

Key points for the further development of Baden-Württemberg's Climate Change Act

(as adopted by the State Government of Baden-Württemberg on 21 May 2019)



Baden-Württemberg

MINISTRY OF THE ENVIRONMENT, CLIMATE PROTECTION
AND THE ENERGY SECTOR

Introduction

The State Parliament passed the Climate Change Act Baden-Württemberg (KSG BW) by a large majority in July 2013. The purpose of this Act is to make an appropriate contribution to mitigating climate change within the framework of international, European and national climate goals by reducing greenhouse gas emissions and contributing to the sustainable provision of energy.

A failure to be sufficiently ambitious with regard to climate change mitigation will result in irreversible changes in ecosystems, which may be accelerated if certain “tipping points” are exceeded. For this reason it is essential that very considerable efforts are now made at all political levels and throughout society as a whole to counteract these developments. We have an obligation to current and future generations to act. Action to combat climate change is therefore also a key task of the State Government as a whole and requires the support of all ministries.

Key legislation at the European level includes greenhouse gas emission targets for sectors not included in the EU Emissions Trading System (for the power sector and industry), such as transport, buildings, agriculture (effort sharing). If Germany misses the emissions targets, it may face fines if it is unable to make up the shortfall by, in particular, purchasing emission allowances from other European member states that have exceeded their targets. The damage caused to the economy by extreme weather events accompanying progressive climate change is also becoming increasingly serious.

Key points

1. CLIMATE TARGET 2030

The BW Climate Change Act will set a target for reducing greenhouse gas emissions by at least 42 percent below their 1990 level by 2030. This goal is based on the target framework under the Paris Agreement, the climate change objectives at EU and national level for the years 2030 and 2050, the climate target for 2050 in section 4 of the BW Climate Change Act and also reflects the structural conditions and potentials in Baden-Württemberg.

The “Energy and Climate Targets 2030” research project defines the following sector targets:

- Private households -57 percent
- Trade, commerce, services -44 percent
- Transport -31 percent (excluding other transport),
- Industry (energy related) -62 percent,
- Industry (process related) -39 percent,

- Electricity generation -31 percent,
- Agriculture -42 percent and
- Waste -88 percent.

The percentage figures are for reductions in greenhouse gas emissions against the base year 1990. The sector targets based on the current framework conditions are to be understood as a minimum requirement for meeting the legal target in Baden-Württemberg by 2030. They form the basis for updating the Integrated Energy and Climate Protection Plan (IECP) and are not part of the Climate Change Act.

The objectives and measures taken at the Land level are reviewed for compatibility with developments at the federal level and are modified if necessary. This will take place in the context of an accompanying research project.

The target to cut emissions in the transport sector in Baden-Württemberg by 40 percent is feasible, provided that the necessary regulatory framework is created at the national and/or EU level in the fuel sector and that reFuels or other climate-neutral drive concepts are used on a large scale¹. Similarly, much higher sector targets could certainly be met if the framework conditions change further at the EU and national levels.

2. MECHANISM IF EMISSIONS TARGETS ARE NOT MET

The summary monitoring report on the IECP under section 9(2) no. 2 BW Climate Change Act should include projections on progress towards achievement of the climate targets and, if the targets are expected not to be met or indeed are not met in the sectors by a significant amount, should also clarify the reasons for such failure, including at the decision-making level and including corresponding proposals for returning to the target path. The State Government would then take the necessary decisions on this basis.

3. STRENGTHENING IMPLEMENTATION

A means of strengthening implementation of the Climate Change Act must be found which ensures that the regional administrative authorities (*Regierungspräsidien*) are involved in functional zoning for sites for facilities for the use of renewable energies under section 4 of the Federal Building Code (*BauGB*). This should underline and to a large extent ensure that

¹ This will only be successful if a clear and reliable legal framework is created for investment in the economy. The current EU regulatory framework does not provide this. The minimum target for renewable energy in RED II is not high enough to promote both ambitious electrification and a market ramp-up of electricity-based fuels. If binding EU-wide regulation is not possible, it would be helpful if possibilities could be created at the EU level to enable Member States to introduce their own quota systems. There are different models for such legal regulation. One option would be to extend the quotas system in place in Germany.

measures to tackle climate change are taken fully into account in functional zoning at an early stage.

4. STRENGTHENING OF CLIMATE TARGETS IN THE REGIONS

Sufficiently wide-reaching planning principles must be implemented in good time in the next few years to facilitate the further expansion of renewable energies in Baden-Württemberg.

The IECP must formulate the targets for the expansion of renewables in Baden-Württemberg up to 2030.

The impact of the expansion targets for Baden-Württemberg in the BW Climate Change Act and the IECP should be optimised to provide the necessary land for the expansion of wind energy and ground-mounted photovoltaic installations².

The State Government is reviewing legislative means of achieving this aim.

5. CLIMATE AGREEMENTS WITH COMPANIES

The State of Baden-Württemberg should aim to reach voluntary climate agreements with businesses for the adoption of targets for reducing energy consumption and greenhouse gases, including in the field of mobility. Such agreements should also include specific measures for target compliance and a procedure for monitoring implementation. In particular, the State should seek agreements with corporations in which the State itself is a shareholder in order to strengthen the public sector's role model function. The purpose of such agreements would be to impel businesses to adopt high-profile exemplary climate targets and implement corresponding measures. These climate agreements should also include targets and measures relating to mobility.

6. STRENGTHENING THE PRINCIPLES OF SUSTAINABLE BUILDING PRACTICE

Sustainable building practice principles currently apply to grant programmes provided by the State for local authority building construction (section 7(5) BW Climate Change Act). In the future, these grant programmes for the construction and renovation of non-residential buildings should comply with the principles of sustainable building practice. A minimum requirement must be inspections to ensure compliance with the principles of sustainable building practice.

7. LOCAL AUTHORITY HEAT PLANNING

The aim of local authority heat planning is to promote the efficient, decarbonised and sustainable supply of heat in local authority/municipal areas. This offers great potential for protecting the environment. Local authorities develop their own heat planning to avoid greenhouse

² The Ground-Mounted PV Development Ordinance (FFÖ-VO) will not be affected.

gas emissions and bad future investments. Local authority heat planning will outline efficient ways of supplying heat sourced from renewable energies. As only very few local authorities have so far submitted heat planning for entire urban areas, the BW Climate Change Act should ensure that, with due regard for local interests, urban districts and large district towns are required as far as possible to carry out this important task.

8. SUSTAINABLE MOBILITY

The transport sector plays a key role in achieving the climate goals. In this context, further measures should be developed, reviewed and implemented to strengthen and expand sustainable mobility. This relates to the objectives of sustainable mobility, greater emphasis on action to mitigate climate change in transport planning, review of participation by the regional administrative authorities, laying the foundations for local authority transport planning and the use of synthetic fuels obtained from renewable energies and consideration of site options.