

PUBLIC PARTICIPATION



FACING CLIMATE EMERGENCY



SURFRIDER
FOUNDATION EUROPE

SUMMARY



A single route, a single meaning: succeeding in the energy transition requires a collective effort.

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INTRODUCTION

SURFRIDER AND PUBLIC PARTICIPATION

Surfrider Foundation Europe is the product of a unique story combining the protection of the coastal and maritime environment and the protection of its users. From the fight against marine litter to coastal development issues and water quality, Surfrider aims to achieve a sustainable balance between humans and nature. This position drives the collective ambition of the organization by promoting it from local to global, with grass-roots support to a systemic approach.

Regarding coastal development issues, the consequences of climate change have changed Surfrider's position. From a rather systematic, even dogmatic position of opposition, to a more pragmatic stance, based on a case-by-case project analysis

that contributes to adaptation or mitigation strategies for global heating.

As it does not seem appropriate to oppose the development of climate change mitigation projects, such as installation of renewables energies, it remains essential to limit the negative impacts on both environment and society. However, each case will be different and what must be guaranteed is the establishment of an **high-quality dialogue** for **effective participation**. This approach should optimise the chances of developing a project with a lower environmental impact and accelerate an ecological transition to tackle the climate crisis.



Offshore wind farm projects have been the subject of multiple studies for Surfrider involving: technologies & impacts, dialogue & public participation.



Dialogue and consultation are about people meeting. The French Nouvelle-Aquitaine President Alain Rousset, astrophysicist and ecologist Hubert Reeves, former director of the Surfrider Foundation Europe Stéphane Latxangue and three-time world surfing champion Tom Curren, at the Ocean Climax Music Festival in Darwin (Bordeaux, France, 2015).

THIS DOCUMENT

Challenged by emerging Marine Renewable Energy projects and particularly offshore wind farms, Surfrider has decided to clarify its position aiming to increase knowledge of existing technologies as well as their potential impacts on the region and to study the approach of dialogue and public participation.

Surfrider has dedicated time to follow and study Marine Renewable Energy projects in different countries in Europe. Our last study resulted in an Energy and Public Participation benchmark of 9 EU countries (France, Portugal, Italy, England, Denmark, Belgium, the Netherlands, Spain, and Germany) that was carried out in 2018. Thus, this document is the result of qualitative and quantitative studies, field study and meetings which

provided sincere and transparent exchanges between Surfrider and each coastal user, local authorities or operators.

Our goal is to transmit what we have learned in our past experiences on participatory events and then to propose some remarks to act collectively towards the interests of the coastal and maritime environment as well as its users.

A major element that we have learned from this field study is that we must **remain very humble** in the face of the public participation challenges. The exercise is complex, full of obstacles and Surfrider has no intention of claiming to have an absolute truth on the subject. We simply wish to share our current vision, which requires experimentation and enrichment.

WHAT ARE WE TALKING ABOUT?

CONTEXT

CLIMATE CHALLENGES: AN URGENCY ARISING IN EVERY REGION

The climate is now following a new trajectory and changes have never been happening this fast. Combined with a strong and continuous negligence regarding the environment, we are facing disturbance that will last several centuries: atmosphere and ocean warming, melting glaciers, changes in weather patterns, sea level rise, ocean acidification, loss of wildlife and so forth.

There is no time for questions, we must act. Everyone must act.

While it seems that the challenge of global heating is now recognized and accepted by everyone (or at least by the greatest number), it has been still seen as a macro phenomenon, “too global”, “too general”, “too far away”. Citizens do not necessarily realize the very short-term impact on their region and their daily lives that is already happening and just tends to increase.



THE MEANING OF PUBLIC PARTICIPATION IN DECISION-MAKING

We can undoubtedly find several meanings for the term public participation as well as for its issues. Before moving forward, it is important to produce an acceptable figure of public participation in the environmental context that will allow us to frame our writing and positions. In this way, we will continue to use these framing elements whose origin seems legitimate to Surfrider:

Recommendation mentioned Directive 2003/35/EC of the European Parliament
“Effective public participation in the taking of decisions enables the public to express, and the decision-maker to take account of, opinions and concerns which may be relevant to those decisions, thereby increasing the accountability and transparency of the decision-making process and contributing to public awareness of environmental issues and support for the decisions taken.”

Rio Declaration Principle 10
“Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.”

Recommendation mentioned in the Aarhus Convention (art. 6)
“Each Party shall provide for early public participation, when all options are open and effective public participation can take place”

Surfrider considers that the challenge of public participation, through its different practices or models (participatory methods, public surveys and debates, commissions,

round tables, public consultation) is to enable citizens to exercise their influence on regional development and therefore to take part in decision-making.

THE ROLE OF THE CITIZEN IN PUBLIC PARTICIPATION AND ITS LIMITS

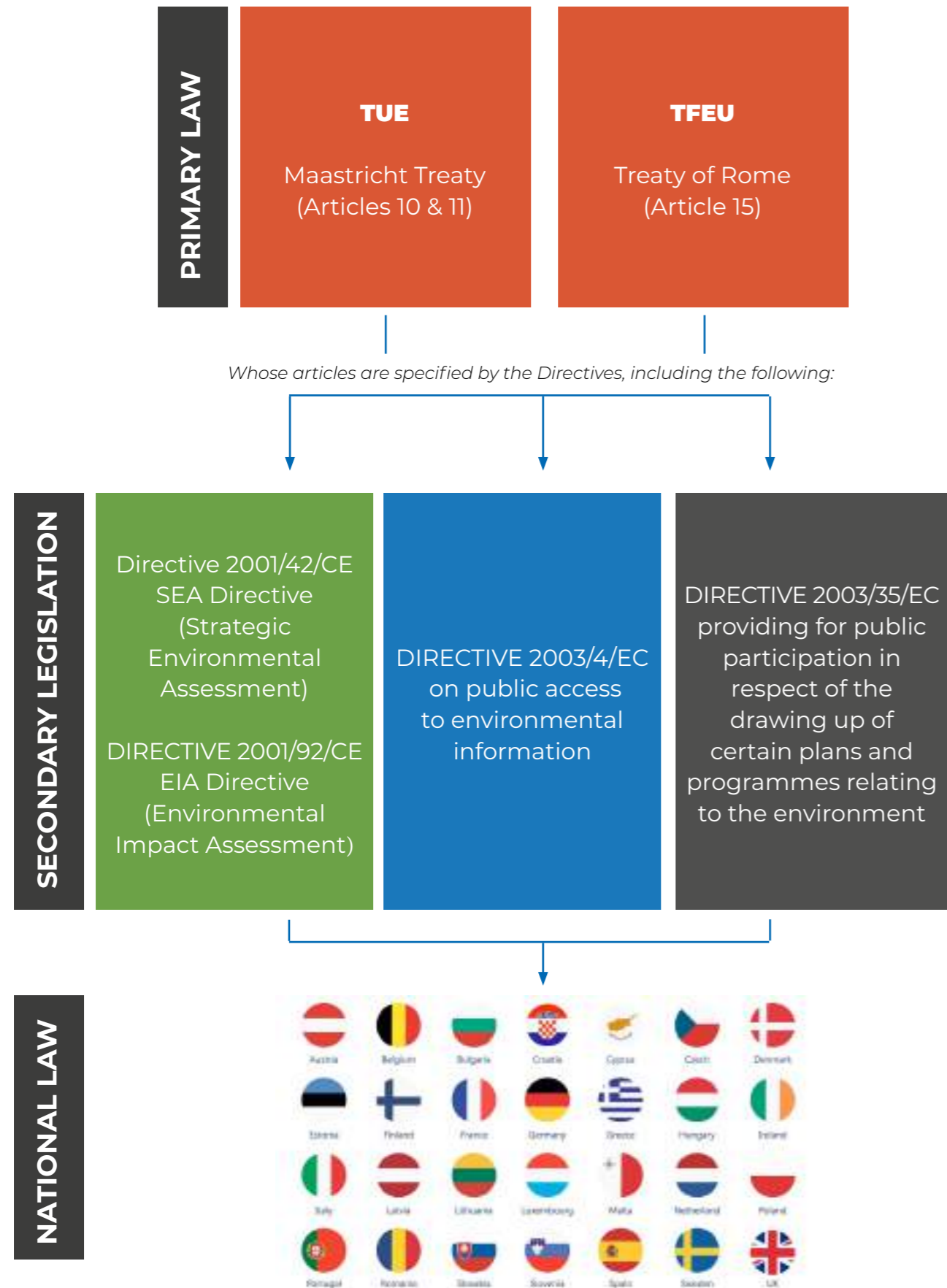
There is a range of international events and accords, commitments, EU directives, national laws that protect and promote public participation in decision-making processes, especially in the context of the continuous challenges of environmental impacts. However, regular events demonstrate that participatory methods have been failing to guarantee effective citizen participation, notably regarding urgent climate adaptation and mitigation. For

example, complicated and costly procedures, late consultations, lack of representativeness, lack of knowledge, numerous limits that we regularly observe, which lead to a great number of usage conflicts. For this reason, the goal of this document is not only to discuss the public participation matters with an approach coming from a macro to a micro vision but also from theoretical, legal and regulatory to practical methods.



The urgency of dialogue to deal with the climate crisis.

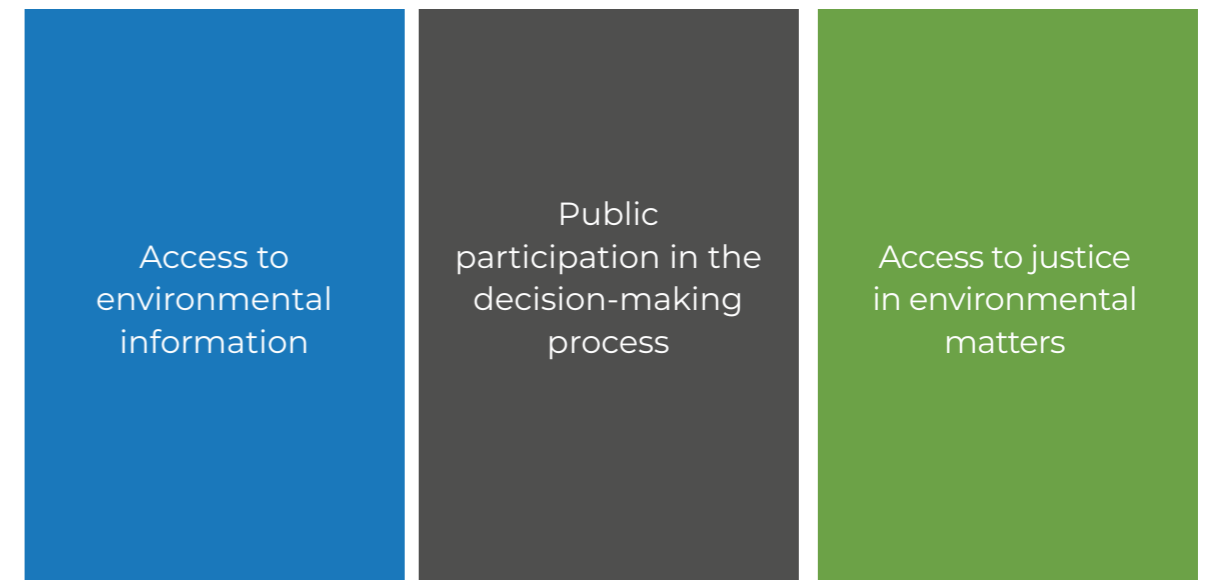
EUROPEAN LAW



INTERNATIONAL LAW



The convention is based on the following three pillars:



The Aarhus Convention was approved by the European Union on 17 February 2005. The first two principles of the Convention have been translated into European law through Directives 2003/4/EC (access to environmental information) and Directive 2003/35/EC (public participation). Each EU Member State was then responsible for transposing them into national law.

THE PUBLIC PARTICIPATION CHALLENGES

MAIN ISSUES AND PROPOSALS



It has been 28 years that Surfrider promotes and intermediates dialogue in different and transitional contexts, starting from marine litter and water quality to coastal development and climate change, including energy transition. This experience has enabled us to identify some major issues and good practices. It is on this basis that Surfrider has been building its position and can today suggest some general orientations to promote and facilitate the participatory processes.

If no stakeholder is to remain at the platform, there is no point in boarding a train arriving too late at the station: consultation must begin before a project is even decided.

CHALLENGE N°1

THE TIMING OF THE CONSULTATION

PROBLEM DESCRIPTION:

Normally, the EU countries regulations have several participatory procedures before and during the beginning of projects which have great environmental impacts. However, the decision-maker often begins to exchange and discuss with the stakeholders of a project after its implementation has already been decided or is already been supported by local, national or European authorities.

Often, there is a representation-imbalance during the project cycle as there is no consultation before the project is launched. Instead, **the consultation period is often opened after the project has a strong structure already designed and financial support allocated.** In these cases, the ones who most manifest their opinion are the stakeholders opposed to the project, often carrying a frustration feeling that challenges a constructive dialogue:

► Stakeholders who are strongly opposed to the project are the ones that take part in the dialogue, while the favourable or neutral actors are very poorly represented. Normally, those who see a risk of impact or loss, such as losing an advantage, or an asset are the ones who express themselves the most.

► The citizens are involved in the project after the decisions have already been made and they can only discuss or give their opinion on the outlines of a project without discussing the very opportunity. The frustration raised can lead to a blockage of principle even if the relevance of the project goal would be fully accepted or even recognised.

CHALLENGE N°1: THE TIMING OF THE CONSULTATION

Coastlines are among the main affected places by climate change, and it brings challenges to the social, economic, environmental and cultural structures that build our societies. The climate emergency implies innovative ways of understanding development strategies, both in terms of their goals and their implementation, while respecting regional specificities. The aim is to determine the conditions for ecological transition, more specifically in terms of energy. To achieve this goal, Surfrider believes that the success depends of the collective movement to adapt, modify or rethink our position. It is thus becoming increasingly essential to **create and promote space for citizens and coastal users to take a role in this transition.**

IMPROVEMENT PROPOSAL: A PERMANENT SPACE FOR REGIONAL DIALOGUE

It seems necessary to go beyond the legislative and regulatory frameworks to create a sustainable space for public participation and dialogue at the local level. While this space by itself does not guarantee the avoidance of conflicts, it should facilitate participation and constructive exchange.

The main components of this space:

- ▶ Constitute a scale of a limited and coherent region that has an existing and legitimate administrative structure: the scale of an agglomeration/community of municipalities is important for good actor representation while guaranteeing adaptation to local specificities.
- ▶ Involve any actor from the public sector, the private sector or civil society in relation to marine and coastal activities.



Creating a "safe" space to facilitate discussion. Ocean Climax Music Festival.



- ▶ Co-construct with the actors the major elements of governance: objectives, agenda, decision-making methods.

- ▶ Organise and facilitate regular physical meetings and a virtual discussion space.

Capital gains sought:

- ▶ Actors mutual knowledge.
- ▶ Regular information sharing.
- ▶ Possibility for any actor to enter the space to initiate dialogue.

- ▶ The building of a co-construction process.
- ▶ Development of the culture of dialogue.

- ▶ Possible consultation and exchanges before the projects decision, on their opportunity or even on regional development strategies.

Although these spaces can be appropriate to a variety of issues and regions, the focus here is the ocean and coastlines. One must remember that we are talking about setting up projects in public maritime domain where there are not owners, but many uses that should healthy co-exist.

THE PUBLIC PARTICIPATION CHALLENGES

THE PARTICIPANTS IN THE CONSULTATION



Wind Farm in the bay of Saint-Brieuc - France

In July 2011, as part of the European development of renewable electricity production and through the Grenelle Environment Forum, France launched a first attempt for the installation of a 3000 MW Offshore Wind Farm in the bay of Saint-Brieuc. While offshore wind power implementation in Europe and its countries should include upstream consultation since the beginning of the project, it is not what has happened in the case of this project. There was a range of failures considering the participatory processes, such as: unfinished impact studies at the time of consultation and public debates; lack of information in studies as they did not include the impacts on local economy (fishery commercial region), tourism, different recreational use and swells; un-concluded studies containing consultation, so the information acquired through consultation could not be used by the authorities.

The consequences are clear, it has been already seven years of conflicts between users and stakeholders and there remains the issue of the maintenance port of the wind farm.

CHALLENGE N°2

THE PARTICIPANTS IN THE CONSULTATION

DESCRIPTION OF PROBLEM:

While the space proposed should promote regular and permanent participation by the main actors involved or concerned, it is also important, when a specific project emerges, to be vigilant about the **involvement of all stakeholders** directly or indirectly affected.

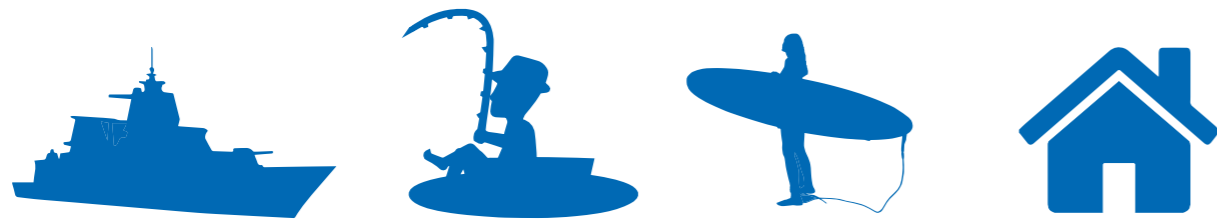
On the one hand, although this issue is generally known and recognized as important by the bodies or local authorities in charge of implementing participative processes, the work to achieve it remains complicated. In this way, it is important to remember that we are talking about the public maritime domain which can be seen as State or a public good, depending on how we understand it. We are not dealing with owners who are easily and immediately identifiable but rather with users and its inhabitants.

On the other hand, often an actor who has not been involved from the start in the exchanges and consultation processes feel excluded and naturally become an opponent of the project. This is particularly what happened in Saint-Brieuc, France (see facing page).

Moreover, not involving the actors since the beginning can mean a loss of opportunity to extract an additional and important advice in the elaboration of the design of the project. The project's co-building also determines the success of its implementation.

CHALLENGE N°2: THE PARTICIPANTS IN THE CONSULTATION

IMPROVEMENT PROPOSAL: QUALIFIED MAPPING OF COASTAL USERS



To improve the participatory processes and activity related to a coastal development strategy or project, it is essential to know all the users of the area concerned.

Who are the users?

There is a diversity of actors, such as:

► Political: environmental protection, national defence.

► Economical: maritime transport, fishing, maritime cultures, extraction of mining resources, tourism, etc.

► Recreational: tourism, leisure fishing, swimming, surfing, other water sports.

► Cultural: inhabitants and native people.



There are numerous potential affected users of a project. They must be identified and consulted before any implementation.



Successful consultation must allow users to express themselves and anticipate conflicts.

What are the usage risks?

The following table serves as basis to a first analysis of the acceptability of a project. By crossing the technical characteristics and the usage, the risks of users' conflicts can be anticipated.

Surfrider carried out a study on the different Marine Renewable Energy technologies and their possible interaction on the different uses of the coast (p.18-19). This exercise considered: (1) the power plant, (2) the terrestrial infrastructure and (3) the cabling that links them.



DIRECTIVE 2014/89/EU The European directive: Maritime Spatial Planning

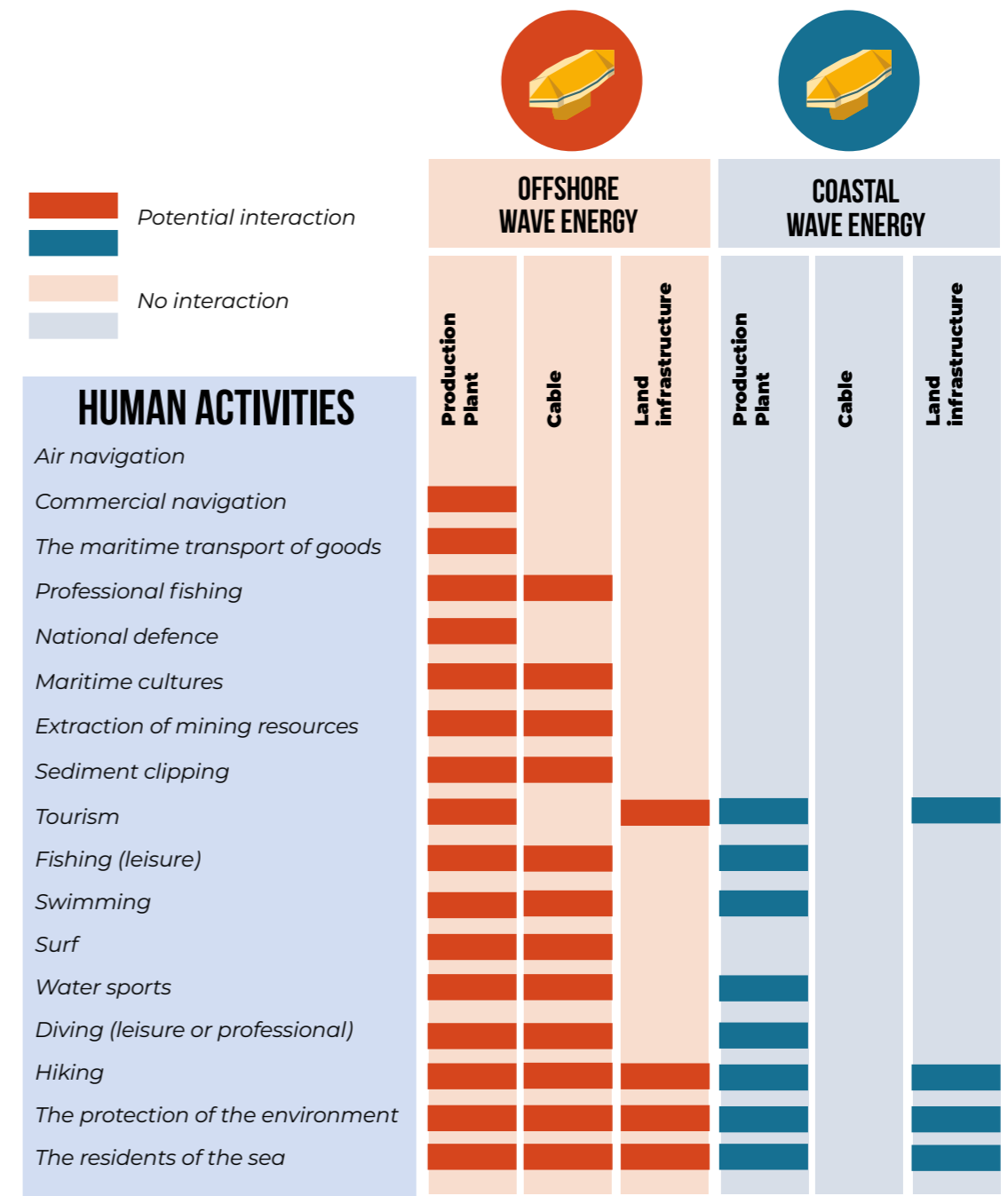
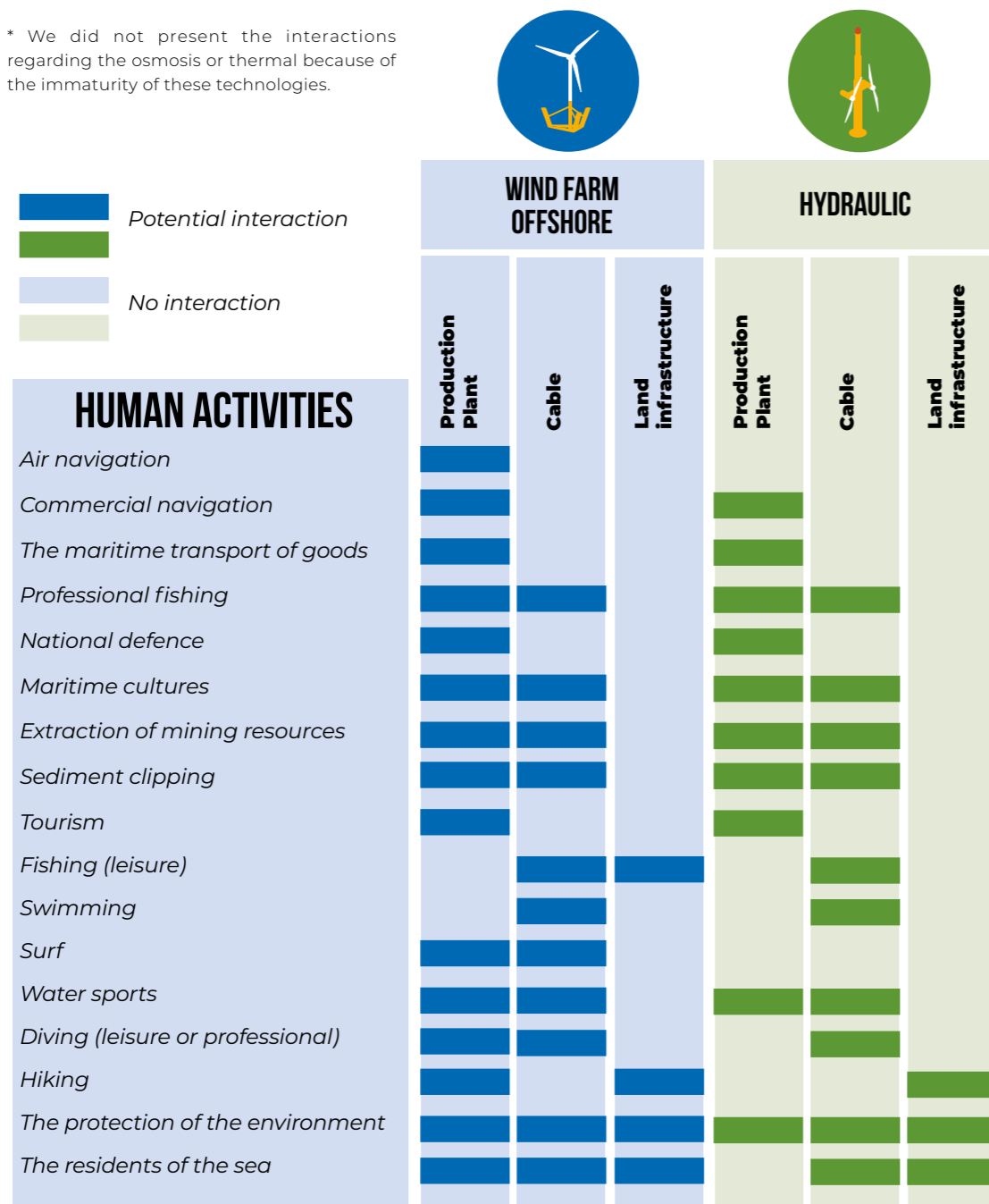
In July 2014, the European Parliament and the Council adopted legislation to create a common framework for maritime spatial planning which aims to enable the sustainable development of the blue economy and the use of marine resources. The 4 main objectives:

- Reduce conflicts between users.
- Encourage investment.
- Strengthen border cooperation.
- Protect the environment.

CHALLENGE N°2: THE PARTICIPANTS IN THE CONSULTATION

The co-habitation in the same region of Marine Renewable Energy production and other human activities can potentially cause problems. The potential interactions vary depending on the type of Marine Renewable Energy and the nature of our usage. Here we crossed the potential use conflicts regarding the wind, hydraulic, nearshore and coastal wave energy*

* We did not present the interactions regarding the osmosis or thermal because of the immaturity of these technologies.



*This work should be complemented by the identification of representative structures and referees for each of them. It could be the first step for the consistent dialogue space responding to Challenge n°1.

Source : Surfrider Foundation Europe / Énergie de la Lune

THE PUBLIC PARTICIPATION CHALLENGES

THE LEGITIMACY OF DIALOGUE



CHALLENGE N°3

THE LEGITIMACY OF DIALOGUE

PROBLEM DESCRIPTION:

When we talk about participatory methods, we refer to activities that aim to enable the public to participate towards the strategy, the development and the implementation of a project. In this way, the level of public participation varies considerably depending on the participatory methods and its approaches as well as the objective of the dialogue.

Co-working with the public assures that all advice and expectations are considered in the decision process.

ATTENTION: Better good information than a failed debate

If consultation only starts after a project has been decided, the dialogue is in fact biased and not legitimate. It is essential to have transparency about the real room left for public participation in organised debates to avoid any frustration. In other words, dialogue often becomes counterproductive when its main objective is solely to present a project.

A prerequisite for successful consultation: the establishment of a legitimate dialogue through the clear and precise announcement of the level of participation (and power) granted to citizens.

CHALLENGE N°3: THE LEGITIMACY OF DIALOGUE

Spectrum - degree of public engagement

PUBLIC PARTICIPATION GOAL

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.

PROMISE TO THE PUBLIC

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Made by International association for public participation

Tensions, oppositions and sometimes conflicts arise from the negligence in participatory processes. During the participatory processes, there is often a deep gap between citizen expectations of debate or dialogue and the real opportunities for participation offered.

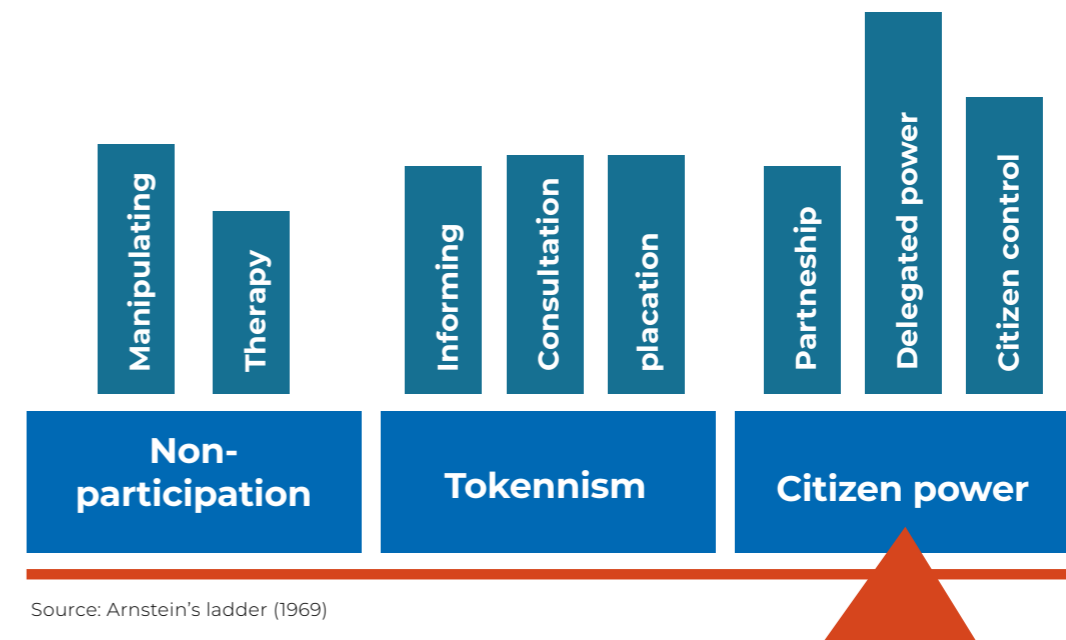
The first gap is in the very objective given to dialogue and public participation: citizens or representatives think they can interact or influence a project when they often find themselves with very limited room to express their position. As soon as the opportunity of a project is not debated, the whole participatory process is weakened, then illegitimate and questionable.

The second gap is the lack of clarification on the level of engagement proposed: inviting citizens or their representatives to a public debate gives the impression of being able to participate in choices and decisions when they often find themselves in a role as spectators, like participants in an informative meeting.

The first gap challenges the public participation criteria as it can possibly lead to a feeling of manipulation, creating an idea that the dialogue is unnecessary because of its legitimacy. The second gap leads to a general frustration as the participants can feel they do not have a voice in the dialogue and thus they are not part of the project's final decision.

IMPROVEMENT PROPOSAL: EFFECTIVE AND CLEAR POWER FOR THE PUBLIC

The Arnstein's scale has been used for over 50 years and until today is a relevant tool to explain the different levels of dialogue, its role and the legitimacy that results from it:



Source: Arnstein's ladder (1969)

Surfrider naturally supports a level of dialogue, debate, and consultation that guarantee, on a given regional scale, real power of co-decision by citizens and participants.

THE PUBLIC PARTICIPATION CHALLENGES

THE QUALITY OF DIALOGUE



Listening, openness and empathy for quality dialogue.

CHALLENGE N°4

THE QUALITY OF DIALOGUE

PROBLEM DESCRIPTION:

Organising dialogue is not just about putting different stakeholders to debate or exchange. If the dialogue is not properly conducted, it is likely to be counterproductive.

There are several sources of distortion and disruption of dialogue, such as: unbalanced power, false or no information, intimidation while they can be used on purpose or not.

IMPROVEMENT PROPOSAL: AN EXPERT AND NEUTRAL FACILITATOR, CLEAR AND SHARED RULES

Successful dialogue is based on a few essential elements:

be shared and must come from multiple sources and different points of view.

▶ The rules and methodologies of dialogue must be as clear as the objectives of it. It should have good timing and be established early enough to ensure a collective building of the project (cf. challenge n°1).

▶ Power asymmetries must be excluded from the time of dialogue in order to create room for issues to be fairly considered and innovations to emerge.

▶ There must be considered parts of the project core open to discussion, and not just its margin (cf. challenge n°3).

▶ While it is necessary to guarantee clear information before any consultation process, it is essential to have specialists as facilitators of the dialogue who will be able to guarantee its application and respect.

▶ Caring, listening, and openness are the key. **Knowledge and information must**

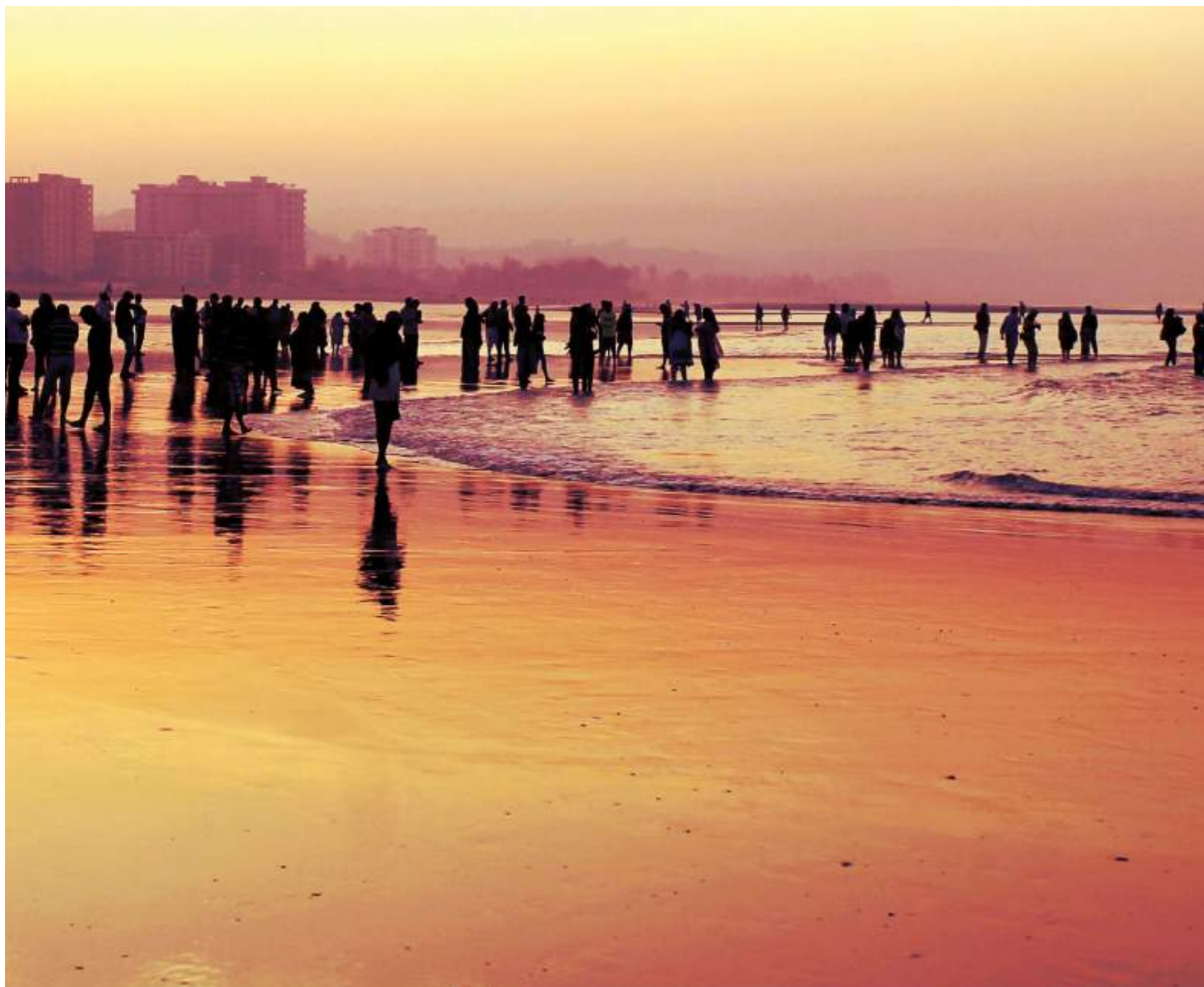
References that Surfrider considers useful:

- ▶ Designing Participation Processes – Lisode
- ▶ Learning from Practice: lessons on facilitating participatory mapping workshops – Practical Actions
- ▶ A History of the Participatory Map – Public Culture
- ▶ Méthodes participatives : Un guide pour l'utilisateur – Fondation Roi Baudoin
- ▶ Concertation en environnement – ADEME
- ▶ Démocratie participative – Guide des outils pour agir – FNH

TO GO FURTHER: Techniques and tools available

THE PUBLIC PARTICIPATION CHALLENGES

COLLECTIVE VS INDIVIDUAL INTERESTS



CHALLENGE N°5

COLLECTIVE VS INDIVIDUAL INTERESTS

PROBLEM DESCRIPTION:

If the previous proposals for improvement have been implemented, the dialogue initiated should be constructive and facilitate the acceptability of projects to the greatest number of people, minimizing the risk of usage conflicts.

However, there is still a final threat regarding the opposition carried out by individual interests or by a distorted or superficial understanding of the situation.

While it is essential to welcome all the opinions, it becomes problematic and harmful when **the interest imposed tends to be more individual than collective.**

Moreover, asymmetry is one of the main challenges of the traditional consultation process. Especially in the cases of the Marine Renewable Energy projects studied by Surfrider where on one side, there are specialists and on the other, there are representatives of issues or interests with much less technical knowledge.

Fostering access to the necessary knowledge to understand the project as well as to promote the general interest is a priority.

CHALLENGE N°5: COLLECTIVE VS INDIVIDUAL INTERESTS



Think global, act locally. Our actions can impact the most vulnerable countries (above the Bajau people, sea nomads in Borneo). The collective (global) interest must prevail.

IMPROVEMENT PROPOSAL: CLIMATE EDUCATION FOR ALL STAKEHOLDERS

The sharing of information is important for any type of project, especially in the context of climate emergency. Aware of the current climate and environmental challenges, the participants can fully participate and enrich the dialogue. In this way, climate education should be a requirement for any consultation process in this context.

Climate education must consider four pillars:

Awareness of a regional context

It is not about requiring all the dialogue participants to be specialists, but instead, guarantee that they have key information to be able to develop a well-argued and non-dogmatic position.

The major components of a project and their impacts on the region

The ins and outs, as well as the key elements of the project, must be known by everyone:



observations and contexts, objectives, location, expected consequences, etc. Since the goal is not to transform each participant into an energy expert or engineer, it is necessary to ensure that these data are clear and sufficiently accessible to all.

The energy transition

There is a range of current subjects, such as greenhouse gases, fossil fuels, renewable energies, marine renewable energies that everyone must know and understand their role regarding climate crisis, sustainability and the preservation of a healthy planet for the next generations.

Climate crisis and action emergency

The climate crisis is undoubtedly the most decisive element but also the most complex. Beyond the scientific information provided, as popular as it can be, to better understand the phenomena of global heating and its consequences, it is essential for every citizen to become aware of the issue in the global level as well as in the local. The individual awareness is a precondition to transforming the individual convictions into collective ones.

The balance between the general interests against the individual interest depends on the success of the climate pedagogy.

TO GO FURTHER: Role-play & e-Campus

► *Coasts in Danger* is a role-play created by Surfrider to raise public awareness of the risks of erosion and marine submersion. It is a fun way to discover the difficulty of making decisions in a context that engages a multitude of actors with sometimes divergent interests, and with a limited budget. Putting themselves in the shoes of another player in the region, each player is led to see beyond his personal interests, to consider other constraints and interests than his own. To do with each other, with others, together.

► *Ocean Campus* (www.oceancampus.eu) is an educational platform adapted to inform citizens in a concise way about environmental issues and the challenges of the climate crisis.

CONCLUSION

CLIMATE EMERGENCY: EVERYONE MUST PLAY THEIR ROLE!



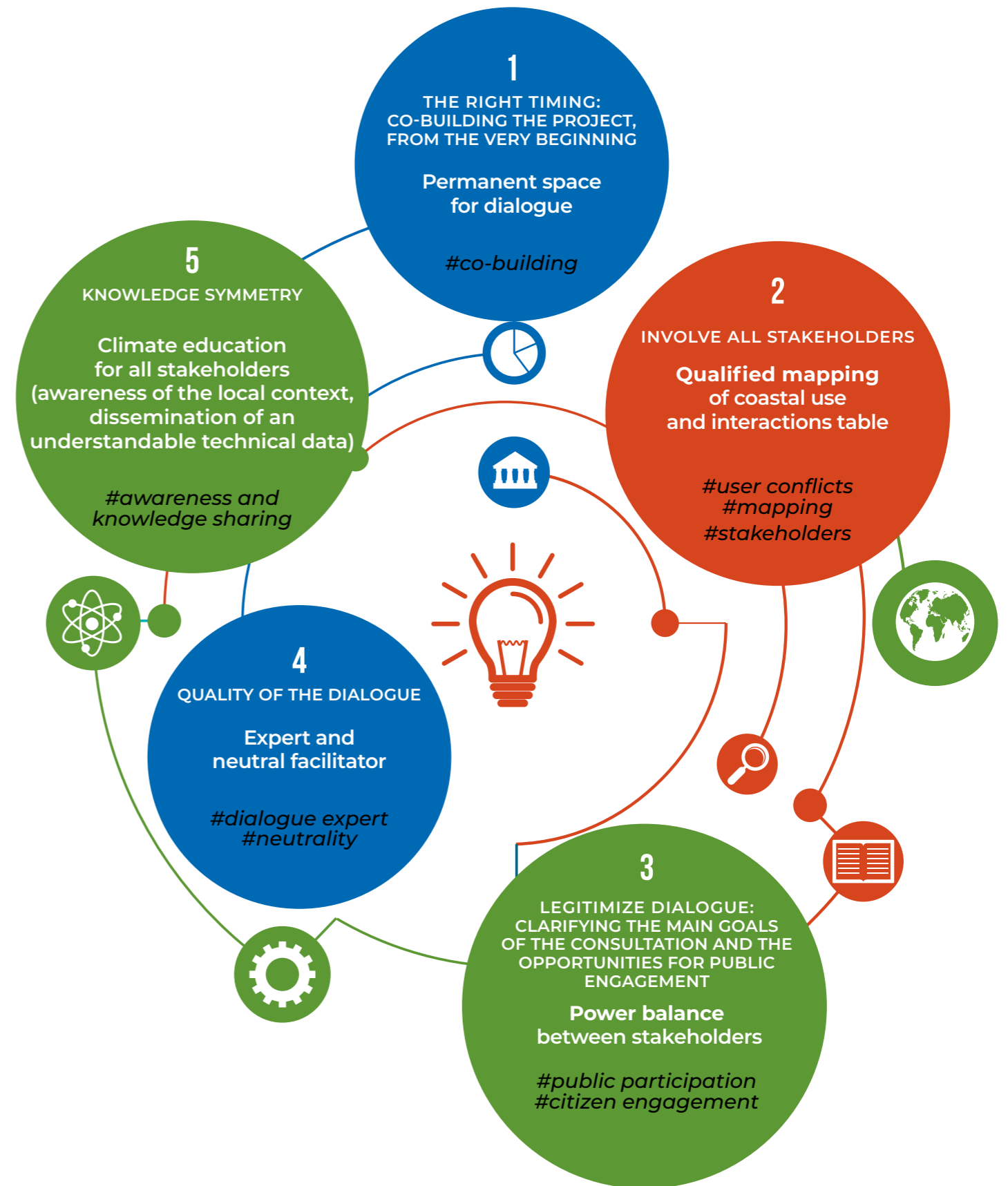
Through this document, Surfrider aims to promote awareness regarding decision-making and the use of innovative skills for tomorrow's solutions to improve the quality of dialogue. It is up to you and everyone to take advantage of it, to be part of the **co-building of a healthy, fair and sustainable future.**

Although climate heating affects the earth, the coast has been particularly affected by both, the climate heating impacts and the coastal developments as a response. Thus, the coast has been hosting heightened tensions, environmental but also social,

economic and cultural. Although these clues for improvement focused in the Marine Renewable Energies, they can be also relevant for any other land projects, whether in coastal areas or not.

Finally, for Surfrider, **the climate crisis requires us to move collectively to adapt, modify or rethink our position regarding coastlines and to co-work and support the necessary ecological transition.**

THE 5 KEYS TO EFFECTIVE CONSULTATION





PUBLIC PARTICIPATION

Facing Climate Emergency

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FOR A CLEAN, HEALTHY AND ACCESSIBLE COASTLINE AND MARITIME ENVIRONMENT



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