

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: Draft decision

ARES

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**From:** [REDACTED]  
**Sent:** Tuesday, May 5, 2020 7:21 AM

**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
>  
**Subject:** Re: Draft decision

Dear [REDACTED]

Thank you very much for sending the decision and taking into account our comments on the draft. Ofcourse, I share the need to start the decision making procedure quickly. We will have a look at the scientific underpinning of the restriction laid down in art 9. If needed, I will get back to you on that asap.

Best regards,

Verstuurd vanaf mijn iPhone

Op 5 mei 2020 om 00:58 heeft [REDACTED]  
[REDACTED] het volgende geschreven:

Dear [REDACTED]  
I hope this message finds you all well.  
We are progressing to conclude the internal procedures in time for a vote in the Committee on 22 June.  
Thank you for your comments to the draft proposal and the additional updated figures  
We have taken most of them on board (see document attached).  
As regards the restrictions on application above a certain outdoor temperature, we have made it less restrictive yet we are convinced (on the basis of the evidence attached) that it is necessary to minimise the ammonia emissions generated by a higher application of manure. Therefore it must be included as a condition for derogated farms under the conditions specified therein.

We will continue with the procedure to be in time since now, in these difficult times, other more pressing matters are taking priority in the planning of Commission decision making.

Best regards

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, May 4, 2020 5:36 PM  
**To:** [REDACTED]

[REDACTED]

**Subject:** RE: Draft decision

Dear [REDACTED]

When do you expect to be able to share with us your response to our feedback regarding the draft decision?  
Hope to hear from you soon.

Best regards,

[REDACTED]

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**Van:** [REDACTED]  
**Verzonden:** dinsdag 21 april 2020 11:21  
**Aan:** [REDACTED]

[REDACTED]

**Onderwerp:** RE: Draft decision

Dear [REDACTED]

Thanks for your reply and explanations.

We will look at it carefully and get back to you asap.

On the restriction linked to the spreading above 15° C we will share with you our scientific evidence.

All the best

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, April 20, 2020 10:48 PM  
**To:** [REDACTED]

**Subject:** RE: Draft decision

Dear [REDACTED]

I hope you and your families are still all in good health.

Thanks again for sending us the draft decision. As agreed, you find our input and feedback on the draft in the attached file. We have included our text proposals in track changes with a further explanation under the relevant Articles.

In summary, the most important points are the following:

- In art. 4 we propose some specific text comments that bring the decision fully in line with the content of the letter from DG Sonnemá to DG Calleja of 14 February 2020.
- In art. 9 we propose several adjustments.

First, we do not see ground for the condition that manure may not be applied on grassland if the outside temperature is above 15 °C. We have checked at experts of Wageningen University, but found no scientific research indicating that such a condition would be beneficial for ammonia emissions. We do see important practical consequences of such a decision, most importantly a very significant limitation of the period in which manure can be applied, which brings an increased risk of nitrate leaching. Therefore, we propose to leave out this condition.

Second, we propose some changes in the text to bring the decision in line with applicable national regulation, which is a.o. differentiated for types of soil.

Third, we propose to take into account the exemption 'surface spreading of cattle slurry on grassland'. This is a relatively small, existing exemption that has its basis in the 5<sup>th</sup> and 6<sup>th</sup> Action Programme. Attached you can find a copy of this exemption (legal text, in Dutch).

- In art. 12 we propose some small textual adjustments.

I hope our comments and proposals are clear. Of course, we are available to answer any questions and/or further discuss

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- **Article 4.2(e),(f),(g),(h) :**  
additional provisions  
guaranteeing to the full  
implantation of the enhance  
enforcement strategy based on  
the letter by Mrs Sonema
- **Article 4.3:** requirement as  
regards the revision of the  
strategy
- **Article 9:** new article, with  
conditions as regards reduction  
of ammonia emissions to reduce  
nutrient depositions also in  
water

- **Article 12(I)**: reporting of the results of the enhanced enforcement strategy

We will send you later some recitals that also that will need to be updated or changed taking into account the more recent developments and new requirements. As agreed, the Netherlands will provide further input and feedback on the draft **by 20 April**.

I wish you all a very nice Easter break despite the circumstances. Keep safe.

All the best

Claudia Olazábal

<image001.png>

**European Commission**

DG Environment

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<23.04.20 Derogation 2020\_2021.docx>

<Scientific underpinning temperature manure application NL..docx>

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