

From: ENV [REDACTED]
Sent: lundi 11 avril 2022 11:29
To: ENV [REDACTED]
Subject: FW: Report meeting with NL authorities on Addendum - 3 Feb and 23 Feb 2022

The meetings with ENV [REDACTED] - Nitrates took place at the request of NL authorities (Ministry of Agriculture, Nature and Food quality and Ministry of Infrastructure and Water). The meeting of 23 February discussed a draft of the "Addendum" that NL would add to the 7th Nitrates Action Programme (adopted under the previous government). The Addendum sets on paper the elements presented and discussed with ENV [REDACTED] on 3 February explaining the overall approach of NL, and specific elements in relation to nutrients and nitrates pollution. It includes now also a timetable on request of the Commission.

Process: NL intends to finalise the Addendum by the end of this week, notify the Commission and officially request a derogation under the Nitrates Directive. Before that there would be a discussion between NL Minister Staghouwer and the Commissioner on Friday. The Minister would seek approval from the Commissioner to pursue the process towards a derogation (ie make a presentation in the next Nitrates Committee of 17 March) and also request a fast track procedure to get a derogation in June, rather than September.

What's in the Addendum:

(1) the legal, budgetary and programming framework: NL intends to set in place in view to implement the integrated approach for reaching EU and national environmental objectives on nitrogen, water quality, climate and nature reservations by 2030. This framework (National Programme for Rural Areas) foresees that legally binding targets and associated budget will be set at national level for each province. The provinces will be responsible to set up and implement plans to reach these targets. Monitoring of progress is done at national level, with the support of a new "ecological authority."

(2) the objectives NL wants to accelerate reaching the targets of the Nitrogen Act: 40% reduction of Nitrogen emissions by 2025, and 75% reduction by 2030. For water quality, NL wants to reach the targets of the WFD by 2027. For Climate: a contribution of 5Mton CO2 reduction by 2030 to be realised by agriculture. The plan also foresees restoration and extension of nature reservation areas.

(3) the timetable: The preparation of the new instruments is starting now, with first proposal for targets to be presented in spring 2022 and a public consultation starting after June 2022. By mid 2023, The legally binding targets should be adopted and the Provinces will have to present their plans. The plans need then to be approved at central level for Provinces to access the budget. While the Provinces are already engaged in the process under a previous law, and some actions can therefore be started earlier, it is expected that the bulk of the implementation will start in the second half of 2023.

(4) On substance, the main actions relevant for nutrients will include

- cessation of activities or buying out farms, and reduction of livestock between 20% and 30% by 2030. Recuperated land becomes nature area or extensive nature oriented farming.

- all dairy farms become land based by 2030
- very large buffer strips (100 m – 250 m) in sandsoil areas
- specific measures in addition to the 7th Nitrates Action Programme to improve surface water quality to be determined by Provinces.

Points of discussion: the discussions on 3 and 23 February focused on understanding the complex legal and institutional set-ups. A number of discussion points remained open, in particular

- Neither the 7th Nitrates Action Plan nor the Addendum include targets and intermediate steps for reduction of nitrate pollution and eutrophication. The only reference are the targets from the RBMP, but these are distant targets for 2027 beyond the lifespan of the 7th AP, and the translation of these for the monitoring network under the Nitrates Directive is not clear.
- Integrated approach: How will the balance and the integration of the various targets be managed by the Provinces? (eg for nitrogen emissions in air and nutrients in water)
- Cooperation of the Provinces: can the timeline be kept and can we expect Provinces to start implementing measures already earlier?
- Derogation under the nitrates Directive: how does it fit in the new approach? NL authorities argued for the necessity of a transition period.
- Impact on other MS: there is a concern that the buyout of intensive crop or livestock production could result in relocation in other Member states, which would relocate the pollution.

Attendance

NL Ministry of Agriculture, nature and food quality

NL Ministry of Infrastructure & Water

NL Perm Rep

DG ENV 