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From: [REDACTED]

Sent: Thursday, February 25, 2021 9:20 AM

To: [REDACTED]

Subject: Flash report meeting between Commissioner Sinkevicius and Minister Schouten

Importance: High

Flash report meeting between Commissioner Sinkevicius and Minister Schouten (Minister of Agriculture, **Nature and Food Quality** of the Netherlands)

Other participants:

NL : [REDACTED]

CAB: [REDACTED]

MARE: [REDACTED]

ENV : [REDACTED]

The NL Minister highlighted that she wanted to touch upon three topics :

- i) Proportionality and flexibility of the Habitats Directive
- ii) The upcoming new manure policy
- iii) Fisheries and the Brexit Adjustment Reserve

On the Habitats and Birds Directives:

NL Minister shared that new structural approach to Nitrogen will hopefully be voted in the Senate next week and the law will be funded with 6 Billion euros. This package will bring down nitrogen emissions and improve the conservation status of protected habitats and species.

However, in her view, the government is facing some very serious dilemmas which the Minister wanted to discuss with the Commissioner. Some of the solutions to achieve the objectives of the Habitats Directive can have considerable negative impacts on people and harmful social consequences. The risk is that taking measures for these protected areas could trigger a loss of public support for nature conservation policies. Hence they wanted to

discuss with the Commissioner what flexibility could be envisaged when implementing these Directives.

Mr Boerman raised the case of the increased exploitation of drinking water wells near Natura 2000 areas because of the last years' droughts. This increased exploitation is likely to continue and even be exacerbated with climate change, and, despite the good new measures adopted, this may lead to a deterioration of the conservation status of these Protected areas. Off-site compensation measures had been envisaged but there are no places to implement them, hence they wanted to know what flexibility they could count on if deterioration occurs.

Commissioner Sinkevicius welcomed the upcoming adoption of the law and the funding allocated for its implementation and he was very firm recalling the obligations under EU law and the new ambition of the Biodiversity Strategy and the need to integrate climate change effects in the management of protected areas and ensure that we actually not only compromise their conservation status but enhance their resilience to climate change.

NL Minister conveyed her hope that the law will be adopted before the elections, indicated that the draft law had been improved to take account of the observations of the Remkes Committee and reiterated her wish to continue technical discussions to overcome the dilemmas that the Netherlands are facing.

They both agreed that discussions will continue at technical level.

On manure policy

NL Minister conveyed that in September she had presented to the Parliament the new manure policy under development favouring land based systems for the upcoming 7th Action Program. She also conveyed that the Parliament has decided not to continue discussions on this policy until after the elections. They are considering short term and long term measures which will lead to the relocation of some businesses from one part of the country to another. Technical work is ongoing but political discussions will resume after the elections.

██████████ confirmed that the work continues at technical level on the 7 AP and on the fight against fraud. He also reiterated the interest of the NL on the RENURE criteria for manure processing and would want to work closely with the Commission on the matter.

Commissioner Sinkevicius conveyed his strong concern for water quality in the Netherlands and the lack of progress. He also mention the need to step up efforts against fraud mentioning the recent cases in Belgium and Netherlands. He conveyed that as they have been presented the measures under the 7 AP do not seem to match the severity and urgency of the problem in the Netherlands.

NL minister stated that the recent cases of fraud show that controls are performed and perpetrators are caught. She reiterated that they are also worried about water quality. She mentioned that water quality is better in derogated farms because of the additional controls hence without a derogations, water quality would suffer.

On fisheries

NL Minister shared some concerns about the need for flexibility in the Brexit Adjustment Reserve for fishermen to quit the business if they wish to.

Commissioner Sinkevicius conveyed his hope that the Reserve will be adopted soon for the benefit of the fisheries and aquaculture sectors. He conveyed that discussions continue at services level and with the Dutch authorities to ascertain the level of flexibility within State aid rules that could be envisaged.

