

# **The innovative potential of central regulation: the case of urban development in the Markermeer-IJmeer Natura 2000 area**

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## **ABSTRACT**

This paper draws attention to a case in which Natura 2000 regulation, problematic ecological conditions, governance congestion and the aim to develop large urban projects are to go hand in hand in the Markermeer-IJmeer area, a 30 by 25 km lake in the centre of the Netherlands. The key interest is how central regulation is interpreted to fit local conditions. This is referred to as the contextualization of legal norms. Such contextualization aims to bring regulatory and governance steering philosophies together, rather than traditionally separating them. This requires certain characteristics from both (central) legislation and governance arrangements on the local level. By analyzing the case of the Markermeer-IJmeer, in which over 80 different stakeholders are involved, this paper aims to show under what conditions central regulation stimulate creative governance solutions and strategy making.

## 1. INTRODUCTION

This paper is about a case in which European Union Natura 2000 regulations and the aim to develop large urban projects are connected to each other. The key interest is how central regulation is interpreted and applied to fit local interactive patterns. This is referred to as the contextualisation of legal rules (Salet & Rijswick 2012; Salet & De Vries (this issue)).

The case centres on the ecological system of the Markermeer-IJmeer, a lake of about 700 km<sup>2</sup> in the centre of the Netherlands. This lake has been designated as a Bird Directive site in 2000 and as a Natura 2000 site in 2009. The key issue is developing a ‘resilient ecosystem’ to cater for: 1) the demands of the European Union (EU) Natura 2000 framework and (to a lesser extent) the EU Water Framework Directive (WFD); 2) the ‘autonomous negative trend’ that the ecosystem of the lake is experiencing due to the absence of ecological friendly shores and large amounts of free floating silt, and 3) room, literally and figuratively, for building 60.000 additional houses in the city of Almere, the making of a new transport connection linking Almere and Amsterdam as well as for a variety of lower scale demands such as more space for recreation and marinas along its shores.

Traditionally, nature loss due to urban development in the Netherlands is compensated for individually for each and every project. What makes this case special is that a small selection of local and regional key stakeholders arrived at the conclusion that the current ecological, spatial, regulatory and governmental conditions require a different, regional approach whereby the entire lake is seen as one single system. An alliance of public and private stakeholders therefore coined the innovative concept of developing a resilient ecosystem that will go far beyond the minimum ecological requirements of Natura 2000 and that will also comply with the WFD.<sup>1</sup> This approach is expected to create room, literally and figuratively, for further urban, infrastructural and recreational development in the area.

It took more than a decade to develop this approach under considerable financial-economic as well as regulatory pressure. This paper will make clear that it was this regulatory pressure that led to the acceptance of the necessity of investing considerable sums of money in ecological projects. This acceptance did not come about easily though due to financial, technological, legal and governance uncertainties.

With the focus of this paper on the *contextualisation* of legal norms and central policies the Markermeer case will in particular illuminate how the confrontation of local aspirations with central norms eventually led to innovative solutions. According to Van Rijswick and Salet (2012) contextualisation refers to the craft of interpreting and applying central regulation in the context of local conditions. As the central question of Salet and De Vries (this issue) “how to incorporate the specific space and time bounded characteristics of urban context in the processes of policy making and law?” indicates, there is often a tension between the specific stakeholder aspirations in the planning and the general character of the norms. With both the increasing complexity of urban processes and the emphasis on legal certainty the art of contextualising legal norms often refers to complex governance processes for which no standard recipes are available, something that is certainly true for the Markermeer case. Salet and De Vries further argue that the complexity of urban projects gives rise to an increasing consensus for the need of more open conditions for policy making in an urban context. They identify two key questions. The first being how central regulation can contribute to the characteristics of local contexts in urban projects? In other words, what conditions regulation should meet to actually help urban project delivery. A second question is how formal regulation and governance interrelate in the development and implementation

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<sup>1</sup> The chemical status of the lake is no longer an issue as the environmental impact of phosphate has been reduced significantly over the course of time. The remaining problem is therefore the poor ecological status.

of urban projects. As this article does not aim to evaluate Natura 2000 regulation as such, it is in particular this second question that will be central in the analysis.

In understanding the process of contextualisation in the Markermeer area it is relevant to understand that the confrontation with hard environmental norms, such as Natura 2000, is something relatively new to Dutch planning. Traditionally Dutch spatial planning is characterised by balancing interests across sectoral, private and civic spatial demands and has little affinity in dealing with tight and inflexible norms (Evers & Tennekes, forthcoming). And although this situation is changing with the introduction of a new planning act in 2008, this case finds its origin in the period before with stakeholders adapting slowly to the new situation. The confrontation with international law and legislation – and especially EU environmental directives – therefore is interesting as it may provide good examples of contextualisation and a glimpse of the future of Dutch planning.

The remaining part of this paper is as follows. After presenting a theoretical perspective on the role of governance in processes of contextualisation we briefly discuss the relevant regulatory framework. In section four we will analyze the process leading to the contextualisation of legal norms using the analytical framework about governance presented above. In section five we identify the three main governance conditions contributing to contextualization in the Markermeer-IJmeer case. We round off with some conclusions.

## 2. THE GOVERNANCE DIMENSION OF CONTEXTUALISATION

Due to its complexity contextualisation is not straightforward but takes place through processes of governance involving different levels of government and (often) a wide array of societal stakeholders. Following Rhodes (2007; see also Rhodes 1996, 1997) the concept of governance refers to governing with and through *networks* of governmental and non-state, civil actors. This is related to an overall trend of a shift from hierarchical and well-institutionalized forms of government “toward less formalized, bottom-up forms of governance in which state authority makes way for an appreciation of mutual interdependence with different stakeholders.” (Edelenbos, 2005: 112). The authority (Hajer, 2010) and traditional power of government has diminished drastically due to processes of fragmentation in what since Castells published his epic book nearly two decades ago is called the network society (Castells, 1996). This has led to the widespread use of a network approach in governance research (Klijn and Koppenjan, 2012). Within a network approach governance refers to “[...]the horizontal interactions by which various public and private actors at various levels of government coordinate their interdependencies in order to realise public policies and deliver public services.” (Klijn and Koppenjan, 2012: 594) In other words: ‘governance’ refers to self-regulation of actors within networks (Klijn and Koppenjan, 2012: 594).

If networks governance is based on “interactions and interdependencies between public, private, and societal actors” (Verweij et alia, 2013: 2) how does it work knowing that the interests of all these actors differ and that for this reason “[...]mutually agreeable outcomes are hard to come by[...]”? Rhodes emphasis that in true network governance – governance in networks that are not managed centrally, otherwise it could not be called network governance – there is no obvious standardized ‘managing toolkit’ (Rhodes, 2013: 1257). What Rhodes means here is that there are no predefined mechanisms to steer governance networks, no external levers. This does not mean there is no potential for *network management*, “[...]deliberate activities to facilitate, guide, or direct the (inter)actions of actors in governance networks.” (Verweij et alia, 2013: 3).

There is a wide variety of different possibilities here. Concrete organizational arrangements for interactions can be mentioned. Joint research “[...]to explore new solution ideas and different scenarios [...]” is another possibility (Verweij et alia, 2013: 3; see also

Klijn et alia, 2010). Rhodes, following what he calls the ‘interpretive turn’ or ‘communicative turn’ in policy analysis (Rhodes, 2013: 1257; see also Healey, 1992; Fischer, 2003; Hajer & Wagenaar, 2003) emphasizes the importance of narratives or “the art of storytelling”. A ‘story’ could entail an interpretation of an existing situation through statistical research but also images of a possible future. In our case-study of the Markermeer-IJmeer we will come across an interesting example of “persuasive storytelling about the future” (Throgmorton, 1992) to contextualise the obligations of the Natura 2000 regulations.

Network management could be done internally, from within the governance network in question itself. The concept of meta-governance or the ‘governance of (self-) governance’ (Sørensen & Torfing 2007) also draws attention to external ‘meta-governors’, in most cases central government, at least that is how Whitehead describes it:

“[M]eta-governance differs substantially from the concept of governance. The fundamental difference between governance and meta-governance is that while the former draws attention to the processes that dislocate political organization from government and the state, the latter focuses explicitly on the practices and procedures that secure governmental influence, command and control within governance regimes.” (Whitehead, 2003, p. 8)

This is what Jessop (2002; see also Jessop, 2004) emphasizes when discussing meta-governance: a clear ‘shadow of hierarchy’, a catch phrase he borrowed from Scharpf (1994). Jessop looks through a wide-angle lens when discussing meta-governance. Others prefer to focus on the micro-level of concrete network management. Meta-governance in this sense is directed to the creation of forms ‘of coordination, coherence and integration in the fragmented structures of network governance without *completely* undermining the autonomy, engagement and self-regulation in governance networks’ (Sehested, 2009: 248, emphasis added).

For our purpose an interesting distinction can be made between ‘hands-off’ and ‘hands-on’ meta-governance tools (Damgaard & Torfing, 2011: 295; see also Sørensen, 2006, 101-103; Sørensen & Torfing, 2009: 146-147). Hands-off tools are used at a distance from the governance network. They could include measures that frame and design the network itself. One can think of rules about the composition of the network (for instance emphasizing inclusiveness) or rules and conditions about possible funding of projects selected and prioritized in a governance network. Storytelling or visioning can also be used as this frames (Schön & Rein, 1994) the mind set of network participants.

Hands-on tools are employed in direct contact with the individual network (Damgaard & Torfing, 2011: 295). One can think of support and facilitation (central government footing the bill for research or the costs of a process manager for instance) but also direct participation. Especially in the case of the latter option the meta-governor according to Sørensen (2006, pp. 101-103) must give up any authoritative position and participate according to the specific self-constituted rules of the game that exists in a given self-governing environment.

Is meta-governance always to be deployed by central government? According to Damgaard & Torfing (2011: 295) “[...]the role of meta-governor is not reserved exclusively for government actors but is also open to not-state-actors.” The concept of meta-governance whether it is employed on a macro or on a micro-level draws attention to issues of hierarchy and power and – partly related to that – actors at different levels of scale. Our line of reasoning is thus as follows: due to the networked character of present day society rules, laws and regulations are in need of contextualization through network governance and governance networks. In our case we therefore have to analyze which concrete network management or (meta-)governance tools have been used to which effects.

### 3. THE MAIN REGULATORY FRAMEWORK: NATURA 2000

It is particular Natura 2000 which is of relevance to the Markermeer-IJmeer case. The EU Water Framework Directive also plays a role as this directive requires Member States to take the necessary measures to prevent deterioration of the status of all bodies of surface water like the Markermeer-IJmeer: the stand still principle. (Van Holten & Van Rijswijk) Above that Member states should ensure 'a good status' of surface water both in terms of its ecological as well as its chemical status. As we have already mentioned in the introduction, it is the ecological status of the Markermeer-IJmeer which is deteriorating. Natura 2000 as well as the Water Framework Directive requires action. Nevertheless Natura 2000 dominates all discussions about the future development of the Markermeer-IJmeer and its coastal areas: meeting the requirements of Natura 2000 means that the objectives of the Water Framework Directive will be reached as well. It is for these reasons we focus on Natura 2000.

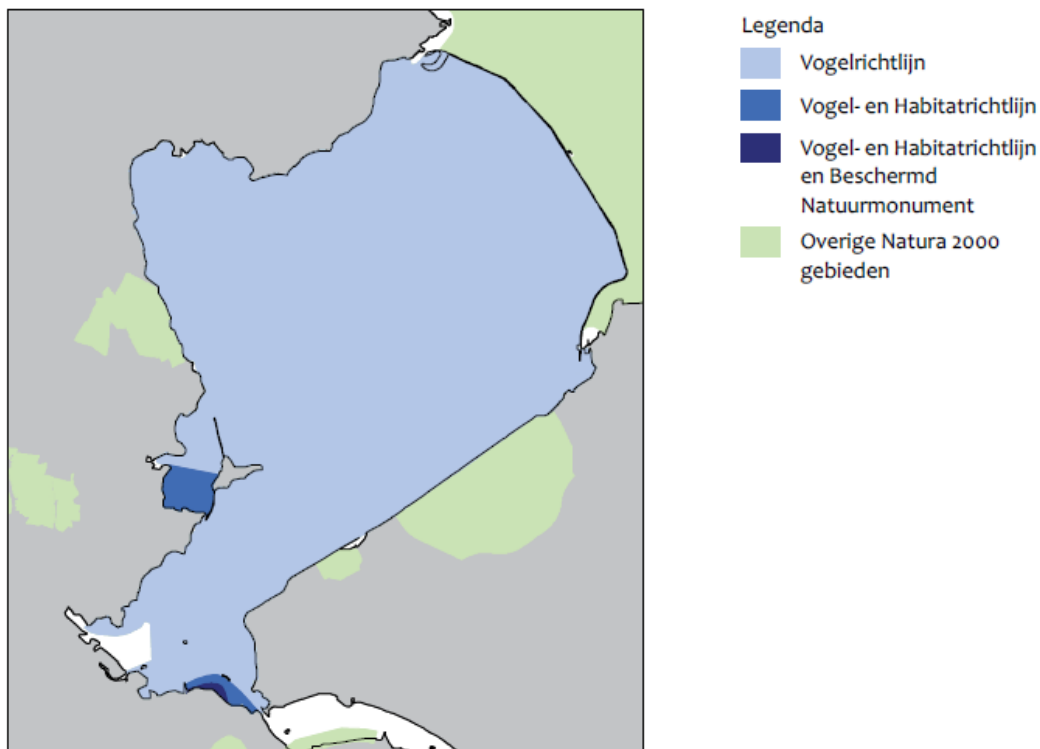
All competent authorities on all administrative levels within a member state are obliged to apply the directive in question to their territory. This weighs heavily on the (judicial) expertise and adaptability of especially the lower levels of member state administration as in the early stages of application of a EU directive there will be no or hardly any experience and jurisprudence. At the same time – this counts for the Netherlands especially – there is a culture of bringing objections to (national) courts, stimulated by the fact that Dutch courts tend to decide on cases rather speedily compared with many other EU member states (VROM-raad, 2008). Both matters come together in a great need for contextual knowledge not only about the possibilities to comply to Natura 2000 norms but also about lowering the likelihood of negative court decisions if it comes to court appeals. In the Dutch context it is almost certain that the latter will happen. This has cast a deep shadow on the Markermeer-IJmeer governance processes as we will see.

The 1979 Bird directive is the oldest form of EU nature legislation. The core of the directive is formed by article 3 which in essence follows territorial approach:

Member States shall take the requisite measures to preserve, maintain or re-establish a sufficient diversity and area of habitats [...]. The preservation, maintenance and re-establishment of biotopes and habitats shall include primarily the following measures:

- (a) creation of protected areas;
- (b) upkeep and management in accordance with the ecological needs of habitats inside and outside the protected zones;
- (c) re-establishment of destroyed biotopes;
- (d) creation of biotopes.

Interestingly in the Dutch version of the Bird directive 'management' (see b) is translated as *ruimtelijke ordening* or spatial planning. Also in another sense the Bird Directive implies a kind of spatial planning: due to the fact that many birds tend to migrate and/or rest and feed at different locations the required 'special conservation measures' need to be coordinated 'with a view to setting up a coherent whole.' This coherent whole is currently known as an ecological network or – since the Habitat Directive – simply Natura 2000, a spatial concept *par excellence*.



**Figure 1: Protected areas in the Markermeer-IJmeer; light blue: Bird Directive; dark blue: Bird and Habitat Directives; darkest blue: idem as well as Protected Nature Monument according to Dutch law; light green: Natura 2000 areas surrounding Markermeer-IJmeer (Source: PBL, 2009)**

The 1992 Habitat Directive speeded up nature conservation policies of the European Union. The most important article of the Habitat Directive is article 6, of which paragraph 2 reads as follows:

‘Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive.’

Any deterioration, whatever the cause, should be either avoided or restored. This also counts for changes resulting from for instance climate change or natural fluctuations in the population size of a particular population (Verschuuren, 2010). This is of overriding importance for the case of the Markermeer-IJmeer: the ecological status of this lake deteriorates with a steady pace even in the absence of any disturbing activities.

In terms of effects on spatial plans and spatial development paragraph 3 of article 6 is of importance:

‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications [...]’

This paragraph brings with it the obligation to carry out research. The official wording in the directive is that ‘...no reasonable scientific doubt remains as to the absence of [significant] effects’. Also, when carrying out an appropriate assessment ‘the best scientific knowledge in the field’ should be applied. These requirements are rather strict: the European Court of Justice as well as the (Dutch) administrative court of the Council of State (jurisprudence) take the quality of the research seriously. Paragraph 4 of article 6 is about the possibility to make exemptions in relation to the conservation objectives of the directive:

‘If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. [...]’

The emphasis on the ‘overall coherence of Nature 2000’ is important. This seems to open up the possibility for a programmatic approach or a territorial up scaling of the conservation approach. The (potentially) negative impact of a development at a specific location is then combined with a programme or plan which aims for the recovery of ecological conditions in a wider area. Nevertheless there are strict limitations to apply the above quoted first section of paragraph 4, because a second section states the following:

‘Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.’

Under this clause flood control measures (‘public safety’) for instance are permitted. Interesting and important is the role of the European Commission. There are examples in the Netherlands of regional and local cases where plan initiators went to Brussels to gain advice an important reason being that the national ‘gatekeeper’ of the Bird and Habitat Directives (presently the Ministry of Economic Affairs and before that the Ministry of Agriculture) thinks of itself as being unable to give advice on how to make a plan ecologically as well as judicially robust. Seeking advice from the Commission in itself can be seen as a contextualisation tool within the regulatory frameworks. This has also happened in the Markermeer-IJmeer case.

The Bird and Habitat directives are often discussed together but the effects and implications are somewhat different. On the whole the Habitat Directive is considered as less stringent because the directive opens the possibility for certain exceptions towards the protection of species and their habitats in cases of ‘imperative reasons of overriding public interest, including those of a social or economic nature.’ Once member states have transposed the Habitat directive correctly and fully, the regime of the Habitat directive also applies to areas designated on the basis of the Bird directive. This applies to the Markermeer-IJmeer case.

So under certain but very strict conditions, the generic goal of nature conservation in relation to specific species and habitats could be adapted in relation to the local and regional context (see below). The Bird Directive is much more restricted in this sense. First member states do not have much discretionary power to identify protected areas. They are obliged to select the most appropriate areas. According to jurisprudence only ornithological criteria count (Beijen, 2010: 174). If one takes a close look at the bottom left side of figure 1 this clearly not happen in our case: the area where a major new housing development right in Lake IJ had to be build was deliberately excluded from the Lake IJ special protection area (see also Dembski *et al.* in this issue).

The possibilities to reduce the size of protected areas once they have been designated are very small. This is only possible in those cases where there are interests that are more important than mere ecological interests. Reducing flood risks may count, but economic and for instance recreational reasons certainly not. According to Backes (2000) such a limitation towards competences to balance interests is rather exceptional. So Natura 2000 is an example of a spatial-ecological policy approach working differently from the way spatial planning is conducted in the Netherlands. The rules of the game are rather strict and seem to be very difficult to match with the Dutch planning tradition. Our case analysis will show that this indeed has been the case although through network governance a contextualised and viable approach seems to have been developed.

### **3. THE EMERGENCE OF A CONTEXTUAL APPROACH: A CHRONOLOGY**

This section tells the story of the emergence of a contextual approach in the Markermeer-IJmeer area. The chronology is summarized in table 1 which distinguishes a number of governance periods marked by policy documents which direct a new direction in the route toward contextualisation. For each period main developments are shown regarding stakeholders, results in terms of new and adjusted policies, reframing of governance conditions, changing governance conditions, commitment toward the Resilient Ecosystem (TBES) approach, the level of awareness towards the (legal) implications of Natura 2000 and, finally, the level of public support.

The Markermeer-IJmeer does not have clear jurisdictional borders and thus no clear single problem owner for the area. Most of the lake except for the North Holland coast line belongs to the territorial jurisdiction of the province of Flevoland, meaning that Flevoland has the formal competence of issuing permits. However, being a lake with national status, the maintenance and care of the lake is in the hands of Rijkswaterstaat (RWS), the executive arm of the ministry Infrastructure & Environment (Dutch acronym: I&M). The maintenance of the dikes around the lake is the responsibility of three water boards. Below we will also meet other stakeholders like Staatsbosbeheer (the state owned forestry agency) and some very large ngo's. Some municipalities also have a stake. Below the radar so to speak there are ngo's and other private and civic stakeholders not directly involved in the processes and networks we analyse, but who might formally want to object when it comes to the implementation of concrete projects and go to court. It is for this reason their presence is always felt.

### **3.1 Framing the Markermeer-IJmeer contextualization challenges (1990 – 2005)**

Very important for the network formation and framing of the Markermeer-IJmeer challenges have been the experiences of developing of IJburg, an Amsterdam urban extension, in the IJmeer. As the IJburg plans became more tangible, so were the protests reaching a climax in the 1997 IJburg-referendum (see also Dembski et al. in same session).

Around the time of the referendum first signs of contextualisation began to appear: to find a balance between environmental policy and regulatory frameworks – nature conservation which seems to exclude building a new urban district immediately adjacent to a bird habitat – and urban development goals. The role of Natuurmonumenten is particularly interesting as this ngo followed a twin track approach.<sup>2</sup> It participated strongly in the referendum campaign opposing IJburg, but at the same time started negotiations with the municipality of Amsterdam and the province of North-Holland – which formally had to approve the Amsterdam plans – to influence the plan making if the referendum would fail (Van den Heiligenberg & Lulofs, 1999).

After the referendum opponents of IJburg split into two groups (Zwanikken, 2001: 99). One group continued to fight for the protection of the IJmeer bird habitat and turned to legal actions wherever possible. A second group concentrated on the development of new ecological values in the IJmeer combined with urban development. Natuurmonumenten joined the latter group and broke with the first group. In 1998, shortly after the referendum this novel governance network – Natuurmonumenten together with the municipality of Amsterdam and the province of North-Holland – decided to establish the IJmeer Nature Development Fund, a clear example of network management to use the terminology presented in section two: a joint fund obviously holds different actors together.

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<sup>2</sup> Natuurmonumenten is founded in 1905 as the Society for Preservation of Nature Monuments. It buys, protects and manages nature reserves. In 2013 the society had 355 sites under management, a total area 1029.51 km<sup>2</sup> (about 3% of the surface of the country). The organisation also owns 1.700 buildings including 250 provincial or national listed buildings. In 2013 the organization has 735.000 members, including many private companies. Only the Dutch branch of WNF has a larger membership.

According to Kinder (2011: 2440) the outcome of the referendum changed the attitude about nature development in local government in general and Amsterdam in particular substantially: ecology became a prime issue next to the creation of a new housing area. We could call this the emergence of a new, nature inclusive storyline.

In 2000 the municipality of Almere – the main new town in the Amsterdam region – started plan-making for a new urban district bordering the IJmeer in the east. In 2003 the process started with a design studio that proposed the making of a ‘water city’ in the IJmeer and a new fixed link to Amsterdam through the IJmeer. In 2004 Amsterdam joined this initiative as a shortcut to Almere would turn the places into a kind of twin city.

Also in 2003, inspired by the IJburg experience, Natuurmonumenten took the initiative to bring five governmental and non-governmental organisations together to find creative solutions for the conflicting interests of nature preservation, recreation and urban development in the IJmeer (Soeterbeek & Rijckenberg, 2007: 8). This in itself is for the Netherlands quite remarkable: a ngo positioning itself as a meta-governor. In 2005 the initiative resulted in the report ‘*Toekomstvisie IJmeer*’ or Future Vision IJ Lake, which took the storyline to combine urban development with ecological development to a higher level of scale, later to be referred to as TBES or *Resilient Ecosystem* (ANWB et al., 2005).

Whereas undeniably the period up to 2005 has been of great importance for later efforts to contextualise Natura 2000 regulations, it is striking that the 1979 Birds Directive and the 1992 Habitat Directive barely played a noticeable role right up to the early 2000s while legally they should. Partly due to the (very) slow transposition of both directives by the government, actors became not fully aware of the importance and reach of these directives and the status of protected areas. The national ecological main structure approach (EHS), an important cornerstone of a 1995 national statutory spatial planning document played a much more prominent role. The realisation and safeguarding of the EHS follows a principally different trajectory – namely through spatial planning procedures based on deliberation and consideration – than the Natura 2000 ecological network which is based on the rule of law (Broekmeyer, 2002). This changed drastically as the decision by North-Holland to approve the Amsterdam IJburg 2 land-use plan was crushed by the Administrative Court of the Council of State in 2004 for not paying adequate attention to the requirements of the Birds Directive.

### **3.2 Elaborating the storyline and enlarging the governance network (2006-2009)**

In order to get the resilient ecosystem concept implemented a range of issues had to be clarified. No national stakeholders were participating in the governance network that prepared the 2005 IJmeer Vision. However, due to the fact that the income base of local government is very low in the Netherlands (about 96% of taxes is collected centrally) combined with a hefty price tag of, initially, an estimated 1 billion euro to implement the ecosystem, national assistance was deemed necessary. While so far national government was not even involved through hands-off metagovernance there was no escape to start to participate in the governance network as national government proclaimed it has a so called system responsibility in providing housing and infrastructure in the northern wing of the Randstad, the area stretching from the Haarlem agglomeration in the west to the eastern Utrecht and Amersfoort regions.

The participation of national government starts with the so-called North Wing Letter of August 2006. In this letter, which is rather vague in most respects, national government asks the regional stakeholders to further develop a vision for the future development of the Markermeer-IJmeer special protection area including Almere as well as the necessary infrastructure. Because many technical aspects of the resilient ecosystem concept remain unclear a research programme and a concrete pilot – funded with 25 million euro – will have

to be carried out in a separate track: Natuurlijk(er) ('more natural') Markermeer-IJmeer (NMIJ). The North Wing Letter also indicates that crucial decisions regarding building in the IJmeer and constructing infrastructure will be postponed until 2010.

As said, the resilient ecosystem storyline itself was surrounded by many uncertainties. From a legal perspective it was unclear whether the ecosystem plans would be 'EU proof' (Verschuuren, 2008). According to some this should be analysed further, whereas other contended that this problem is clearly solved: the core of the problem is not located in Brussels but in The Hague. A dialogue with the Ministry of Agriculture – responsible for nature legislation – is therefore considered important. This ministry should be involved in the governance, at least 'hands off': by providing knowledge and guidance toward solving substantive issues.

Differences within the core of the network, between the signers of the ecosystem vision, become visible though. In general there is great support for the double ambition of what is called the ecological and urban 'scale jumps' (the latter refers to the foreseen massive growth of Almere). However, there is a lot of ambiguity concerning their mutual relation (Soeterbeek & Rijckenberg 2007). Amsterdam and Almere have little interest in the ecological element and do not see why this should precede urban development. At the other hand this is regarded as a precondition by Natuurmonumenten and Staatsbosbeheer. A third group is rather suspicious and sees the plan as a way to circumvent the Bird and Habitat directives.

In 2007 a new government starts the Programme Randstad Urgent (PRU) and gives new input to the governance network. Two PRU projects are relevant for our discussion, a clear sign of commitment from the side of national government: the TMIJ project or Toekomstagenda ('future agenda') Markermeer-IJmeer and Scale Jump Almere. In their content they are seen as related to each other, in terms of process they are dealt with separately to simplify matters. To break through administrative divisions the responsibility for each project is shared by a minister and a provincial executive. For TMIJ this is the State Secretary of Public Works, Transport and Water Management and the involved Deputy of Flevoland. Also each PRU project has an 'ambassador' from a civic organisation or private company. For TMIJ this is the director of the automobile association ANWB which throughout its history sees recreation as part of its core business (the ANWB was already the first 'author' of the 2005 Future Vision IJ Lake). In 2008 the TMIJ project, with Flevoland taking the lead, results in the *Ontwikkelingsperspectief*, or development perspective, which is further elaborated in 2009 in the *Toekomstbeeld Markermeer-IJmeer: Future Vision Markermeer-IJmeer*. It is this vision that solidifies the resilient ecosystem storyline.

Despite the North-Wing letter and the Randstad Urgent Programme there are still some questions relating to the role, commitment, involvement and responsibilities of all relevant national departments. This is due to the fact that some of the uncertainties – like legal matters – are not clear yet. Still the PRU status of TMIJ has been beneficial for the process because due to the dual responsibility of the state secretary and the provincial executive it was easier for Flevoland to get commitment of others, like the neighbouring province of North-Holland and other relevant national departments (B&A 2010; Ministerie V&W 2009, p.7).

A remarkable episode is the letter that Flevoland sends to the European Commission in Brussels which explains the essence of the resilient ecosystem strategy: a programmatic approach because the ecological issues at stake are too difficult to tackle on a strictly local basis and thus need a regional and long term approach. The letter asks for an opinion whether such an approach fits with Natura 2000. Although the Dutch ministry responsible for Natura 2000 related matters – and a member of the resilient ecosystem steering group! – should have answered this question it did not. April 2009 the Commission responds positively about the

approach, but makes clear that its answer in no way bears any legal status – the Commission cannot bind Dutch courts – and that the regulations of the Birds and Habitat directives have to be taken into account (CEC 2009).

The absence of a substantial focus casts a shadow over the TMIJ project. The umbrella Randstad programme remains abstract. It is clear that the provinces Flevoland and North Holland should take the lead, but the briefing does not come with clear objectives, conditions (for instance: who is going to pay what?) and requirements from the national government. Possibly a blessing in disguise was that Flevoland had a more or less free hand in organising the contents and process of the TMIJ project. (B&A 2010) Of all the stakeholders Flevoland, whose urban development agenda is strongly related to the Markermeer-IJmeer, is possibly the most concerned about the implications of the Natura 2000 status and squarely aimed for elaborating the ecosystem approach.

Hence the Future Vision Markermeer-IJmeer, which is the result of the TMIJ project, underlines that the urgency of the ecosystem approach lies in the Natura 2000 status of the Markermeer-IJmeer: this blocks the urban development ambition of the entire Amsterdam metropolitan area, including Almere. Only a programmatic, system approach will lead to a satisfactory solution meaning: an ecological ‘scale jump’ is a precondition for the urban and infrastructure scale jumps connected to the future of Almere. However, there is uncertainty regarding the support of the other over 80 stakeholders in the region. In particular the province of North Holland finds it difficult to define its position: against the background of the financial and economic crisis combined with austerity measures the project might become too expensive.

So what we see in the period 2007-2009 is that the political commitment to the TBES storyline has become stronger. The opinion of the Commission providing ‘hands off’ support certainly played a role in this. The governance network still shows weaknesses. Flevoland, clearly willing to take up the role of meta-governor, is not in the position to push matters through: it does not have – also in a statutory sense – an authoritative position to do so. The same counts for national government. Rather striking is the absence of the will to provide any sort of hands off support by the ministry which has nature in its portfolio. Instead the European Commission supplies critical guidance which underlines that – although at a distance – European institutions are part of the Markermeer-IJmeer governance network. In absence of any clear objectives and conditions the project should comply with, the Natura 2000 status of the Markermeer-IJmeer provides necessary focus.

### **3.4 Clarification of governance conditions: contextualisation in sight (2010 – 2014)**

It was for all TMIJ network participants obvious that the TMIJ document needs further elaboration. It is in all senses a vision and not a strategy. This is taken up in a programme known by the acronym RRAAM or Rijk-Regioprogramma Amsterdam-Almere-Markermeer. The double R stands for national government and region. In November 2009 this programme starts with a letter, a euphemism for a 108 pages governmental policy decision (Randstad Urgent, 2009). The scale jumps referred to above are now official governmental policy objectives. Also the importance of the resilient ecosystem is underlined: not only needed to comply with the Bird and Habitat directives but also to create legal room for the urbanisation and connectivity ambitions. A *Werkmaatschappij (Project Agency) Markermeer-IJmeer* or WMIJ is set up, consisting of representatives of two ministries and the provinces of Flevoland and North Holland to flesh out options and to provide building blocks, together with three other agencies focusing on the growth of Almere and new infrastructure through the IJmeer. Within the much wider network of stakeholders this Project Agency becomes the true managing network, solidifying the overall governance network.

A key issue for the Markermeer-IJmeer project agency concerns the ecological objectives imposed by law. At the national level there is now a high awareness of the importance of the Bird and Habitat directives and, albeit to a lesser extent, the Water Framework Directive. The appreciation of Natura 2000 across national administration varies however. Some (parts of) ministries find it difficult to accept the inevitability of Natura 2000 obligations: over the course of many years they have become accustomed to balancing and exchanging interests, a fundamental characteristic of spatial planning Dutch style (see for instance Needham, 2007). At the other side of the continuum there is the nature conservation directorate of the Ministry of Economic Affairs, proud to be one of the co-founders of the EU directives: finally it is possible to firmly protect nature, something more difficult under Dutch law. In such a context it is difficult to convince the ministry of Finance and claim large budget reservations for nature development like the resilient ecosystem. Hence it is no surprise that a main task of the agency is to fork out cost efficient ecosystem alternatives.

At the regional level there is also some ambiguity with regard to nature objectives. Here, however, this has to do with the binding and (at least seemingly) inflexible character of regulations. For some stakeholders this is difficult to accept, especially the recreation sector which is normally not confronted with European law. Within the project agency, even long after its start, a considerable amount of time is spent on clarifying the inescapable status of Natura 2000 objectives.

In the project agency only administrators participate. It is a small governance network headed by an appointed director and supported by a small staff, with a limited budget to hire external expertise. Officials from the participating administrations can be called upon, depending on expertise needed.

Whilst operating in the context of the RRAAM programme, much effort is spent on co-ordination with three other RRAAM projects which focus on Almere and infrastructure connections: the other Project Agencies need to be convinced about the importance of including nature development objectives. Ultimately, according to its participants, the RRAAM meta-governance context has resulted in cross-cutting solutions: a programmatic approach which sees the entire Markermeer-IJmeer as an integrated ecosystem and which combines policies and objectives related to nature conservation at the one hand and urban and infrastructure development at the other. In the balancing approach which used to be a characteristic of spatial planning Dutch style, decision-making often ended with not complying with legal standards or simply lowering them. In this case the approach is to fulfill the requirements by way of an integrated, programmatic approach.

Another key element of RRAAM is its objective to generate public support. To this end a large number of civic and private stakeholders are committed to the programme by forming a sounding board to which the four RRAAM Project Agencies regularly report. On top of that conferences and workshops are organized which provide opportunity for others to become informed (if we count up all the participants then we reach the number of 80 institutional stakeholders mentioned above). The expectation behind it is that this lowers the chances that court appeals will be made in the future when concrete decision about urban and infrastructural projects are taken. So the Markermeer-IJmeer governance network is a network of networks with the WMIJ occupying a central position.

November 2011 the project agency presents a first variant of ecosystem concept to be implemented in four phases until 2040 with costs ranging from 630 to 880 million Euros. Parliament is not convinced and asks for alternatives with different price tags. September 2012 three of such alternatives are published, each showing a different level of technical uncertainty.

April 2013 a draft National Structure Vision Amsterdam-Almere-Markermeer is presented indicating the national government's vision on the development of the Markermeer-

IJmeer (Ministerie I&M, 2013; the final version dates from November 2013). The most controversial issue – a new transport connection through the IJmeer – is shelved: only when the second phase of Amsterdam IJburg is finalised and 25.000 new homes have been built in Almere (2010 is the reference year) exploring this option can start.

The commitment for developing the resilient ecosystem has become more solid with this statutory plan which according to the spatial planning act is binding for national government. Two concrete ecological projects to be realised on the short term are indicated: an improvement of the ecological situation has to proceed prior to other projects in order to comply with Natura 2000. Interestingly, whilst the work of the project agency was finished and the Structure Vision was in preparation, February 2012 Natuurmonumenten receives 15 million euro's from the National Postcode Lottery (a charity) to be spend on a project called the 'Marker Wadden', a system of marshland and banks to be created in the northern part of the Markermeer (Natuurmonumenten 2012). The Lottery money comes with a condition: public stakeholders are expected to co-finance the project. In January 2013 national government decides to contribute 30 million euro. The unexpected private contribution has clearly catalysed the development of the resilient ecosystem: apart from a number of small-scaled ecological projects there is now a very large project of possibly 10.000 ha which – at least potentially – could reverse the negative autonomous trend. At the time of writing preparations to realise these projects have started. Also a system will be installed to monitor the ecological status of the Markermeer-IJmeer as the Bird and Habitat directives demand solid empirical evidence as a base for decision-making.

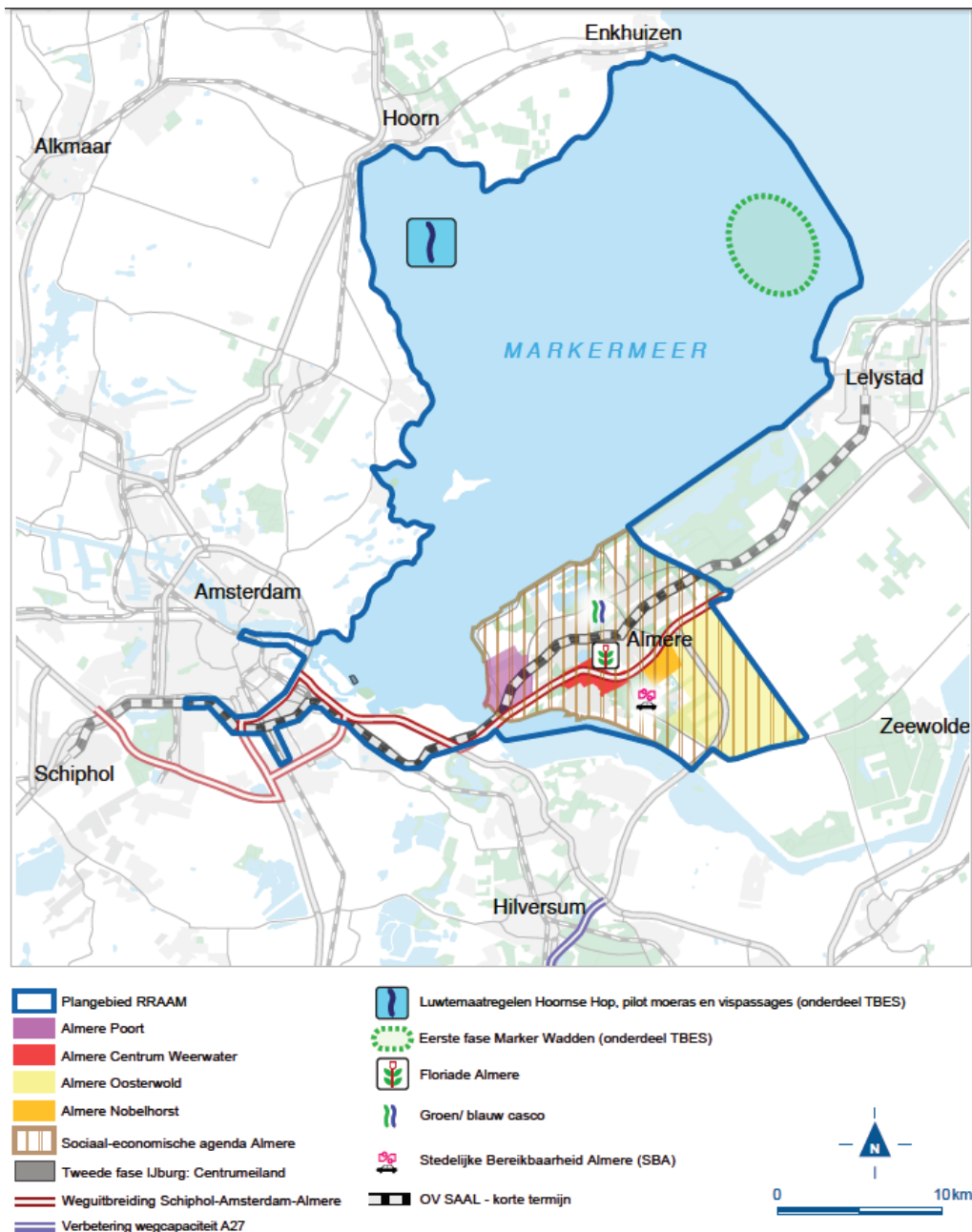


Figure 4. Short and medium term measures Amsterdam-Almere-Markermeer (Ministry I&M 2013: 10)

#### 4. GOVERNANCE CONDITIONS CONTRIBUTING TO CONTEXTUALISATION

In terms of contextualising legal Natura 2000 norms the case Markermeer-IJmeer offers rich empirical material. It seems possible to identify a number of governance approaches which favoured the contextualisation of legal Natura 2000 norms in the case study area.

##### 4.1 (Re)framing: a nature inclusive approach

The TBES or resilient ecosystem concept itself can be regarded a first step in the contextualisation of legal norms, in particular Natura 2000 with the Water Framework Directive in the background. Regardless whether it is an expensive and perhaps overdone

solution or a smart efficient catch all strategy, it is clear that the development of a resilient ecological system addresses a number of regulatory issues and at the same time benefits a wide range of stakeholders. The perspective change in 2004 and 2005, stimulated by Natuurmonumenten, was crucial for the further process.<sup>3</sup> In essence this implies a ‘nature inclusive approach’, a concept borrowed from a discussion in the Netherlands on local and regional development starting from the perspective of nature and environment rather than treating this as a rest category. What undeniable played a role in the background in our view is the idea that even in a heavily urbanised country as the Netherlands it proves possible not only to protect nature but also to create (new) nature (a lot of examples and flagship projects of the ‘nature is makeable approach’ are collected in Feddes et alia, 1998).

Nevertheless the difficulties this nature inclusive approach has to face should not be underestimated as this requires continuous deliberation and learning amongst the participants in the governance network. Even in a very late stage – the 2010-2014 period - it was still not fully accepted by some stakeholders that nature development is a core objective within the programme and that otherwise other developments would most likely not be possible. Possibly the new frame – improving ecological conditions and building new nature combined with the prospect of urban and infrastructure development – caused a kind of smoke screen: obscuring the legal requirement that even without such urban and infrastructure development solid financial investments would be needed to improve the habitat conditions in the Markermeer-IJmeer according to Natura 2000 as well as the (poor) ecological status of the waterbody according to the Water Framework Directive. As we have seen it proved to be politically rather sensitive to allocate considerable budgets just for the improvement of ecological conditions. So the new TBES frame – creating a resilient ecosystem – was in this sense necessary.

The development of this nature inclusive frame implied a learning process: stakeholders started to realise – albeit sometimes rather reluctantly – that the requirements of nature conservation and water law could not (for some: no longer) be ignored. In a sense this is also contextualization: by applying a legal framework in a specific context also actors with a limited knowledge of or affinity with legal conditions start to realize the inevitability of meeting legal requirements. Instead of ‘why should we?’ the key question to be answered became ‘how can we?’ In this sense the new frame is an important meta-governance tool in itself as it clearly holds a large group of stakeholders together. This does not exclude the possibility that actors outside the (core) governance network might try to block the realisation of urban and infrastructural projects in the future. At the moment these actors are below the radar as we already concluded: tangible projects are not realised yet at the time of writing.

#### **4.2 Meta-governance and process**

In particular when the governance situation is complex from the outset the availability of clear governance conditions, requirements and substantive objectives becomes a key issue for network arrangements to address complex policy issues such as the application and contextualisation of legal norms. The meta-governance episodes in the Markermeer case we have identified show how influential (the absence of) clear network management rules are. Whilst for example the umbrella Programme Randstad Urgent puts forward clear objectives as regards breaking governance congestion, the substantive focus of the PRU ‘future agenda’ TMIJ project was rather vague. The absence of a clear brief urged the province of Flevoland to spell out a substantive direction. This created the foundation for the next governance phase as the RRAAM programme was much clearer, both in terms of network management – a

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<sup>3</sup> According to some respondents in our research the Directorate General for Public Works and Water Management played a crucial role here as historically a lot of knowledge about ecological processes has been built up within this organization which could be used by Natuurmonumenten.

rather clear cut process and network architecture – and substantively through emphasizing the necessity of scale jumps in three related areas: nature, infrastructure and urbanisation. This shows that under conditions of self-organisation the steering of a governance network could be undertaken from various directions by different actors.

A further mechanism that turned out to be important for contextualisation in this particular case is a process that connects issues which initially look contradictory. From a governance perspective the scale of the Markermeer-IJmeer is rather large: there is no single or leading problem owner, no match with any administrative area and no possibility to follow standardized or formalized procedures. Clearly in terms of governance a ‘soft space’ with ‘fuzzy boundaries’ (cf. Haughton et alia, 2010). The promise of the TBES concept to open possibilities for economically oriented projects by creating an ecological surplus and therewith relieving the pressure of Natura 2000 resulted in an agenda that attracted a lot of support. In more than one sense the concept was inclusive: ecologically inclusive as well as inclusive in terms of actor network formation.

Turning this support into full blown commitment proved to be a difficult step to take though. In this light the importance of having an agenda that seems to hold something in it for everybody can hardly be underestimated. The support for the concept (but not necessarily for its implementation) has enabled its principle agents, i.e. the provinces of Flevoland and North Holland, to pull off a governance process that included many relevant stakeholders, or at least did not exclude key stakeholders at forehand.

The quality of the process – especially in terms of including those key actors who otherwise most likely would follow a litigation course – has been a key concern in the meta-governance frameworks. RRAAM closely – but not deliberately – follows the recommendations ‘Quicker and better’ of the Committee Elverding. This committee, named after its chair and installed by the minister responsible for infrastructure projects, studied the slow and difficult implementation of such projects. In its recommendation much emphasis has been put on ‘better’ stakeholder involvement and consultation in the development stages of a project in order to make its implementation ‘quicker’. The central assumption is that procedural investments in the early stages of a policy and decision-making process will pay off positively in later stages. In our case a dedicated organisation provided assistance to this end setting up a large number of symposia, meetings, workshops, presentations and so on.

There is another reason that explains this emphasis on the quality of the process and this has to do with the Council of State and how it assesses legal disputes. Through an inclusive process it becomes less like that legally relevant issues – including high quality research about the effects of interventions including those of the necessary mitigation and compensation measure – will not be taken into account. This – i.e. a sound consideration of all relevant issues according to the legal framework(s) in question – is a key issue for the Council of State when a case is taken to this court.

### **4.3 Towards implementation: A programming approach**

A third and direct way of contextualising Natura 2000 regulation concerns the earlier mentioned programming approach. Such an approach differs from usual mitigation or compensation measures in the sense that it 1) comprises a number of measures that are interrelated in time and effectiveness and 2) includes an approach which is spatially on a higher level of scale than individual interventions. The chosen scale is related to *system characteristics*. In the case of the Markermeer-IJmeer the perimeters of the (ecological and water) system are defined by the dikes which completely surround the lake and which are part of the main problem: the poor ecological status is highly related to bathtub-like conditions. The resilient ecosystem concept forms a programmatic approach addressing the Markermeer-IJmeer in its totality. While the above – creating governance networks and applying effective

meta-governance approaches – is in a legal sense non-binding, the programmatic approach is meant to meet the legal requirements of Natura 2000 and the WFD *directly*.

In order to be judicially sound this approach needs testing and legal assessment. The relation with governance lies in the fact that the governance process should allow time and resources to do so. Whereas several stakeholders assisted in the process to deliver legally sound plans by lending their legal experts, the complexities of Natura 2000 practice required the involvement of external expertise as well. Judging several advisory reports commissioned by the Markermeer-IJmeer Project Agency, there is a number of problems in terms of legal assessment and whether a programming approach can mitigate or compensate for urban and infrastructural development. With a plan horizon somewhere between 2035 and 2040, the promise of the programming approach, or of the TBES as such, lies in a quite distant future. This means that no absolute certainty can be given as regards effectiveness and implementation unless the entire project starts with investments in nature and water quality improvement and the effects are properly monitored to create an evidence base for later decision-making. Due to the autonomous negative trend in relation to the ecological status of the Markermeer-IJmeer, it is clear that the Bird and Habitat directives and the Dutch Nature Conservation Act as well as the WFD will not allow the development of infrastructure and houses *before* taking measures to improve the ecological status. The postponement of infrastructure development combined with the current housing crisis as such come as a blessing seen from this perspective as this aspect of the programming approach – the timing and phasing of projects – needs to be constantly communicated with the initiators of urban and infrastructural projects

This brings us to another issue: the bodies that implement the projects of the TBES that are supposed to improve the ecological status of the lake are not the same as those which eventually are responsible for urban and infrastructural project. As the goal is to go beyond legal requirements to create an ecological surplus which should make future urban and infrastructural development possible considerable costs have to be made while the benefits appear (much) later. Public and lottery (!) money have to do the trick.

## 5. CONCLUSION

In terms of contextualisation of legal norms the Markermeer-IJmeer case offers interesting empirical evidence with regard to the question whether local conditions and central regulation can match and how. We have called this contextualisation and we have analyzed this case through a focus on governance: how a network of governmental and societal networks eventually developed an approach which in our view entails a contextualisation of the legal norms of Natura 2000 as well as the European Water Framework Directive. We have called this a programming approach on the level of Markermeer-IJmeer ecological system. Governance conditions have been complex: no single (governmental) actor is in the position to steer deliberation and negotiating processes decisively. In this sense our case is a soft space with fuzzy boundaries although the ‘hard’ dikes surrounding the lake suggest otherwise. The steering or governance of governance – we called this meta-governance – cannot be traced to a single actor: national government, both provinces (especially Flevoland) and the ngo Natuurmonumenten played important roles. During the final phase we have analysed – the RRAAM period of 2010-2014 – national government played an important role. But even then it cannot be said that the statutory Structure Vision in terms of its content is a national ‘invention’ as it entails a planning approach developed over the course of a number of years to which many have contributed. Only when it comes to financing the resilient ecosystem approach national government is in a decisive, hierarchical position. At the other hand it is

surprising what a donation from a (private) charity can do. In this sense we could talk about genuine trigger money.

The most important and decisive meta-governance ‘force’ stems from the Natura 2000 framework. In particular at stages in the governance process where stakeholders doubted which way to go, the clear and compulsory norms, even if not identified and valued by all stakeholders, put the entire process on a clear track. Although the real proof comes projects will be realised it seems that the Natura 2000 framework grants quite a lot of flexibility and room for interpretation as to how local stakeholders may respond to its objectives. In sum, the case Markermeer-IJmeer shows the positive role of regulation in terms of stimulating innovative policy solutions and the emerging of creative governance arrangements.

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**Table 1. Markermeer-IJmeer process overview by governance periods**

Period	Core stakeholders	Progress	Reframing of governance conditions	Formal/informal commitment TBES	Natura 2000 awareness	Public support
1990 - 2005	Natuurmonumenten [National Trust] Staatsbosbeheer [Forestry Commission] Amsterdam Almere ANWB [Automobile Association] Province North Holland Province Flevoland	Exploration IJmeer (2004)  Vision IJmeer (2005)  Focus on reframing the urban development objectives and developing consensus, led by Natuurmonumenten	None: focus on committing national government	No: merely principle agreement by key stakeholders	Varying: high under environmental groups, low under public stakeholders and ANWB	Unaware

<p><b>2005 – 2009 North Wing LetterProgramme Randstad Urgent</b></p>	<p>TMIJ Steering group, consisting of:</p> <p>Province Flevoland Province North Holland National government</p> <ul style="list-style-type: none"> <li>- Ministry VROM</li> <li>- Ministry LNV</li> <li>- Ministry Transport <ul style="list-style-type: none"> <li>o DG Water</li> <li>o RWS</li> </ul> </li> </ul> <p>Natuurmonumenten Staatsbosbeheer Amsterdam Almere Zuiderzeeland (representing Water boards) Lelystad Waterland (representing small municipalities along North Holland coast)</p>	<p>Ontwikkelings-visie Markermeer-IJmeer (2008)</p> <p>Toekomstvisie Markermeer-IJmeer (2009)</p> <p>Cooperation led by Flevoland focus on ecology, initially hampered by unclear position national stakeholders</p>	<p>Procedurally clear:</p> <ul style="list-style-type: none"> <li>- Breaking through governance congestion</li> <li>- Provinces take lead</li> <li>- Executive duo made up of state secretary and provincial executive</li> <li>- ANWB director as project ambassador</li> <li>- Relation with Almere project recognised, but not in what sense</li> </ul> <p>Substantive vague:</p> <ul style="list-style-type: none"> <li>- No clear objectives, conditions, requirements and purpose</li> <li>- No clear commissioning authority</li> <li>- No long term commitment by national stakeholders.</li> </ul>	<p>High: Flevoland and Almere high.</p> <p>Hesitant: North Holland, Amsterdam</p> <p>Ambivalent: ecological challenge framed in context of expansion Almere, not as urgent independent objective in relation to Natura 2000.</p> <p>Lead stakeholder Flevoland feels high sense of urgency in relation to Natura 2000 and shifts process to exclusively ecological objectives</p>	<p>Yes, as well as WFD, in North Wing Letter reserving 25 million budget for ecosystem research programme and pilot.</p> <p>Amsterdam, North Holland on the fence Awareness of existence but not of consequences in Randstad Urgent Programme.</p> <p>Flevoland and other key stakeholders highly aware.</p>	<p>North-Wing Conferences<sup>4</sup> + Civic societal platform<sup>5</sup> have discussed the North Wing Letter of which Markermeer is one of the many projects</p> <p>Explicit focus on creating awareness and support of society. Newsletters, website, variety of expert workshops, broader conferences etc.</p> <p>Involvement of many stakeholders and aim for consensus led to avoiding difficult issues and shifted focus to ecological issues.</p>
<p><b>RRAAM 2010 - 2012</b></p>	<p>WMIJ working association, consisting of:</p> <p>Ministry I&amp;M Ministry EZ Province North Holland Province Flevoland</p>	<p>Optimalisation report (2011)</p> <p>Four TBES alternatives (2012)</p> <p>Smooth cooperation with clear stakeholder's roles and focus on cost efficient ecosystem alternatives</p>	<p>Clear procedural as well as substantive:</p> <ul style="list-style-type: none"> <li>- WMIJ one of four project agencies of RRAAM organisation</li> <li>- Decrease costs of TBES alternatives</li> <li>- Integration with infrastructure and Almere plans</li> <li>- Societal, civic and private stakeholders</li> </ul>	<p>TBES integrated in RRAAM as fourth concrete objective</p>	<p>High among key stakeholders Reasonable among others Unawareness of binding status by some</p>	<p>Relatively high, through institutionalised stakeholders in RRAAM programme.</p> <p>Several workshops, symposia, consultation events, but still difficult to attract non-institutionalised stakeholders</p> <p>Protest against individual</p>

<sup>4</sup> Participants of the North Wing Conference are: provinces of Flevoland & North-Holland; the Regional Cooperation Platform Amsterdam (ROA); municipalities Almere, Muiden, Weesp, Hilversum, Diemen, Ouder-Amstel, Amstelveen, Uithoorn, Aalsmeer, Haarlemmermeer, Haarlemmerliede-Spaarnwoude, Amsterdam, Waterland, Purmerend, Edam-Volendam, Zeevang, Beemster, Wormerland, Landsmeer, Oostzaan, Zaanstad, Beverwijk, Velsen and Haarlem; city district councils Amsterdam-Noord, Osdorp & Zuidoost.

<sup>5</sup> Civic society platform members: Confederation of Netherlands Industry and Employers (VNO-NCW); Amsterdam Chamber of Commerce; Staatsbosbeheer; Nature and Environment Association; Natuurmonumenten; Utrechtse Milieufederatie; ANWB; NV Airport Schiphol; Federation of Agriculture and Horticulture (LTO)

			institutionalised within RRAAM organisation - Organise societal support			measures TBES such as sheltered zone Hoornse Hop by recreation sector
<b>Draft National Structure Vision Amsterdam-Almere-Markermeer 2013</b>	Ministry I&M	Structure Vision	Not applicable: National government policy.	Government binding	High, main legitimization resilient ecosystem	Resilient ecosystem is seen as independent project in which nature is seen as basic condition for the area. In particular the leisure sector and a variety of public stakeholders ask for possibilities for economic development. A number of public stakeholders endorse the Marker Wadden project.

