

CIVIL SOCIETY RECOMMENDATION FOR BALIKPAPAN BAY

**REVIEW AND INPUT FOR COASTAL ZONE AND SMALL ISLAND ZONATION
PLAN (RZWP3K) IMPROVEMENT**



Civil Society Recommendation for Balikpapan Bay

Review and Input for East Kalimantan Province RZWP3K Improvement
(version 11 March 2020)

East Kalimantan is one of the provinces with rich forest resources and diversity of flora and fauna including marine biodiversity. Balikpapan Bay is one of the important seascapes in East Kalimantan. From ecological standpoint, the bay has high biodiversity as it is where rivers from three districts/cities (i.e. North Penajam Paser District, Kutai Kartanegara District, and Balikpapan City) empty to. These areas are still rich with mangrove ecosystem. Balikpapan Bay is a permanent habitat to several protected wildlife species (as per Minister of Environment and Forestry Regulation No. P.106/MENLHK/SETJEN/KUM.1/12/2018) such as Proboscis monkey (*Nasalis larvatus*), Irrawaddy dolphin (*Orcaella brevirostris*) and dugong (*Dugong dugon*). Other important species such as green sea turtle (*Chelonia mydas*) and crocodile (*Crocodylus sp.*) make the bay their feeding ground. Further, Balikpapan Bay has been made part of new State Capital Region (IKN) territory, where environment remains the major issue in state development (see Strategic Environmental Assessment/SEA)).

We have reviewed East Kalimantan's Coastal zone and Small Island Zonation Plan (RZWP3K) version 11 March 2020 and highlighted at least the following four major concerns.

- (a) Expansion of Coastal Marine and Small Island Conservation Area (KKP3K).
- (b) Protection for mangrove, coral reef and seagrass ecosystems.
- (c) Protection for coastal community rights to settlement and fishing.
- (d) Protection for endemic and protected species through protection area designation.

In addition, we have also made article-by-article recommendation for specific location (i.e. Balikpapan Bay) because the last version of Draft Provincial Regulation that we received contains environmental downsides. See the following recommendation.

1. §14.3. Coastal Marine and Small Island Conservation Area (KKP3K) includes point a to v.

Recommendation:

All mangrove areas in Balikpapan Bay (including 3 districts/city) should be covered by the KKP3K.

Rationale:

- As per Presidential Regulation No. 73/2012 on National Strategy for Mangrove Ecosystem Management (SNPEM), the local government should increase the protection level.
- Almost all mangrove areas in Balikpapan Bay are habitats to rare, threatened, endemic and protected species (as per Minister of Environment and Forestry Regulation on Protected Flora and Fauna Species Year 2018) such as Proboscis monkey, etc.
- Balikpapan Bay mangroves have ecotourism attraction and geological formation that can be developed for scientific purpose.
- Mangrove is an ecosystem area essential to coastal and marine life. It protects against high tides, abrasion, sedimentation, flood and saltwater intrusion and is able to absorb and store carbon in an amount larger than terrestrial forest ecosystem.
- Mangrove protection is mandated by Law 41 of 1999 on Forestry, Law 26 of 2007 on Spatial Planning, Law 27 of 2007 in conjunction with Law 1 of 2014 on Management of Coastal Zone and Small Island Management, and Law 32 of 2009 on Environmental Protection and Management.

2. §14.4. Areas designated as core zone within the KKP3K include point a to i.

Recommendation:

The following islands are recommended to be covered by designation of KKP3K core zone.

1. Benawa Besar Island.
2. Benawa Kecil Island.
3. Kalawasan Island.
4. Kendompit Island.
5. Kwangan Island.
6. Babi Island.
7. Tukong Island.

Rationale:

This is as mandated by Law 27 of 2007 in conjunction with Law 1 of 2014 on Management of Coastal Zone and Small Islands (PWP3K). Aquaculture activities should be restricted in small islands.

3. §14.5. KKP3K provided under paragraph 3, that have been designated as restricted use zone in KKP3K includes point a to v.

Recommendation:

1. Balang Island.
2. Aquatic area within Balikpapan Bay, i.e. from Balang Island to upstream part. This area should be covered in designation of restricted use zone in KKP3K.

Rationale:

- Use activities are currently ongoing in Balang Island, so that they need to be aligned with the applicable law, i.e. Law 1 of 2014 on PWP3K.
- Water in Balikpapan Bay contains many important nutrients accumulated from river downstream areas, so that the bay becomes a feeding ground to protected aquatic species such as Irrawaddy dolphin.
- Integrated management of downstream-upstream rivers is part of mandate of Presidential Regulation No. 73/2012 on SNPEM.

4. §15.2. The Aquatic Conservation Area provided under paragraph 1 includes KKPs under point a to i.

Recommendation:

The following should be included in KKP designation.

1. Batu Matita Coral Reef, Balikpapan Bay.
2. Karang Solet Coral Reef, Balikpapan Bay.
3. Batu Kapal Coral Reef, Teluk Balikpapan.
4. Batu Sendre Coral Reef, Balikpapan Bay.
5. Seagrass in Tanjung Batu estuary, Balikpapan Bay.
6. Seagrass in River Kariangau estuary.
7. Seagrass near Kwangan Island.
8. Seagrass in River Berenga estuary.

9. Seagrass in River Tempadung.

Rationale:

- Coral reef ecosystem in Balikpapan Bay is considered globally unique as it can survive far from the coast and is much affected by river water runoff. This fact is different from what many people understand, believing that coral reef can be found and grows only in clear water and far from river influence.
- Seagrass in the area is a habitat to marine mammal species such as dugong and major source of food to this species.
- Coral reef and seagrass are essential ecosystem areas to coastal ecosystem, functioning as several fish species' breeding ground and fine absorber of carbon dioxide.

5. **§19.2. KPU-W-P3K provided under paragraph 1 concerning coast and small island tourism zone is found in waters, including point a to f.**

Recommendation:

The following should be included by tourism zone designation.

1. Somber Mangrove Center Watershed, Balikpapan Bay.
2. Mentawir watershed, Balikpapan Bay.

Rationale:

- Somber watershed is an area proposed by Balikpapan Municipality Government and currently in a process of designation by Minister of Environment and Forestry as an Essential Ecosystem Area.
- Mentawir watershed is one of the national and global pilots qualified for climate village nomination because most of its area is covered by forest/forest area.
- Both locations are community-managed tourism areas.

6. **§60.2. KPU-PM-N provided under paragraph 1 on Fishing Community Settlement consists of point a to b.**

Recommendation for Fishing Community Settlement:

The following should be included by Fishing Community Settlement.

1. Mentawir Village.
2. Maridan Village.
3. Jenebora Village.

4. Pantai Langau Village.
5. Kariangau Village.
6. Kampung Baru Village.
7. Klandasan Village.
8. Damai Village.
9. Pasar Baru Village.
10. Manggar Village.

Rationale:

- The above villages are locations that have long been fishing community settlements.
- The majority of population in the villages earn livelihood from fishing so that this meets the needs for fishery resources in Balikpapan City.

7. §22.1. KPU-PL-DLK provided under §21 point a on DLKr and DLKp includes point a to z, as well as aa, bb and cc.

Recommendation:

1. Designation of DLKr and DLKp zones in Balikpapan Bay is considered unnecessary. Allocation to Balikpapan Port with sub-zone code of KPU-PL-DLK-06 should be reduced, particularly the middle of Balikpapan Bay (Balang Island) to the bay's upstream part (Sepaku watershed) that should be excluded from the DLKr and DLKp zones.
2. The middle to upstream parts of the bay (from Balang Island to the end of the bay's upstream area) is its heart, playing a very important role to the ecosystem. These locations are what remain from industrial expansion. They also become the favourite fishing spot to traditional fishermen.

8. §24.2. KPU-BD-BL provided under paragraph 1 on aquaculture zone includes point a to s.

Recommendation:

The following two locations should be excluded from aquaculture area.

1. Balikpapan Bay in PPU Sub-District (sub-zone code KPU-BD-BL-05).
2. Balang Island, Balikpapan Bay, PPU District, and Balikpapan City (sub-zone code KPU-BDBL-06).

Rationale:

- Because the areas are not suitable to and not meant for aquaculture.
- Community activities currently include fishing, which has been carried out from many generations. No aquaculture activity found could be because they are not qualified.

9. §26.3. KPU-PT-PD provided under §25 point c on pelagic demersal fish includes point a to s.

Recommendation:

Include locations in Balikpapan Bay as areas for traditional fishing community area because these locations have been where surrounding community fished from many generations. This aims to protect community's constitutional rights.

10. §28.1. Service/Trade Zone provided under §18.1 point h on Service/Trade Zone includes point a and b.

Recommendation:

Coastal roads in South Balikpapan Sub-District (zone code KPU-JP-01) should be removed.

Rationale:

1. They changed the landscape.
2. They damaged coastal ecosystems including coral reef in the area.
3. They changed the pattern of sea current, leading to flooding, erosion, etc. in the coastal areas.
4. They evicted fishing community's living space such as their fishing ground, and took their settlements.
5. There has occurred coastal space privatisation, while it is essentially public area.

11. §31.2 AL-AMB-MP provided under paragraph 1 point a on Sea Turtle Migration includes point a to j.

Recommendation:

Sea turtle migration in inland sea, i.e. from and to Balikpapan Bay - East Kalimantan coast (sub-zone code AL-AMB-MP-04) is habitat to sea turtle that

should be protected. Species protection should be followed by the increased protection status of its habitat.

12. §31.3. AL-AMB-MM provided under paragraph 1 point b on marine mammal migration includes point a to i.

Recommendation:

Comprehensively protect the species, including its habitats (its feeding and breeding grounds).

1. Migration of marine mammal in inland sea, including upstream part of Balikpapan Bay to its middle part (sub-zone code AL-AMB-MM03/point c).
2. Migration of marine mammal in inland sea, i.e. River Riko-Balikpapan Bay (sub-zone code AL-AMB-MM-04/point d).
3. Marine mammal migration in inland sea, i.e. Balikpapan Bay (sub-zone code AL-AMBMM-05/point e).

Rationale:

- Marine mammals are protected species in Indonesia, as per Minister of Environment and Forestry Minister Regulation Year 2018 on Protected Flora and Fauna Species. The aquatic species protection should be accompanied by protected habitats. Sheer marine mammal migration line protection would be insufficient.

13. §33.5. AL-AP-PK provided under paragraph 1 point d on special sailing and crossing lines includes point a to g.

Recommendation:

Special Terminal (Tersus) and Private Use Terminal (TUKS) should be integrated for Balikpapan City and North Paser Penajam District.

1. (Point b) TUKS in North Paser Penajam District, i.e. from and to Balikpapan Bay-Makassar Strait Tersus/TUKS (sub-zone AL-AP-PK-07), River Riko-Balikpapan Bay Tersus/TUKS (AL-AP-PK-08), Jenebora Tersus/TUKS (AL-AP-PK-09 to 10), Balikpapan Bay-Makassar Strait Tersus/TUKS (AL-AP-PK-12), and Sungai Tersus/TUKS (AL-AP-PK-13).
2. (Point c) TUKS in Balikpapan City, i.e. from and to Balikpapan Bay-Makassar Strait Tersus/TUKS (sub-zone code AL-AP-PK-14 to AL-AP-PK-19), River Somber Tersus/TUKS (AL-AP-PK20), and River Wain Besar Tersus/TUKS (AL-AP-PK-21).

Closing

Balikpapan Bay is the last standing fortress of High Conservation Value (HCV) area, serving as a spot rich with biodiversity that remains along the coast of East Kalimantan. The bay's landscape is the guardian to the province's ecological balance. It has at least 6 important elements as follow that link to one another, making it worth taking into account in East Kalimantan Province RZWP3K

1. Environmental carrying capacity.
2. Natural function service.
3. Essential ecosystem
4. Energy and sustainable economy.
5. Disaster response.
6. Climate change.