To: DELGADO ROSA Humberto (ENV); FINK-HOOIJER Florïka (ENV); MONTANI Elena (CAB-SINKEVICIUS); (ENV); (ENV); (ENV); (ENV); BRAUN Helena (CAB-TIMMERMANS); RAZMISLAVICIUTE-PALIONIENE Agne (CAB-SINKEVICIUS); (ENV); (ENV); (ENV)
Cc: (ENV); (ENV); (ENV)
Subject: Report (FINAL): Meeting of the Agricultural Committee of the NL Parliament (CAB SINKEVICIUS/2570)
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***Final Version***

Dear colleagues,

For your information – and with apologies for the delay – please find attached and below the report of the meeting of Commissioner Sinkevicius with the NL Parliamentary Committee on Agriculture on the Nature Restoration Law and on nitrates.

Kind regards,

Meeting on NRL of Commissioner Sinkevicius with the NL Parliamentary Committee on Agriculture – 22/05/2023

Present:
NL: Committee on Agriculture, Nature and Food Quality of the House of Representatives of The Netherlands

VVD – liberal party - RENEW
D66 – democratic party – RENEW
PvdA – labour party – S&D
GroenLinks – GreenLeft – The Greens/EFA
IA21 – ECR
Volt – pan European movement -The Greens/EFA
BBB – Farmer Citizen movement
(independent Member)
FvD – Forum for Democracy - NI
parliamentary representative of the House of Representatives of The Netherlands
deputy clerk of the committee on agriculture, nature and food quality
(PvdD - Party of the Animals)

Commission:
DG ENV: Cab Sinkevicius: Virginius Sinkevicius, , Agne Razmislaviciute-Palioniene, Elena Montani

Discussion in the form of Q&A:
Commissioner Sinkevicius welcomed the visitors and started by ensuring them that the NRL leaves many flexibilities to MSs to implement it according to the local situation.

**Commissioner:** does NRL provide for a cross-border approach, e.g. cross-border pollution?

**Commissioner:** The legislation would apply equally across the EU, each MSs should implement in their area and MSs can work together. The Commission can take a position in case of problems.

**Commissioner:** Non-deterioration already exists in BHD. What is the additional requirement added by NRL?

**Commissioner:** We understand the concern in NL because of dense population and Court judgement (25 km buffer zone around water bodies). However, in NL, most of Annex I habitats are already covered by current protection, so the non-deterioration obligation in NRL adds limited additional burden. Council is working on this obligation to meet NL needs.

**Commissioner:** Then why do we need non-deterioration in NRL if it makes no difference?

**Commissioner:** The situation in NL is particular, but the NRL is for all MSs. BHD exist since 30 years, if you implement Natura 2000, you would not be in current situation.

**Commissioner:** We are in economic lock-down, 30 billion euro loss already. What are your views on the Dutch NL parliament position against non-deterioration?

**Commissioner:** We try to bridge the positions, try to find landing zone with Council and Parliament. Careful impact assessment was done looking at different scenarios. We also have to achieve global (GBF) target. We need to find balanced approach, without harming economic interests, but changing practices to avoid harm to status of water etc.

If existing directives had been implemented years ago, we would not have the current problems. Derogations (on nitrates) can only be granted by vote of other MSs - need to ensure level playing field.

**Commissioner:** according to the impact assessment, every euro invested brings 8 euro in return. Please explain.

**Commissioner:** This is based on studies and data on ecosystem services, such as pollination, soil fertility, clean water, clean air in cities: see impact assessment.

**Commissioner:** What if we would make ETS system more fair, and add usage of water, pesticides, animal welfare etc. by putting a price tag on everything? What would you think about ETS system that covers everything?

**Commissioner:** That would be good for a broader understanding of their value in society, but accounting biodiversity/ecosystems is more complicated than GHG emissions. Examples exist in MSs such as the Metso programme in Finland (payment for protecting versus cutting forest). We would need to have something like that globally. Soil fertility could also be valued in such a way.

**Commissioner:** With all the flexibilities, how will NLR guarantee that we meet the GBF target?

**Commissioner:** The flexibility applies to which measures are implemented where and takes into account that ecosystems need time to recover. The targets and indicators are universal, and focus on measures to be put in place.

**Commissioner:** The loss of derogation will lead to more mineral fertilisers being used, whereas there is a report (WUR study report (????????????????)) which indicates that fertilisers leach more than
slurry. In addition, dairy farmers who had derogation did much better on water quality than those who did not have derogation. Have these aspects been considered?

Commissioner: A derogation under the nitrates directive has been granted to the Netherlands for the period 2022-2025, together with a clear plan from NL to reverse the negative trends on water quality. While it is very encouraging that some farms do better than others, the Commission does not regulate farm by farm. The situation of water bodies overall has not improved. Eutrophication has not decreased, even increased in some areas. The plan prepared by NL government is good, we hope NL will implement it. We encourage full stakeholder consultation, there is solid budget.

Minister: Brussels is being blamed for everything, but many problems are of our own making. Did you give advise to Minister Van de Wal?

Commissioner: I replied to questions from the Minister. Decision making in EU needs to take into account position of 27 MSs. When MSs and EP approve, it has to be implemented. Member States may go further, e.g. renewables: in some MSs it takes 3 years to deploy projects, other MSs take 10 years: this difference depends on Member States’ procedures, not on EU rules such as the Habitats Directive.

The Commissioner thanked for the meeting, ensured that he remains open for discussion on sensitivities, while reminding that 27 MSs need to agree on legislation.