



Legal framework for a sustainable biomass production for bioenergy on Marginal Lands

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The EU H2020 funded project SEEMLA is aiming at the sustainable exploitation of biomass for bioenergy from marginal lands in Europe. Partners from Germany, Italy, Ukraine and Greece are involved in this project. Whereas Germany can be considered as well-established and leading country with regard to the production of bioenergy, directly followed by Italy and Greece, Ukraine is doing its first steps in becoming independent from fossil energy resources, also heading for the 2020+ goals.

A basic, overarching regulation is the Renewable Energy Directive (RED) which has been amended in 2015; these amendments will be set in force in 2017. A new proposal for the period after 2020, the so called RED II, is under preparation. With cross-compliance and greening, the Common Agricultural Policy (CAP) offers measures for an efficient and ecological concept for a sustainable agriculture in Europe. In country-specific National Renewable Energy Action Plans (NREAP) a concept for 2020 targets is given for practical implementation until 2030 which covers e.g. individual renewable energy targets for electricity, heating and cooling, and transport sectors, the planned mix of different renewables technologies, national policies to develop biomass resources, and measures to ensure that biofuels are used to meet renewable energy targets are in compliance with the EU's sustainability criteria.

While most of the NREAP have been submitted in 2010, the Ukrainian NREAP was established in 2014. In addition, the legal framework considering the protection of nature, e.g. Natura 2000, and its compartments soil, water, and atmosphere are presented. The SEEMLA approach will be developed in agreement with this already existing policy framework, following a sustainable principle for growing energy plants on marginal lands (MagL). Secondly, legislation regarding bioenergy and biomass potentials in the EU-28 and partner countries is introduced. For each SEEMLA partner an overview of regulatory authorities and principal laws in the field of bioenergy is given, supplemented by national biomass potentials and bioenergy use as well as by the German, Greek, Italian and Ukrainian NREAP. The overall target of all EU-28 countries - and Ukraine - is to create a more efficient bioeconomy, to increase the amount of biomass produced for bioenergy purposes, to avoid an increased competition between food/feed production on arable land and energy plant production, and decrease imports of fossil energy sources, i.e. [crude] oil, aiming at an independent, domestically based (bio)energy supply. Whereas in Germany the national policy framework regarding bioenergy is well-defined, there are only few specific national and/or regional policies in Greece, Italy or Ukraine. Moreover, the German legislation offers a higher potential for designing and modifying already existing regulations and laws, e.g. soil protection, EEG, etc. with respect to the use of MagL for bioenergy production, than in other SEEMLA partner countries.

Although the biomass potential of each SEEMLA partner country varies a lot and the 2020 targets remain ambitious, the exploitation of sustainable biomass production on MagL may offer a suitable approach to fill the gaps of future biomass demands and accelerate the growth of an independent bioenergy based society.