

From: [REDACTED]

Sent: Tuesday, May 31, 2022 3:16 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Report - Meeting with NL Ministers Van der Wal, De Jonge, Harbers and Jetten - 31/05/2022

Present:

- Four ministers, responsible for Nitrogen and Nature (Ms Christiane van der Wal), Housing (Mr Hugo de Jonge), Climate and energy (Mr Rob Jetten), and infrastructure and water management (Mr Mark Harbers),
- EC: Commissioner [REDACTED] DG ENV [REDACTED]

NL requested the meeting to brief Commissioner SINKEVIČIUS on the latest developments regarding nitrogen pollution in the Netherlands that is again high on the Dutch political agenda because many housing and energy transition projects awaiting permits face uncertainty due to ongoing national court cases on the compatibility of the latest NL nitrogen law with EU law. The Commissioner took note and encouraged further discussions at technical level with DG ENV on the issue.

NL ministers underlined the commitment of the Government to address the nitrogen problems in the Netherlands and the financial resources allocated for this purpose (25 billion €). They mentioned the very ambitious targets of the new law to reach 74% of areas where nitrogen deposition is under the "critical loads" by 2030 and the government's measures that will lead to a reduction of the number of livestock by 30%. At the same time they underlined the difficult situation they are facing now, where the nitrogen reduction measures are not yet delivering thus there is no "room for deposition" to allow new nitrogen emitting activities. The problem is particularly important for housing, where the government plans to build 900.000 new houses and related infrastructure by 2030, and for "energy transition projects" (including windfarms, hydrogen infrastructure, electrolyzers, etc.), on which the Governments wants to accelerate, considering the climate targets as well as the energy crisis linked to the war. The ministers asked for the Commission's help in coming up with solutions.

Commissioner SINKEVIČIUS stressed the importance to address the problem at source, tackling the needed reduction in livestock numbers. He recalled that this is also the advice of Dutch experts. The Commission is ready to support the NL with technical solutions, provided that

nitrogen emissions are reduced, i.e. that the measures and the investments yield results on the ground. He recalled the need to adopt a legally sound approach given the likelihood of challenges before national courts, as it happened in the past. He also underlined the possibility to use the flexibility mechanisms in the Habitats Directive, and grant authorisations provided that the conditions set in law are fulfilled, including the compensatory measures. He recalled the RePower EU package and advised the NL to work on go to areas and to carry out strategic environmental assessments, so speed up permitting of projects. He recalled the observations expressed by the Commission on the CAP strategic plan, in particular on its insufficient ambition to address air pollution, including from nitrogen, and urged the Ministers to fully address them.

The Ministers recalled that the current measures are expected to lead to a result of 30% reduction in livestock, but this will take time. They stressed once more the commitment of the Government to find solutions and show results.

Commissioner concluded by stressing the need for long term strategy to address this problem, accompanied by interim milestones. He expressed the Commission services availability to continue to discussion at technical level.

To note that in relation to NL's offshore wind projects, the Commissioner inquired about the reaction and acceptance of the fisheries sector. The Ministers confirmed the critical position of fishermen but referred to the North Sea Agreement of 2020 and important funds the government has made available for the fisheries communities and which could be used for permanent cessation, investments in innovation, re-skilling etc.

