From State-Centered Decision-Making to Participatory Governance

Planning for Offshore Wind Farms and Implementation of the *Water Framework Directive* in Northern Germany

Antje Bruns, Kira Gee

Coastal zones and river basins are highly complex systems. To overcome environmental problems and resource conflicts, new modes of governance are needed. The approval process for offshore wind farms in the German North Sea is a largely hierarchical traditional procedure. In contrast, River Basin Management in Schleswig-Holstein is a promising example of participatory planning.

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Abstract

Rhetorically at least, environmental policy in the European Union has taken a shift towards more comprehensive, participative, and co-operative forms of governance. Examples are the 2002 *Recommendation on Integrated Coastal Zone Management (ICZM)* and the 2000 *Water Framework Directive (WFD)*. Designed to resolve specific environmental problems, they also address the process of decision-making itself. In this paper we ask whether two current planning processes in the German North Sea coastal region show evidence of these new forms of governance. We find that the process of issuing planning permission for offshore wind farms is still largely hierarchical and fails to link up to more comprehensive forms of sea use planning. In contrast, the process of implementing the *WFD* leads to comprehensive, strategic, and participatory River Basin Management (RBM) in Schleswig-Holstein. The case studies represent distinctive modes of governance that exist at the same time in the same place.

Keywords

governance, maritime spatial planning, North Sea, offshore wind farms, participation, shifting planning paradigms, water framework directive

Contact: *Dipl.-Geogr. Antje Bruns* | University of Flensburg | Institute of Geography and Didactics | Auf dem Campus 1 | 24943 Flensburg | Germany | Tel.: +49 461 8052339 | E-Mail: antje.bruns@uni-flensburg.de

M.Sc. Kira Gee | GKSS Research Centre Geesthacht GmbH | Institute for Coastal Research | Department Human Dimensions of Coastal Areas | Geesthacht | Germany | E-Mail: kira.gee@gkss.de

Coasts and River Basins as Settings for Governance

Due to their highly complex human-nature interactions coasts and river basins can be regarded as particularly challenging settings for sustainable development. Spatially, their delineation may vary greatly depending on the functional context used, and in terms of administration, both are characterised by a multi-stakeholder context which can extend from local interests all the way to global stakes and responsibilities. Integrated Coastal Zone Management (ICZM) and integrated River Basin Management (RBM) are attempts at providing a new type of framework for guiding change in these settings. Based on principles of adaptive management and participatory planning, they have grown from the understanding that certain process qualities are essential if sustainability is to be secured over time (see, e. g., Fletcher and Potts 2008, EC 1999, European Parliament and Council 2002). As such ICZM and RBM are representative of the fundamental shift in European environmental policy that has taken place since the 1990s, which itself results from a new understanding of governance (Holzinger et al. 2006). At many levels and in many different contexts, there is a move away from centralised bureaucracies to "different schemes of self-government, public-private partnerships, collaborative efforts, policy entrepreneurs, and participatory initiatives" (Duit and Galaz 2008, p. 328), responding to the fact that neither state-centred regimes nor market regulation can always provide an adequate solution (cf. Ostrom 1990). This is paralleled by a distinct process-oriented turn, which has become particularly manifest in planning processes.

A key element of the new planning paradigm is characterised by the dissolution of rigid boundaries. It results in a cross-sectoral, integrated approach that extends across multiple scales, as well as modes of decision-making that are integrative and collaborative rather than top-down. In the context of good governance (cf. Rhodes 1996), this implies a different self-conception on the part of the political and administrative system in the European member states. Rather than perceiving themselves as mere exec-

utors of a body of legislation, they are challenged with becoming partners in dialogue, seeking to work with other stakeholders to find the best solutions. The question is whether the EU's new paradigm of participatory governance and collaborative, deliberative, and comprehensive planning is beginning to make itself felt at the regional level or whether an "implementation gap" persists between EU demands and their implementation. This paper uses governance as a frame of reference for analysing two current planning processes in northern Germany. One is the implementation of the *Water Framework Directive (WFD)* in Schleswig-Holstein, the other the process of issuing planning permission for offshore wind farms in the German Exclusive Economic Zone (EEZ).

Governance: A Brief Overview

Although governance is much en vogue, it cannot be defined as a coherent theory. One way of perceiving it is as a frame of reference for analysing modes of collective decision-making. Assuming that three ideal mechanisms for co-ordination exist – hierarchy, market, co-operation –, governance stands for their combination (Kooiman 2003). As such, it brings together traditional state-led policy-making with market regulation and more participatory forms of decision-making. The emergence of networks of institutions and actors, as well as the decentralisation of government functions and their co-production by private actors can be identified as major trends in environmental governance (e.g., Lemos and Agrawal 2006). Beyond that, changes in governance regimes often coincide with the creation of new governance spaces. This is evident in case of the *WFD,* which refers to entire catchment areas rather than administrative boundaries.

A narrow definition describes governance as an antagonism to government. In a normative interpretation, governance is often linked to specific participatory and co-operative styles of management. Commonly, these a) are collaborative and consensus-orientated instead of hierarchical and power-orientated, b) are open to (new) stakeholders who often interact in networks, and c) use alternative ways for problem solving and dispute resolution (Benz 2004). In our interpretation of the term, governance is taken to include the existing administrative or policy context. For the purpose of our analysis, four aspects of governance seem particularly relevant. Firstly, governance refers to different enabling conditions for governing in the sense that suitable institutional structures are needed to facilitate the policy implementation (cf. Stoker 1998). Secondly, it demands broad involvement of private stakeholders, which can be linked to the issue of representation. Thirdly, processes of interaction and communication become more relevant since governance is also representative of a new style of governing which is dynamic, relies on interaction, collaboration, and joint rule-making, and resorts to alternative ways of problem solving (Rhodes 1996, Grote and Gbikpi 2002, Benz 2004). Fourthly, new modes of governance refer to norms, values, and the culture of decision-making. It is widely understood that informal processes require a different set of norms and values than formal, hierarchical decision-making processes (Selle 2004). The following analysis and evaluation concentrate on these aspects.

The Case Study Examples

We have chosen two relatively recent planning processes that reflect the need to contend with change in complex settings. The process of issuing planning permission for offshore wind farms is essentially a traditional formal sectoral approach modelled on similar processes on land (spatial planning), but one which has come under criticism for its failure to link up to more comprehensive forms of sea use planning (Licht-Eggert and Gee 2006). Although it is a permit-oriented rather than a strict spatial planning process, it does exert considerable influence on marine resource use. Conceptually, the offshore wind farm debate can also be framed as a conflict between energy policy and environmental policy, which each pursue different aims. The process of establishing River Basin Management in Schleswig-Holstein, in contrast, is a comprehensive, strategic, and long-term approach that is based on the *WFD*. The objective is to improve the environmental status in all European water bodies, therefore new political spaces are being created.

Despite their differences in terms of overall objectives, the chosen examples lend themselves to a discussion of current trends in planning and can be probed for evidence of new modes of governance. In case of the offshore wind farm example we concentrate on the underlying norms and values that foster or hamper the implementation of offshore wind as a technological innovation, expressed for instance as attitudes to offshore wind farms in a wide range of texts and documents (Licht-Eggert and Gee 2006). In case of the *WFD* we focus on the institutional structures that are necessary to implement the directive.

Table 1 summarises the differences in the two case study examples and highlights the investigative approaches upon which the analysis is based. >

TABLE 1: A comparison of the two case studies in terms of their respective contexts and the approach used.

	case study *offshore wind farm planning*	case study *River Basin Management*
object of analysis	■ planning approval procedure for large-scale projects	■ water management
impact	■ spatial development and environmental quality	
space and scales	■ spatial misfit between administrative and ecosystem boundaries ■ multi-scale drivers and impacts	
research methods used	■ text analysis ■ stakeholder analysis ■ questionnaire survey	■ expert interviews ■ questionnaire survey

Case Study 1: Planning Offshore Wind Farms in the German Exclusive Economic Zone

New Spatial Planning Demands in the EEZ

Offshore wind farming in the German North Sea is symptomatic for a trend towards large-scale permanent structures and new conflicts arising between sea users. Much of the controversy surrounding offshore wind farms is based on their sheer scale and the fact that they preclude many other forms of sea use such as shipping and fishing. At the same time, they are considered essential if Germany is to meet its renewable energy targets set by the federal government. Forecasts assume that offshore wind needs to provide a minimum capacity of 20 000 megawatts by 2030, which is estimated to require a total sea area of up to 2 500 square kilometres (Neumann et al. 2002).

Although energy policy acts as a strong driver, and although the first planning approval was granted in 2001, the first pilot wind farm in the North Sea EEZ is only just about to be constructed (BSH 2009). This puts Germany behind other European countries such as the UK, Ireland, Denmark, Sweden, and the Netherlands, where a combined 1 100 megawatts were obtained from 25 offshore wind farms two years ago (EWEA 2007). Several reasons contribute to the significant delay Germany has experienced. On is that the approval process was drawn out by many small but unsuccessful court cases brought against offshore wind farms by nature conservation organisations, island municipalities, and fishermen. Other reasons were the long-time lack of criteria for assessing planning applications, as well as the ongoing reluctance of large energy companies to become involved. This, however, is essential if offshore wind is to be a success (Neukirch 2008). Nevertheless, in the period to 2015 growth is expected to be primarily driven by the UK, followed by Germany (EWEA 2007).

At present, the specific effects of large-scale construction and operation of offshore wind farms remain uncertain. In assessing their likely impacts, the process of issuing planning permission therefore needs to rely on existing values and norms, which are used to judge evidence drawn from Environmental Impact Assessments (EIA) and similar tools. More comprehensive value judgements, however, such as determining how much offshore wind farming is acceptable and how it should be weighed against other forms of use, need to be developed at an altogether different level in the socio-political arena. It is encouraging for offshore wind farm development that despite their significant environmental concerns, local residents consider offshore wind a valuable alternative to the traditional energy sources of nuclear power and/or coal and gas.

Offshore Wind Farm Planning in Practice

The Context: The Process of Issuing Planning Permission

The task of the approval procedure is to secure an appropriate location for the proposed offshore wind farm and to specify the conditions under which approval is granted (e. g., size, safety standards for shipping, minimising environmental impacts, etc.). The responsible co-ordinating authority is the Federal Maritime and Hydrographic Agency (Bundesamt für Seeschifffahrt und Hydrographie, BSH), which is also the approving authority for other large-scale projects in the EEZ such as pipelines and sea cables. Because of a presumption in favour of development, the desired outcome of the consent procedure, namely the issuing of planning permission for an offshore wind farm, is never in doubt, although proposals may need to be considerably altered. Several stages have to be completed before planning permission for offshore wind farms is issued. These are outlined in table 2.

A key feature of the process is its two rounds of consultation. Neither the first nor the second round of consultation is truly deliberative in the sense of an open-ended debate. The process is a centralised hearing, with participation restricted to mutual information and some degree of transparency achieved by the

TABLE 2: Offshore wind farm planning in Germany: Phases in the decision-making process and participating stakeholders.

phase	participating stakeholders	form of participation
drawing up the necessary application documents	applicant + Federal Maritime and Hydrographic Agency (Bundesamt für Seeschifffahrt und Hydrographie, BSH)	–
phase 1: ***start of the approval procedure***	selected national statutory consultees	invitation to comment (in writing)
phase 2: ***opportunity to submit statements***	larger group of statutory consultees, other interested institutions	invitation to comment (in writing)
	general public	public display of application documents
	applicant, BSH, statutory consultees	planning application conference
	applicant	presentation of an Environmental Impact Assessment (EIA) and risk analysis
	statutory consultees	comment on the EIA
	applicant, BSH, statutory consultees	public hearing
phase 3: ***decision by the BSH***		

fact that the BSH has to make available a broad range of information to the participating stakeholders.

An interesting point is that first- and second-round consultees exert different degrees of influence on the final outcome of the approval procedure. First-round consultees are representatives of key interests in the EEZ, all of which could be negatively affected by offshore wind farms. A balancing of interests therefore takes place in this round, primarily because national and international laws and policy priorities need to be taken account of at this stage (e. g., the *EU Habitats Directive*). To protect their interests, objections raised by first-round consultees can therefore lead to changes in siting or reductions in size of the proposed offshore wind farm. One of the most powerful stakeholders in this first round is the Waterways and Shipping Directorates (WSD). This is because the *UN Convention on the Law of the Sea (UNCLOS)* demands that shipping safety must be accorded priority in the EEZ, effectively making other interests subordinate to this. The role of second-round consultees, in contrast, is limited to receiving information and commenting on the proposals. In reality, they do not exert any influence on proposed offshore wind farm development; potential objections are recorded but do not lead to changes in siting or the size of the proposed wind farms. The general public is informed of developments late in the process and is not able to influence the outcome of the consultation process in any way.

Representation and Reflection of Norms and Values

The representativeness of a process is closely linked to the legitimacy of the decisions it produces. Since it is debatable whether anybody "can legitimately claim the right to select the values or preferences that should guide collective decision making" (Renn 2006, p. 35), it follows that decision-making processes should be as inclusive as possible to reflect all values and preferences.

The approval process for offshore wind farms can be criticised for lack of representativeness on several grounds. One is that the opinions of the majority of stakeholders have very little bearing on the ultimate decision, being effectively excluded from the decision-making process. Worse, there is little opportunity for redress. Under the German *Administrative Proceedings Act,* only those whose subjective rights are affected can demand a review of offshore planning decisions before an administrative court. Recently, a court took the opinion that the interests of island municipalities and nature conservation organisations (non-governmental organisations, NGOs) were not affected by offshore wind proposals, effectively barring them from bringing a case (Pestke 2008).

Issues of representation also emerge when considering who is involved in the first place. A recent analysis of two offshore wind approval procedures (Licht-Eggert et al. 2008) showed that only a fraction of potentially relevant stakeholders were consulted. Out of 430 organised stakeholders identified at a local, Länder, and national level, only 79 (18 percent) had been invited to comment at any stage of the process. An uneven distribution was noted also with respect to the administrative scales and the sectors involved, with a decided lack of private-sector involvement. National interests appear to dominate the decisive first round of consultation; local involvement is limited to the second round and largely restricted to municipalities and nature conservation organisations. This is clearly different from the *WFD,* which has strong focus on the local level. At the same time, it must be conceded that not every organisation listed as a stakeholder is likely to be in a position to comment and also wants to comment. Some communal representatives, for instance, think that documents are too complex and hard to understand. So they feel unable to deliver meaningful comments during the consent procedure.[1] The process therefore falls short of a key aspect of governance, which is broad involvement of private and other stakeholders.

Another measure of representativeness is the degree to which the attitudes on offshore wind farms expressed in the formal consent procedure match wider public attitudes, e. g., those of local residents. In other words, how well are the general public being represented by the organised public during the consent process? Direct comparisons of survey results show that local residents are generally more sceptical towards offshore wind farms than institutions and organisations, and less likely to be convinced of the benefits. Two of their main concerns are aesthetics and the desire to keep the sea as a wilderness free of industrial structures, none of which is reflected in any comments made by the consultees on specific wind farm proposals. Whilst in the case of the aesthetics argument, this may simply indicate an information deficit on the part of local residents – as a matter of fact, many offshore wind farms will not be visible from the mainland –, this cannot be applied to the wilderness argument which exists independently of proposed sites. This shows further selectivity of the formal consent process in terms of the values and preferences that are actually represented in the debate.

Outputs and Outcomes of the Planning Approval Process

The output of the offshore wind farm approval process is the issuing of planning permission. Therefore, as a goal-oriented process, it clearly meets its objective. Formally at least, all necessary requirements of involvement and providing information are adhered to, with stakeholders given the opportunity to raise concerns and basic information provided to the public. The process, however, shows little flexibility and adaptability throughout and discounts the fact that offshore wind farms are by no means universally welcomed. Although it claims to be participative, it does not represent an open forum for dialogue which involves all relevant stakeholders and accords equal rights to all participants. Unsurprisingly, some stakeholders, particularly at the local level, resent the process as token involvement which merely creates work and does not accord them any degree of control over the final outcome. >

1 "Given the complexity, the potential impact and significance of the issue, the municipality of Wyk feels unable to assess the documents in a technically well-founded manner." Personal comment from a representative of the island municipality of Wyk (2006).

Case Study 2: River Basin Management in Schleswig-Holstein

The *WFD:* A Framework for River Basin Management

It is generally agreed that the year 2000 – when the *Water Framework Directive (WFD)* came into force – marks the beginning of a new water policy throughout the EU (e. g., Page and Kaika 2003). One of the major changes brought about by the *WFD* is that it establishes a coherent framework for River Basin Management (RBM) which is linked to ambitious environmental objectives. Management is to be based on natural geographical and hydrological systems rather than administrative boundaries (Moss 2004), and good ecological status is to be achieved for all water bodies by 2015. In order to meet these challenges, new principles, instruments, and methods were introduced, bringing with them significant changes to the way water resources are managed. Public participation is a key concern of the *WFD* in several respects (Newig 2005): as a rationale that underpins the entire approach, as an appropriate instrument for achieving the objectives, and as a policy aim of the European Commission within the *WFD* [2].

The Formal Planning System of the Water Sector in Germany

The German planning system of the water sector is traditionally very sectoral and hierarchical. Information exchange is mainly restricted to statutory procedures and is limited to hearings or the submission of written statements. In Germany, legislative and administrative competencies and public functions are shared between the federal and Länder level. Although all governing levels communicate with each other, the role of the lower administrative tiers is restricted to specifying and implementing policies and guidelines handed down from the higher levels. In order to facilitate participatory governance in new spaces, structural and organisational changes are thus a prerequisite.

Implementation of the *Water Framework Directive* in Schleswig-Holstein

The case study presented here draws on two questionnaire surveys and expert interviews with stakeholders involved in water resources management in Schleswig-Holstein.[3] The survey primarily focused on stakeholder communication and interaction since dialogue is believed to be crucial in the development of any new structures (e. g., Innes 1995). The expert interviews concentrated on organisational changes that are believed to occur and that are necessary if ecosystem-based management is to be implemented in new governance spaces.

The Context: Enabling Conditions and Organisational Changes

There is evidence that organisational structures in Schleswig-Holstein have changed as a result of the *WFD* (see figure). To ensure the exchange of information and to facilitate collaboration, Schleswig-Holstein established different boards. At the higher river-basin district level, three advisory boards (one per district) were established, consisting of stakeholders from the nature conservation sector, the national farmers' union or fishery organisations as well as agencies. 34 working groups represent the lower level of management, which is responsible for implementing the *WFD*. They are in charge of preparing, deciding on, and implementing measures to improve water quality. Current issues are discussed in groups of six to ten, with participants representing different organisations (government organisations and NGOs). The Federal Ministry of Agriculture, Environment, and Rural Areas (Ministerium für Landwirtschaft, Umwelt und ländliche Räume, MLUR) also attends but has no right to vote.

All decisions taken by the working groups must be consensus-based. If a group cannot reach consensus, the federal ministry has the right to intercede, which it has done a dozen times to date. The federal ministry also sets the rules for negotiation and guarantees the binding character of any decisions that are taken. The process of deliberation therefore takes place "in the shadow of hierarchy" (Scharpf 2000). In Schleswig-Holstein, this is generally welcomed since it encourages stakeholders to work together and solve problems jointly. No stakeholder has made use of the available exit option yet, although a few have conceded in interviews that they would leave the working group if decisions run counter to their interests. The agricultural sector has a particularly powerful lobby and exerts strong influence, as evident in the programme of measures and the River Basin Management plan.

Participation and Collaboration in River Basin Management

Implementing the *WFD* requires comprehensive co-ordination at different levels. The directive delegates this responsibility to the federal level. Collaboration between Länder administration (MLUR) and other sectors as well as stakeholders is possible as long as certain principles are met. Rules and guidelines must be explicit and access to information and documents guaranteed in order to create a collective knowledge base. The stakeholder surveys make clear that co-operation of the administrative sector, clear legal guidelines, intensive exchange, and comprehensible information are the most important conditions for participation to be successful. The survey established that 74 percent of the stakeholders at river basin level and 84 percent at local level feel well informed. Nevertheless, the need for clearly presented and easily accessible information was repeatedly addressed. On the part of the MLUR there are efforts to train local level participants, mainly through informative meetings and seminars, but the importance of this task still seems underrated.

The management process is open to any organised stakeholder with an interest in water management. A drawback of the working groups is that participants are not democratically legitimised,[4] but there is a connection to the formal decision-making system

2 See http://ec.europa.eu/environment/water/water-framework/overview.html.

3 Subject of the survey were one River Basin Management Board and nine working groups; all of them operate in the Eider Catchment Area, which is located in North West Germany (Schleswig-Holstein). The aim was to establish whether the implementation of the *WFD* leads to the emergence of any new governance structures and processes.

4 See Renn (2005) for a discussion of legitimacy in participatory governance.

since the MLUR is guiding the process. In terms of involvement many interviewees criticise that the intermediate management tier responsible for spatial planning is insufficiently involved. This lack of co-ordination and co-operation between water management and spatial planning system will certainly become a problem when the programme of measures reaches implementation stage.

A valid criticism of consensus-orientated decision-making is that "seeking consensus often shirks important issues. It tends to result in general and vague agreements, and is usually interest- or position-based" (Neumann 2000, p. 345). This, however, does not apply to implementation of the *WFD* since precise objectives need to be achieved.

An important principle of the *WFD* is adaptiveness and learning: A detailed reporting system was conceived not only for purposes of control (mainly on the part of the EU) but also to enable internal learning and evaluation. Systematic evaluation is set to improve planning processes. Since no evaluation schemes have yet been implemented in Schleswig-Holstein or Germany, it is doubtful whether this principle is actually being applied at regional level.

Outputs and Outcomes of River Basin Management

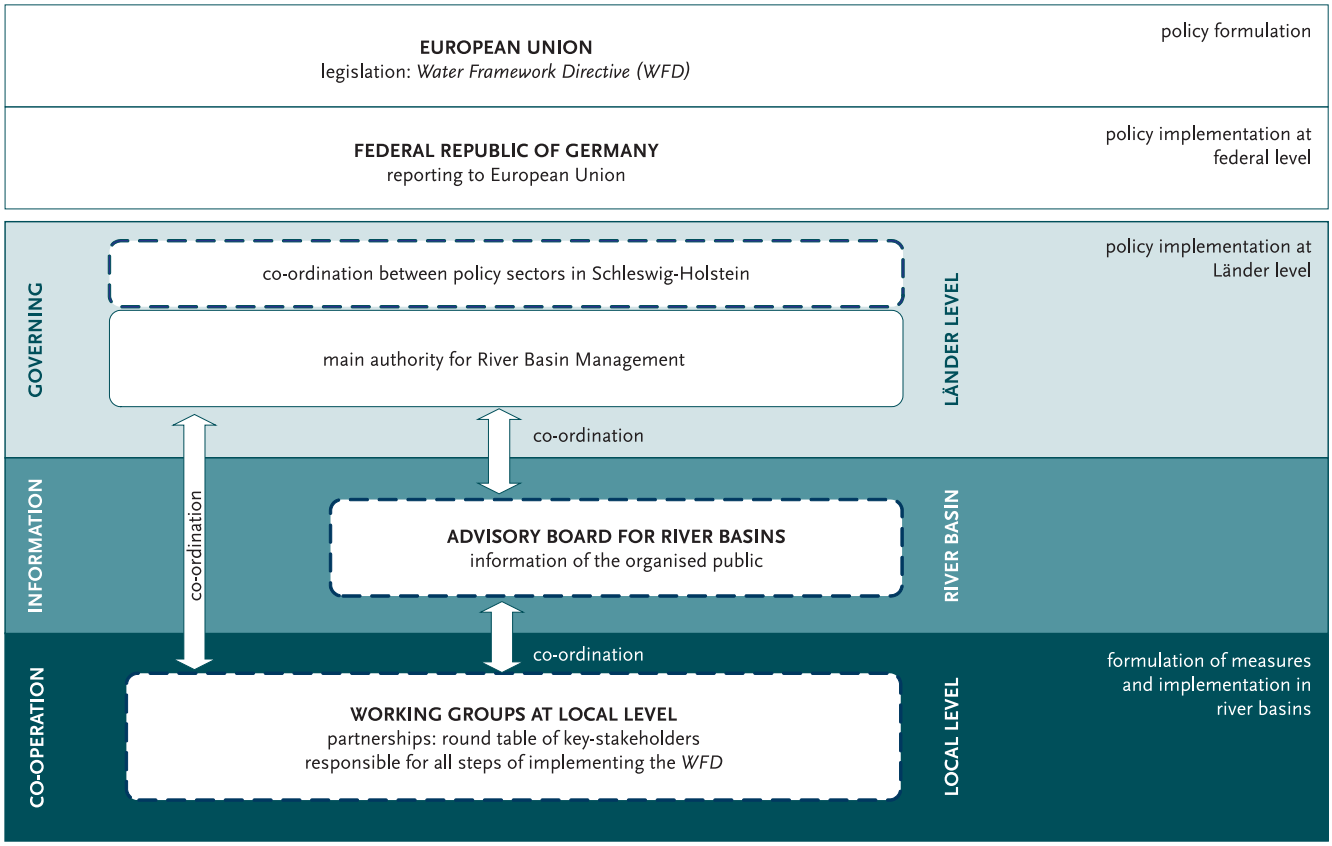
Five years into the implementation of the *WFD* in Schleswig-Holstein, a range of outputs can be identified. Most importantly, an organisational structure was developed to implement the *WFD,* based on agency and stakeholder collaboration. Other outputs include the completion of the stocktaking exercise, a draft of a programme of measures, and the fact that many meetings were held. Interviewees ranked the benefits of the ongoing collaborative efforts as follows: **1.** confidence-building is enhanced, **2.** common understanding of problems is improved, **3.** communication and information flows are improved, **4.** collective learning processes are initiated, and **5.** less conflicts between stakeholders emerged (only the top five benefits are listed). No real impacts in terms of an improved water quality can be identified so far, but first measures to improve the water quality are being taken so that first results should be apparent soon.

Conclusions: Shifting Forms and Modes of Governance?

Two very different planning processes have evolved as a response to emerging management needs. Each is characterised by distinctive governance patterns (table 3, p. 156).

In terms of its objectives, and also in terms of the territorial and organisational parameters prescribed for water management, RBM can be seen as a strategic process which was instigated by the EU. As a response to this legislation, Schleswig-Holstein ini- >

FIGURE: New organisations formed (dashed lines) to implement the *Water Framework Directive* in Schleswig-Holstein.



tiated a systematic process of participatory planning which has led to a wide range of organisational change at the local and regional scale. In river basins, new institutions evolved and new management units were established in order to meet participation needs. Although the *WFD* leads to changing modes of governance in water policy, in this respect it must be stated that the evolving style of governance is more of an addition to formal decision-making than a substitution. The idea that "classical patterns of hierarchical intervention have been significantly reduced in favour of 'new forms of governance'" (Holzinger et al. 2006, p. 419) cannot be validated.

The offshore wind farm planning process is a top-down process that has emerged from a context of technological innovation. Rather than a comprehensive strategy, it is a project-by-project approach, where the desired outcome is the granting of planning approval either with or without modifications. The process falls short in terms of transparency, legitimacy, and accountability, and accordingly, no additional outcomes can be observed in terms of capacity building or institutional learning. As such, it is a classic example of a traditional planning process which resists demands for new modes and new spaces of governance. Lack of legitimacy and accountability are of particular concern since in the absence of a maritime spatial plan (see Pomeroy and Douvere 2008), the approval procedure effectively acts as a stand-in. Given the scale of the proposed developments, and given the uncertainties over their potential cumulative environmental impacts, a project-by-project approach is clearly insufficient.

So what general conclusions can be drawn? The *WFD* process highlights the significance of clear objectives for achieving a comprehensive and strategic approach. In case of the *WFD,* such objectives exist both in terms of environmental status (water quality) and process (management in river basin units, participation). Another advantage is the tight time frame of the directive, which has forced the formal institutions to quickly work towards implementation, and stopped prevarication. Effective implementation at the output level (adoption of policy programmes and institutions), however, does not necessarily translate into success at the impact level in terms of improved environmental status.

In contrast to the *WFD,* the offshore wind farm approval process does not work towards a clear environmental objective. Beyond its inadequacies in terms of representation, the offshore wind farm planning procedure is characterised by a systemic inability to take a wider perspective in a situation where such a wider perspective is clearly required. This criticism drives at a lack of embeddedness, for instance in a process of maritime spatial planning which is still in its infancy at present. Simply granting approvals based on a presumption in favour of development, the process pre-empts and even precludes a much more fundamental debate on how much space should be given to offshore wind farms and how the needs of renewable energy generation should be balanced against other needs. Although renewable energies are currently much en vogue, there is no forum of debate to establish which values and norms society will rely on at any time to guide future developments in the marine environment. Therefore, an important task for coastal governance is to set out clear objectives for a desired end state (e. g., a common vision for the EEZ) and process (management units, participation, transparency, etc.). Innes (1995) points out that institutional change alone is not enough to solve environmental problems but that ethical principles will need to change as well. This emphasises the need for a broader forum for debate and the need to link this to less hierarchical modes and a different culture of decision-making.

As far as enabling conditions and institutional structures are concerned, change in coastal and marine governance has so far been consciously avoided rather than encouraged in Germany. Planning for offshore wind farming could have acted as a trig-

TABLE 3: A comparison of governance patterns between offshore wind farm approval and River Basin Management (see Booher and Innes 2006, who carried out a similar analysis for water management in California).

governance pattern	traditional governance: *offshore wind farm planning*	participatory governance in new spaces: *River Basin Management*
implementation	top-down	top-down and bottom-up
source of direction and interaction	central control	network, distributed influence
boundary conditions and stakeholder involvement	closed	open
organisational context	traditional organisations	new organisations coexist with traditional organisations
criterion of success	planning permission	environmental status and collective action
decision-making	project-by-project decisions	local and regional decisions and comprehensive approach
spatial aspect	based on administrative institutions	new governance space based on the ecosystem
legitimacy	representative democracy	deliberation
adaptiveness	linear planning process	adaptive management and learning

ger for opening up a new governance space in the sea and there are some hopes that maritime spatial planning might be able to fill this gap. Germany has so far missed the opportunity to use ICZM as an instrument for introducing new governance spaces at a regional and national level and using these spaces to create new forms of dialogue and decision-making. The *WFD* shows that implementing new modes of governance is a challenge but provides some valuable lessons that maritime spatial planning could learn from.

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References

Benz, A. 2004. Governance – Modebegriff oder nützliches sozialwissenschaftliches Kapital? In: *Governance – Regieren in komplexen Regelsystemen.* Edited by A. Benz. Wiesbaden: Verlag für Sozialwissenschaften. 11–28.

Booher, D. E., J. E. Innes. 2006. Complexity and adaptive policy systems: CALFED as an emergent form of governance for sustainable management of contested resources. Paper presented at the *50th Annual Meeting of the International Society for the Systems Sciences (ISSS)*. Sonoma State University, Rohnert Park, CA, July 9–14.

BSH (Bundesamt für Seeschifffahrt und Hydrographie). 2009. *Eignungsgebiete für Offshore Windenergie.* www.bsh.de/de/Meeresnutzung/Wirtschaft/Windparks/index.jsp (accessed March 31, 2009).

Duit, A., V. Galaz. 2008. Governance and complexity – emerging issues for governance theory. *Governance: An International Journal of Policy, Administration, and Institution* 21/3: 311–335.

EC (European Commission). 1999. *Towards a European Integrated Coastal Zone Management (ICZM) strategy – general principles and policy options.* Luxembourg: EC.

European Parliament and Council. 2002. Recommendation of the European Parliament and of the Council of 30 May 2002 concerning the implementation of Integrated Coastal Zone Management in Europe (2002/413/EC). *Official Journal of the European Communities L* 148/24 EN, 6.6.2002.

EU Working Group Water Framework Directive (WFD). 2002. *Guidance on public participation in relation to the Water Framework Directive: Active involvement, consultation and public access to information.* Brussels: EU.

EWEA (European Wind Energy Association). 2007. *Delivering offshore wind power in Europe. Policy recommendations for large-scale development of offshore wind power in Europe by 2020.* Brussels: EWEA.

Fletcher, S., J. Potts. 2008. Coastal and marine governance in the United Kingdom: Editorial. *Geographical Journal* 174/4: 295–298.

Grote, J. R., B. Gbikpi. 2002. From democratic government to participatory governance. In: *Participatory governance.* Edited by J. R. Grote, B. Gbikpi. Opladen, Germany: Leske + Budrich. 17–34.

Holzinger, K., C. Knill, A. Schäfer. 2006. Rhetoric or reality? "New Governance" in EU environmental policy. *European Law Journal* 12: 403–420.

Innes, J. 1995. Planning theory's emerging paradigm: Communicative action and interactive practise. *Journal of Planning Education and Research* 14/3: 183–189.

Kooiman, J. 2003. *Governing as governance.* London: Sage.

Lemos, M. C., A. Agrawal. 2006. Environmental governance. *Annual Review of Environment and Resources* 31: 297–325.

Licht-Eggert, K., K. Gee. 2006. *Inhaltliche Stellungnahmen im Genehmigungsverfahren der BSH zu Offshore-Windparks: Ergebnisse der Stakeholderanalyse-Dokumentenanalyse – Bereich Genehmigungsverfahren für Offshore-Windparks.* Internes Arbeitspapier. Teilprojekt 3.2, Verbundprojekt Zukunft Küste – Coastal Futures. Büsum: Forschungs- und Technologiezentrum Westküste (FTZ). www.coastal-futures.de/Download/Publikationen (accessed May 12, 2009).

Licht-Eggert, K., K. Gee, A. Kannen, B. Grimm, S. Fuchs. 2008. The human dimension in ICZM: Addressing people's perceptions and values in integrative assessments. In: *ICZM. The global challenge.* Edited by R. Krishnamurthy et al. Chennai, India: Research Publishing. 241–262.

Moss, T. 2004. The governance of land use in river basins: Prospects for overcoming problems of institutional interplay with the *EU Water Framework Directive. Land Use Policy* 21: 85–94.

Neukirch, M. 2008. Energiewirtschaft und Windkraft. Eine Länder vergleichende Politikanalyse zur deutschen Offshore-Windenergie. *Ökologisches Wirtschaften* 2/2008: 43–46.

Neumann, M. 2000. Communicate this! Does consensus lead to advocacy and pluralism? *Journal of Planning Education and Research* 19: 343–350.

Neumann, T. et al. 2002. *Weiterer Ausbau der Windenergienutzung im Hinblick auf den Klimaschutz.* Teil 2 – im Rahmen des F & E Vorhabens 999 46 101 im Auftrag des Bundesministeriums für Umwelt, Naturschutz und Reaktorsicherheit. Wilhelmshaven: Deutsches Windenergie-Institut.

Newig, J. 2005. Die Öffentlichkeitsbeteiligung nach der EG-Wasserrahmenrichtlinie. Hintergründe, Anforderungen und die Umsetzung in Deutschland. *Zeitschrift für Umweltpolitik und Umweltrecht* 4: 469–512.

Ostrom, E. 1990. *Governing the commons. The evolution of institutions for collective action.* New York, NY: Cambridge University Press.

Page, B., M. Kaika. 2003. The EU Water Framework Directive: Part 2. Policy innovation and the shifting choreography of governance. *European Environment* 13: 328–343.

Pestke, S. 2008. *Offshore-Windfarmen in der Ausschließlichen Wirtschaftszone. Im Zielkonflikt zwischen Klima- und Umweltschutz.* Umweltrechtliche Studien, Band 37. Baden-Baden: Nomos.

Pomeroy, R. S., F. Douvere. 2008. The engagement of stakeholders in a Marine Spatial Planning Process. *Marine Policy* 32/5: 816–822.

Renn, O. 2005. Partizipation – ein schillernder Begriff. Reaktion auf drei Beiträge zum Thema „Partizipation": H. Heinrichs. 2005. *GAIA* 14/1: 30–31, C. F. Gethmann. 2005. *GAIA* 14/1: 32–33 und B. Korf. 2005. *GAIA* 14/3: 224–226. *GAIA* 14/3: 227–228.

Renn, O. 2006. Participatory processes for designing environmental policies. *Land Use Policy* 23: 34–43.

Rhodes, R. A. W. 1996. The new governance: Governing without government. *Political Studies* 44: 652–667.

Scharpf, F. W. 2000. *Interaktionsformen. Akteurszentrierter Institutionalismus in der Politikforschung.* Opladen, Germany: Leske + Budrich.

Selle, K. 2004. Kommunikation in der Kritik? In: *Steuerung und Planung im Wandel. Festschrift für Dietrich Fürst.* Edited by B. Müller, S. Löb, K. Zimmermann. Wiesbaden: VS Verlag für Sozialwissenschaften. 229–256.

Stoker, G. 1998. Governance as theory: Five propositions. *International Social Science Journal* 50: 17–28.

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Antje Bruns

Born 1976 in Hanover, Germany. Studies in geography, regional planning, and agriculture at Berlin. From 2004 to 2009 researcher in the project *Coastal Futures* at the University of Kiel and at the GKSS Research Centre Geesthacht. Writing a PhD thesis on European environmental governance in coastal zones and river basins. At the Institute of Geography, University of Flensburg, since February 2009.

Kira Gee

Born 1969 in Munich, Germany. Studies in zoology and conservation at Oxford and London. Works in Integrated Coastal Zone Management (ICZM) in England and Germany. From 2003 to 2007 research assistant at the Social Science Research Centre in Berlin as part of the research project *Coastal Futures*. Since then at the GKSS Research Centre writing a PhD thesis on landscape perception and offshore wind farming on the West coast of Schleswig-Holstein.