

From: [REDACTED]
Sent: vendredi 8 mai 2020 08:27
To: [REDACTED]
Subject: Fwd: Draft decision

From: [REDACTED]
Date: Thursday, 7 May 2020 at 23:49:44
To: [REDACTED]
Cc: [REDACTED]

Subject: RE: Draft decision

Dear [REDACTED]

Thank you for facilitating the call between Mrs Sonnema and Mr Calleja on such short notice. As discussed by telephone today, herewith I send you the point Mrs Sonnema would like to raise tomorrow.

1. With regard to the condition in Art. 9.1(c): 'When slurry is applied with a trailing shoe applicator, the outside temperature shall be below 20 °C.'
 - Mrs Sonnema will point out that recently The Netherlands has published an extensive package of measures to reduce ammonia emission and to improve the quality of nature areas. The package contains obligations, stimulating measures for farmers, ending of animal husbandry especially nearby nitrogen sensitive N2000 and several measures to (further) improve the quality of those nature areas. The total estimated costs of the full package are 5 billion euros in the next ten years.
 - This new and unexpected condition in the derogation decision carries the risk of hindering rather than stimulating environmental improvement. Mrs Sonnema will ask Mr Calleja to reconsider this condition.
2. With regard to Art. 9.1(a) our proposal to exclude the participants in the scheme 'surface spreading of cattle slurry on grassland', has not been taken on board.
 - Given the small amount of farmers involved (approx. 250), Mrs Sonnema will plead for making an exemption for participants in this scheme.

Furthermore, I would like to put forward some technical remarks with regard to the decision. I hope you can incorporate these. (As these are rather small, technical points, Mrs Sonnema will not bring these to the attention of Mr Calleja tomorrow.)

1. In Art. 9.1(b), the current text is:
'Slurry shall be applied on grassland on clay and peat soils with shallow injection, a trailing shoe slurry applicator with a 1:2 dilution of slurry with water or pulse track injector.'

Remark: the dilution of the slurry is 2 : 1, slurry respectively water. So the dilution is two parts of slurry to one part of water. To avoid any misunderstandings, we propose to slightly change the text as follows: 'Slurry shall be applied on grassland on clay and peat soils with shallow injection, a trailing shoe slurry applicator with a **2:1** dilution of slurry with water or pulse track injector.'

2. In Art. 4.2(h), the current text is:

'Individual inspection of 5.5 % of the pig farms, taken into account the effect on physical controls because of measures to prevent the risk of spreading the Corona virus.'

We assume that the Commission, as is the Netherlands, is of the opinion that measures to prevent the spreading of the Corona virus could have an impact on the feasibility of the individual inspections. Therefore, to prevent any misunderstanding, we would like to propose the following wording:

'Individual inspection of 5.5 % of the pig farms. Measures to prevent the risk of spreading the Corona virus may have an impact on the feasibility of this percentage.'

Best regards,

[Redacted]

Van: [Redacted]

Verzonden: dinsdag 5 mei 2020 07:21

Aan: [Redacted]

CC: [Redacted]

Onderwerp: 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,

[Redacted]

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]

From: [REDACTED]

Sent: Monday, May 4, 2020 5:36 PM

To: [REDACTED]

Cc: [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]

Van: [REDACTED]

Verzonden: dinsdag 21 april 2020 11:21

Aan: [REDACTED]

CC: [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]

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

To: [REDACTED]

Cc: [REDACTED]

[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 Sonnema 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 5th and 6th 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 any topics. If

needed, we can plan a video conference should this help to keep the process up to speed.

Looking forward to your reply,

Best regards,

[Redacted]

Van: [Redacted]

Verzonden: woensdag 8 april 2020 17:56

Aan: [Redacted]

CC: [Redacted]

Onderwerp: Draft decision

[Redacted]

I hope you are all well as so are your families.

Thank you for the information on the measures taken by the Netherlands to reduce ammonia emission. This has been very useful in preparing the draft proposal.

As agreed during our phone consultation of 24 March, please find herewith our draft proposal for a new Decision. The draft is based on Decision (EU) 2018/820, to which in particular the following changes are proposed to be introduced:

- **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(l):** 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

[Redacted]

[Redacted]

<image001.png>

European Commission
DG Environment

[Redacted]

[Redacted]

Address: BU-5 05/188- Avenue de Beaulieu 5 (metro Beaulieu)- B- 1160
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<Scientific underpinning temperature manure application NL..docx>

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