and Mitigation of Critical Impacts | | In Article 57 paragraph 6 g | Significant environmental impacts have been identified, and appropriate mitigation measures have been implemented to reduce such impacts. |
| Involvement of Related Parties | | In Article 5 paragraph 6e (clause on land conversion of tourist areas) | Local communities and stakeholders have been organised to participate in the land conversion process, and their views accommodated prior to the issuance of licences. |
| Evaluation of Alternatives | | Regulations do not yet regulate | There is insufficient information to determine whether alternative designs |

and locations have been considered in the land conversion process.

The table above shows that three of the five indicators of environmental impact assessment (EIA) adopted in legal geography theory have been used for the conversion of agricultural land to tourism. There are two clauses that have not been fulfilled so that the regulation becomes vague. This has implications for the lack of a comprehensive environmental impact evaluation and focuses on short-term aspects due to the limited alternative data. Increased community participation also needs to be pursued again for better validity of the AMDAL process. In addition, it is necessary to increase public understanding of environmental and legal management, which is useful for avoiding spatial planning violations. (Sukananda & Nugraha, 2020).

Karanganyar Regency is dominated by plantations and rice fields. In an effort to strengthen integrated agricultural areas by paying attention to food security, Article 5 paragraph 5b of Regional Regulation Number 19 of 2019 stated that the prevention of land conversion is carried out on sustainable food agricultural land used for areas other than agriculture through the establishment of sustainable food agriculture areas (KP2B). It is further explained in Article 57 paragraph 7e of Regional Regulation Number 19 of 2019 that land conversion is allowed with the conditions mentioned in Article 57 paragraph 7f of Regional Regulation Number 19 of 2019, namely, that activities that damage the land function and quality of plantation land are not allowed, but the use of space for settlements is limited to landowning farmers. To maintain the area of paddy fields that have changed functions, the water system in the agricultural land area is designed as referred to in Article 15 paragraph 9c of Regional Regulation No. 19 of 2019, in which the channels of the semitechnical and simple irrigation system are upgraded for technical irrigation. The technical irrigation in question is irrigation that is automatically programmed so that controlling and regulating the flow of water to agricultural land is carried out with computer technology, sensors and automatic equipment. This finding confirms the research findings of Anggalini et al. (2020) on the potential dilemmas and challenges associated with conflicting policies and other development goals. The implications of EIA elements can therefore be used to quantify economic, social and environmental aspects; identify potential conflicts and trade-offs between different aspects of development; and ensure that decisions are made in a sustainable and balanced manner.

In an effort to prevent greater land conversion, there are general provisions of zoning regulations for food crop areas in Article 57 paragraph 6n of Regional Regulation No. 19 of 2019: land conversion in urban areas is a maximum of 50% (fifty percent), whereas in rural areas along main roads, it is a maximum of 20% (twenty percent) of the existing land area. With these provisions, the change in function of sustainable food agricultural land (LP2B) is only allowed for public interests and/or due to disasters in accordance with applicable regulations. In addition, land conversion is allowed to support national strategic activities and government infrastructure.

The implications of land use change for AMDAL (Environmental Impact Assessment) policy in the context of Regional Regulation Number 19 of 2019 concerning spatial planning and regional planning of Karanganyar Regency are that the regulation of land use change has not properly regulated data and information related to alternative designs and locations that are considered in the land use change process, which hampers the evaluation of environmental impact. The involvement of local communities in the process of evaluating alternative locations is still lacking, which practically affects the validity of the AMDAL process for land use change licences. Community participation in this regulation has not been strongly affirmed enough, resulting in a low level of community participation, particularly in environmental management programmes. Governments that fail to fulfil their responsibilities towards environmental management and do not comply with the wishes of the community can lead to lawsuits, whether criminal, civil or administrative. A lack of public understanding of natural resources and environmental management can lead to problems such as an increase in spatial planning violations. Licensing, including AMDAL ownership, plays an important role in environmental protection and management, and decisions related to AMDAL should be based on potential critical impacts and the availability of technological infrastructure. In the context of AMDAL, efforts to prevent land conversion and manage land change are important factors for protecting the environment in Karanganyar Regency in accordance with Regional Regulation No. 19/2019. The fulfilment of regulations, community participation, and an understanding of laws and regulations are key in addressing the implications of land use change for AMDAL policies.

From the description of the clause above, there are parameters that are not fulfilled in the EIA theory. This is due to the lack of data and information related to alternative designs and locations that are considered in the land conversion process. If the required data are not sufficient, then the evaluation cannot be carried out properly. This lack of information is also motivated by the absence of local community involvement in the process of evaluating alternative locations (Nugraha et al., 2018).. This can lead to suboptimal environmental and social decisions. (Nanda et al., 2019). To minimise deviations in the evaluation process, it is necessary to pay attention to the following points, the first of which is an understanding of laws and regulations (Widiati & Permatasari, 2022).. The evaluation process must comply with applicable laws and regulations, including environmental regulations. It is necessary to examine what the legal requirements are in the area of the project being implemented. The second is transparency. Every stage carried out must be clear and transparent, both with respect to the purpose of the assessment and how the community in the area participates. The involvement of local communities and related parties is an important component of the evaluation process.

Research conducted by Nanda, Tan, and Noer (2019) explains that the level of community participation in environmental management programmes is still relatively low; one of the causes is the lack of commitment and

assertiveness of the government in implementing regulations and the lack of coordination between the government and the community. Sugiarta and Widiati (2020) stated that the government is stated that governments that are negligent in fulfilling their responsibility for environmental management and are not in accordance with the wishes of the community can be prosecuted criminally or civilly and can be subject to administrative sanctions. A lack of public understanding of natural resource management often causes problems such as an increase in violations of spatial planning. (Widiati & Permatasari, 2022).. In the implementation of spatial planning, the characteristics of Indonesia, which are prone to disasters, natural resources and the environment, need to be considered (Cahyani, 2020). (Cahyani, 2020).

Sukananda and Nugraha (2020) suggested that the main factor in environmental protection and management is related to licensing. Licensing serves as one of the means of preventing environmental destruction. This licence is related to the ownership of AMDAL (environmental impact analysis), which has become a legal product. Activities that require AMDAL are determined on the basis of the potential critical impacts and available technological infrastructure. (Cahyani, 2020).

Conclusion

This article concludes that the conceptual implications of the land conversion policy in Regional Regulation Number 19 of 2019 of Karanganyar Regency have considered complex economic, social, and environmental impacts but can trigger potential policy conflicts, especially in the implementation, development, and evaluation of land conversion policies in Karanganyar Regency, because it has not clearly regulated community participation in the context of converting agricultural land into tourist areas. This research also concludes that more sustainable local development planning must explicitly accommodate community participation in the regulation of regional spatial plans and open access to transparency regarding alternative land evaluation before permits are issued. This research can also serve as a basis for further research in the fields of legal geography and environmental policy, as the conversion provides a more holistic evaluation and fulfilment of EIA principles found in other regions.

This research uses a legal geography research approach so that its conceptual implications allow unique insights into policy impacts. With a focus on the Karanganyar Regency, the research conclusions also provide specific insights into the situation in the area. The holistic nature of the evaluation and research findings helps improve existing policies and make them more sustainable.

For practical implications, a comprehensive collection of alternative design and location data is needed for better environmental impact evaluation. The lack of alternative data related to design and location causes the evaluation of environmental impacts to focus only on short-term aspects. Community involvement in the AMDAL process needs to be increased so that it has an impact on the validity of the AMDAL process. This can be accomplished by increasing public understanding of environmental management and understanding of the law to avoid violations of spatial planning.

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