

Til: [REDACTED] Louise Martinussen Krupp (lokru@mim.dk), Suraya Ali Nagi (sualn@mim.dk), Christian Bretlau (cbret@mim.dk)
Cc: [REDACTED] DE JACQUEE Jeanne (Jeanne.DE-JACQUEE@ec.europa.eu), FOSDAL Rasmus (Rasmus.FOSDAL@ec.europa.eu), BARRIO MONTOYA Gata (Gata.BARRIO-MONTOYA@ec.europa.eu)
Fra: Rasmus Moes (ramoe@mim.dk)
Titel: SV: Presentation by Denmark in next Nitrates Committee 14 September
Sendt: 11-09-2023 16:15

[REDACTED],

Thank you very much for your e-mail. My team and I are looking forward to present Danish water quality data at the meeting in the Nitrates Committee on Thursday.

We are happy to discuss the points you mention in your email. I understand that my team will meet with you on Wednesday, however without me, as I unfortunately cannot arrive in Brussels until later in the evening.

Also, we are of course interested in discussing conditions for a new derogation on our up coming meetings.

My team and I look forward to continue the discussions about a new possible extension of the Danish derogation on the limit of manure application.

Kind regards,
Rasmus

Rasmus Moes

Head of Department | Water and Climate adaptation
+45 41 96 94 27 | ramoe@mim.dk

The Danish Ministry of Environment

The Department | Frederiksholms Kanal 26 | 1220 Copenhagen K | Phone +45 38 14 21 42 | mim@mim.dk | www.en.mim.dk
[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Youtube](#)

Fra: [REDACTED]

Sendt: 30. august 2023 15:21

Til: Rasmus Moes <ramoe@mim.dk>; Louise Martinussen Krupp <lokru@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; Christian Bretlau <cbret@mim.dk>

Cc: [REDACTED] DE JACQUEE Jeanne (Jeanne.DE-JACQUEE@ec.europa.eu), FOSDAL Rasmus (Rasmus.FOSDAL@ec.europa.eu), BARRIO MONTOYA Gata (Gata.BARRIO-MONTOYA@ec.europa.eu)

Emne: Presentation by Denmark in next Nitrates Committee 14 September

Dear Mr Moes,

As agreed in July, we have considered the Danish request to present the Danish water quality data in the next meeting of the Nitrates Committee in Brussels on 14 September in the context of the preparation of a possible extension of the Danish derogation regarding the manure application limit set out in Annex III of the Nitrates Directive.

I would like to thank you for the fruitful meetings as well as the written replies to our questions in this regard. On this basis we consider that we can proceed with the presentation in the September Nitrates Committee on 14 September.

At the same time I would like to share with you some points where we continue to have concerns regarding the extension of the derogation decision, which will need to be addressed in our further discussions. These include in particular:

- The fact that significant measures are still to be decided (and implemented) by DK in order to fulfil the objectives under the WFD in 2027.

- A significant remaining reduction requirement identified for nitrate emissions to coastal areas concentrated in catchments that are overlapping with key livestock regions with many derogation farms.
- The apparent decoupling of the manure production in Danish derogation farms from the limit set out in annex II to the ND partly due to the availability of an expanding biogas production infrastructure facilitating a distribution of nitrogen to other farms in the region. Average production on derogation farms of 270 kg/ha is already far above the derogation limit of 230 kg/ha. In this context, the concern is that the derogation risks providing additional room for intensification of livestock production on derogation farms, with resulting negative effects in regions already affected by pollution and where there is an important remaining effort to be done to achieve environmental objectives. In this context:
 - Eutrophication of lakes and the possible impact of nutrient emissions from intensive livestock production.
 - Ammonia emissions from intensive livestock operations.
 - Protection of nitrogen sensitive Natura2000 areas.
 - Protection of drinking water extraction areas.

Therefore, any derogation decision would be conditional on satisfactory additional measures/conditions being put in place to address the above concerns. This could also include a reduction of the overall limit of 230 kg/ha, at least in more affected regions, as well as a derogation limited to two years, in the light of the deadline under the WFD and the current state of play in the implementation of national measures.

Furthermore, depending on the efforts still needed to achieve environmental objectives, Denmark should consider scenarios for an eventual phasing out of the derogation.

We are available to discuss these concerns and possible options for addressing in further detail. I would propose that a meeting could be organised for this purpose in the coming weeks.

Finally, to allow for proper preparation and possible clarification of any questions, we would ask you to share with us the power point presentation that you plan to use. Preferably around a week before the meeting.

Kind regards,

[Redacted]

Head of Unit



EUROPEAN COMMISSION
DIRECTORATE-GENERAL ENVIRONMENT
Directorate D – Biodiversity
ENV.D.1 - - Land Use & Management

TEL +32-2-299.02.14
BREY2 – Avenue d'Auderghem 19
1049 Brussels

Til: [REDACTED]
Cc: Christian Bretlau (cbret@mim.dk), Suraya Ali Nagi (sualn@mim.dk), [REDACTED], [REDACTED], [REDACTED], Rasmus Moes (ramoe@mim.dk)
Fra: Louise Martinussen Krupp (lokru@mim.dk)
Titel: SV: Meeting in the nitrate commission
Sendt: 08-09-2023 16:19
Bilag: NC DK 14.09.pdf;

Dear [REDACTED]

Attached you find a draft of our presentation which you're welcome to comment on. Editorial changes might happen in the beginning of next week.

Head of Section in the Ministry of Food and Agriculture, Morten Ejrnæs, will be participating in the meeting on 13th September from 2pm-3 pm. Is it possible to add him to the meeting registration?

Regarding the meeting on 13/9 we're planning on bringing copies of a short presentation.

We look forward to seeing you next week.

Have a nice weekend,
Louise

Fra: [REDACTED]
Sendt: 4. september 2023 16:26
Til: Louise Martinussen Krupp <lokru@mim.dk>
Cc: Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; [REDACTED]
Emne: RE: Meeting in the nitrate commission

Dear Louise

We have now booked a meeting room here at the DG ENV premises in Breydel 2.

As for the agenda, I guess the meeting would be an occasion to go through the various points in an informal manner, addressing any questions you might have, in order to make sure we have a common understanding of the way forward.

You are of course welcome to prepare something in writing if you want to convey some messages or questions to us, either in the meeting itself or beforehand. If so, please let us know.

In any case, we look forward to seeing you next week. Also, do remember to share the presentation that you expect to use in the committee so that we can have a look in advance.

Kind regards

[REDACTED]
[REDACTED]



European Commission
Directorate General Environment
Unit D-1 Land Use & Management
[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Monday, September 4, 2023 8:30 AM

To: [REDACTED]

Cc: Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; [REDACTED]

Subject: SV: Meeting in the nitrate commission

Dear [REDACTED]

Meeting on Wednesday 2.00pm-3.00 pm sounds good. Are there some specific point you would like us to prepare concerning the points below from Ion's email?

- The fact that significant measures are still to be decided (and implemented) by DK in order to fulfil the objectives under the WFD in 2027.
- A significant remaining reduction requirement identified for nitrate emissions to coastal areas concentrated in catchments that are overlapping with key livestock regions with many derogation farms.
- The apparent decoupling of the manure production in Danish derogation farms from the limit set out in annex II to the ND partly due to the availability of an expanding biogas production infrastructure facilitating a distribution of nitrogen to other farms in the region. Average production on derogation farms of 270 kg/ha is already far above the derogation limit of 230 kg/ha. In this context, the concern is that the derogation risks providing additional room for intensification of livestock production on derogation farms, with resulting negative effects in regions already affected by pollution and where there is an important remaining effort to be done to achieve environmental objectives. In this context:
 - Eutrophication of lakes and the possible impact of nutrient emissions from intensive livestock production.
 - Ammonia emissions from intensive livestock operations.
 - Protection of nitrogen sensitive Natura2000 areas.
 - Protection of drinking water extraction areas.

Best,
Louise

Fra: [REDACTED]

Sendt: 1. september 2023 17:40

Til: Louise Martinussen Krupp <lokru@mim.dk>

Cc: Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; [REDACTED]

Emne: RE: Meeting in the nitrate commission

Dear Louise

Sounds like a good idea to have the meeting on Wednesday 13/9 and we are of course available for a brief chat on Thursday after the committee as well.

In terms of timing, would 14.00-15.00 be ok on the Wednesday?

Best,

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Friday, September 1, 2023 2:01 PM

To: [REDACTED]

Cc: Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; [REDACTED]

Subject: SV: Meeting in the nitrate commission

Dear [REDACTED]

30-45 min. presentation is good. Besides from water quality data, I then I also foresee that we will include some information about achieving the residual effort.

Regarding a meeting in connection with the committee meeting, then Rasmus can unfortunately not be in Brussels until early evening on the 13th. However he is okay with us (Christian, Wibke and I) having the meeting without him but we can also have the meeting after the nitrate meeting. Maybe we can do both - a 1 hour meeting on the 13th and then a quick 30 min. meeting after the nitrate committee meeting to discuss how it went and go over the next steps?

Best,
Louise

Fra: [REDACTED]

Sendt: 1. september 2023 10:25

Til: Louise Martinussen Krupp <lokru@mim.dk>

Cc: Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; [REDACTED]

[REDACTED]

[REDACTED]

Emne: RE: Meeting in the nitrate commission

Dear Louise

Thank you for your message. Indeed it would make sense to discuss while you are in Brussels for the committee. Unfortunately, Ion will not be here on the 14 September. If you happen to already be in Brussels the day before, we might be able to have the meeting in the early afternoon on Wednesday 13 September. Alternatively, we can also have the meeting without Ion after the committee (so probably around 16.00-17.00 Thursday). Let us know what suits best.

As for the presentation in the committee, we would propose a presentation of 30-45 minutes followed by questions. Does that sound fine with you?

Best,
[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Thursday, August 31, 2023 2:55 PM

To: [REDACTED]

[REDACTED]

Cc: Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>

Subject: Meeting in the nitrate commission

Dear [REDACTED]

Thank you very much the email yesterday to Rasmus in which you confirmed that we're on the agenda for Nitrates Committee meeting on 14 September. Rasmus will of course reply to Ion.

Also thanks for the topics for further discussions. Would it be possible to have a meeting after the Nitrate Committee to initiate discussions around the topics?

How much time is allocated to our presentation at the nitrate committee? I guess it is a short summary of the presentation we gave in Brussels in May? Unfortunately the scientists are

not available to give the presentation but we will use their data from the national monitoring program.

Best,
Louise

Venlig hilsen

Louise Martinussen Krupp
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+45 24 41 68 93 | lokru@mim.dk

Miljøministeriet

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www.mim.dk
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Departementet

Bilateral meeting DK- EC Nitrates team

2023

Brussels

September
Ministry of Environment

Agenda 13 september

- .Measure to fulfil the objectives under the WFD in 2027
- .Manure production in Danish derogation farms vs. expanding biogas production infrastructure
- .Eutrophication of lakes and the possible impact of nutrient emissions
- .Ammonia emissions & Protection of nitrogen sensitive Natura 2000 areas and protection of drinking water extraction areas
- .Future regulation

Nitrogen measures in the agreement

An updated scientific basis for nitrogen-reducing measures

Targeted regulation: catch crops, fallow areas, energy crops, precision agriculture

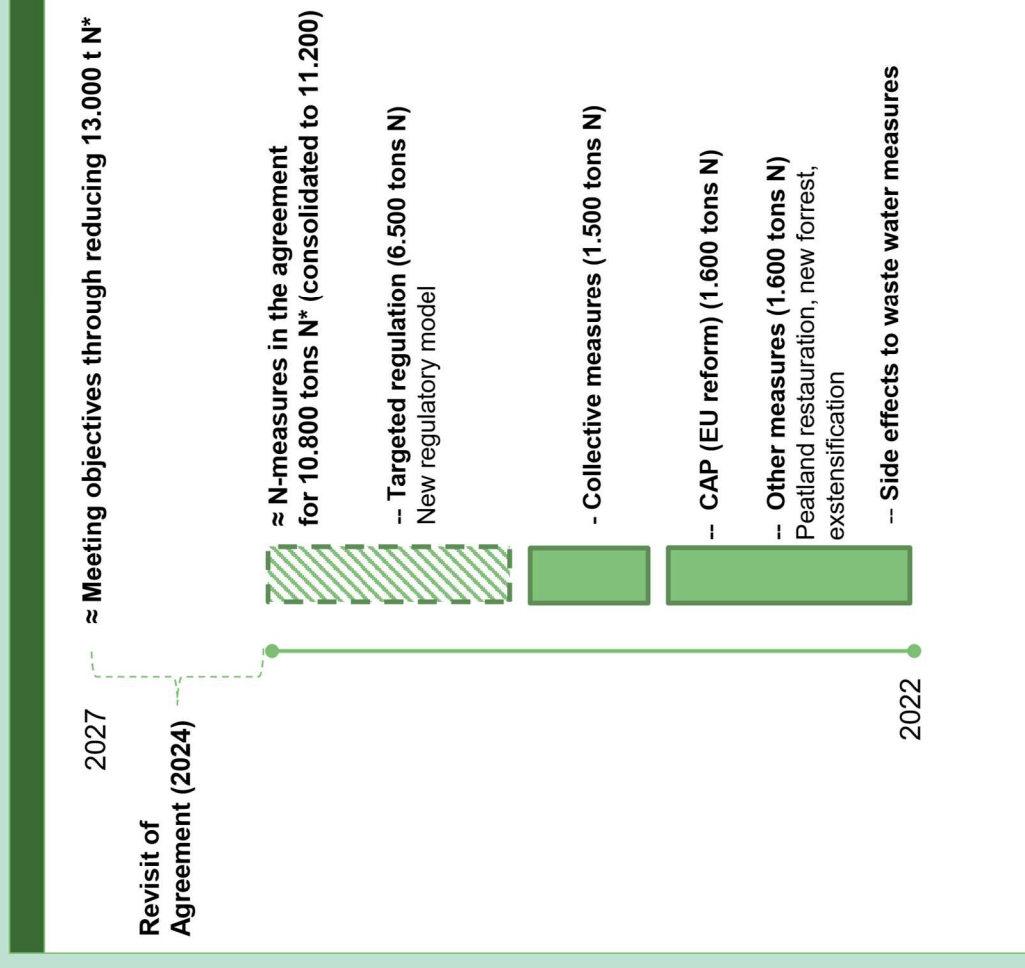
Collective measures: establishing wetlands and afforestation

Effects: it is expected that due to natural delay, the coastal areas will not achieve good ecological status until after 2027.

The environmental guarantee:

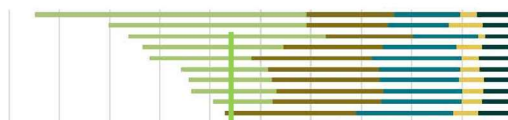
In case voluntary instruments does not meet the goals, mandatory requirements are introduced.

*A second opinion of the scientific basis of calculating the reduction need is in progress.





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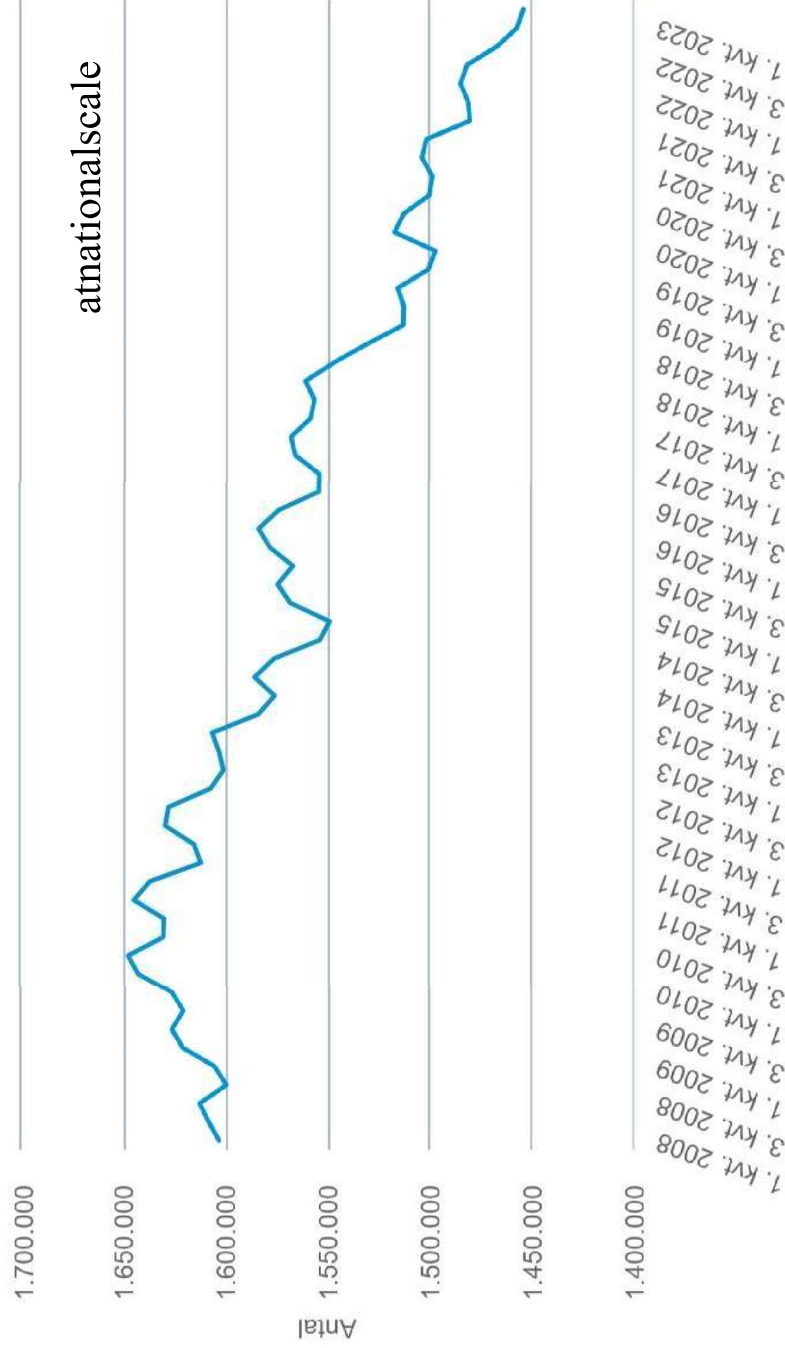
Manure production vs. expanding biogas production

2023

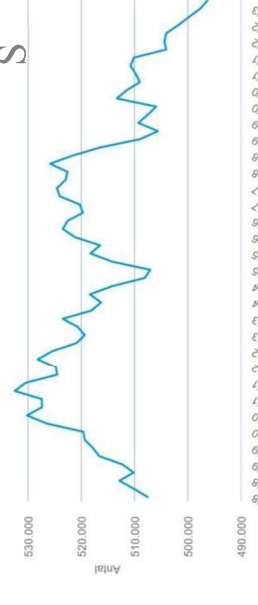
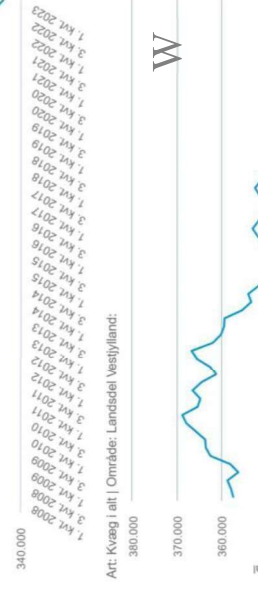
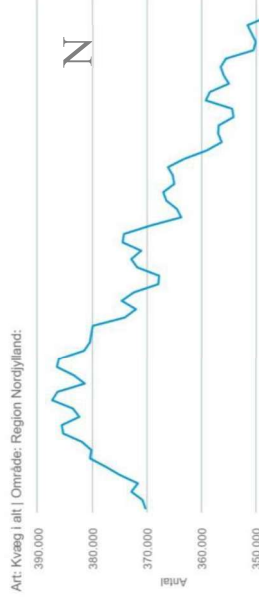
September

Kvægbestanden

Art: Kvæg i alt | Område: Hele landet:



Indiferentpartsofjueland(westernpeninsula)



Developmentincattle-lifestocknumbers(2008-2023)

Source: Danmarks Statistik



2019
2020
2021
2022



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Udvikling i biogaspotentialer fra de viste typer biomasse over tid under de givne antagelser. Det viste potentialer for 2040 skal forstås som en øvre grænse under forudsætning af fuld anvendelse af al biomasse

	Potentialer (PJ/år)	Ref.	Vurderet mulig biogasproduktion fra den pågældende type biomasse (PJ/år)			
			2020	2025	2030	2040
Gylle & gødning	16	a	5	6	12	20 ⁶
Halm	32	b	1	5	15 ⁵	45 ⁵
Dybstrøelse	7	a	0,7	3	6	7
Industri & andet restaffald ¹	8	c	8	8	8	8
Kasserede afgrøder ²	-		0,3	0,4	0,6	0,9
KOD & andet grønt affald ³			2	6	6	6
- heraf KOD	5	a	2	5	5	5
- hove/park affald	1	b	0	1	1	1
Grønt landbrugsaffald ⁴			1	2	7	7
- heraf roetoppe og andre toppe	3	b	0	1	3	3
- græs fra naturarealer ⁷	3	b	1	2	3	3
- randzoner og grøftekanter	1	b	0	0	1	1
I alt			16	30	55	94

Source: https://ens.dk/sites/ens.dk/files/Bioenergi/energiagroedcleanalysen_med_bilag.pdf

Expectation: there will be sufficient biomass for biogas production. It is predicted that technological progress and improved production forms will increase liquid manure and straw.

- Biogas yields from liquid manure will increase in the future via methods such as more rapid lysing and liquid manure from livestock buildings
- The production plants will become better at decomposing and exploiting biomass, i.e. a higher biogas yield per kg of biomass.

Straw in particular is expected to play a large role in future biogas production. Depending on technological advances and the possibilities for using straw, an overall domestic biomass-based biogas potential of between 74 to 94 PJ/year is expected by 2040.

Source: https://ens.dk/sites/ens.dk/files/Naturgas/groen_gasstrategi_en.pdf

Feedstock for biogas production in the future



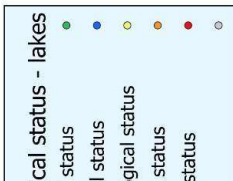
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Eutrophication of lakes

2023

September

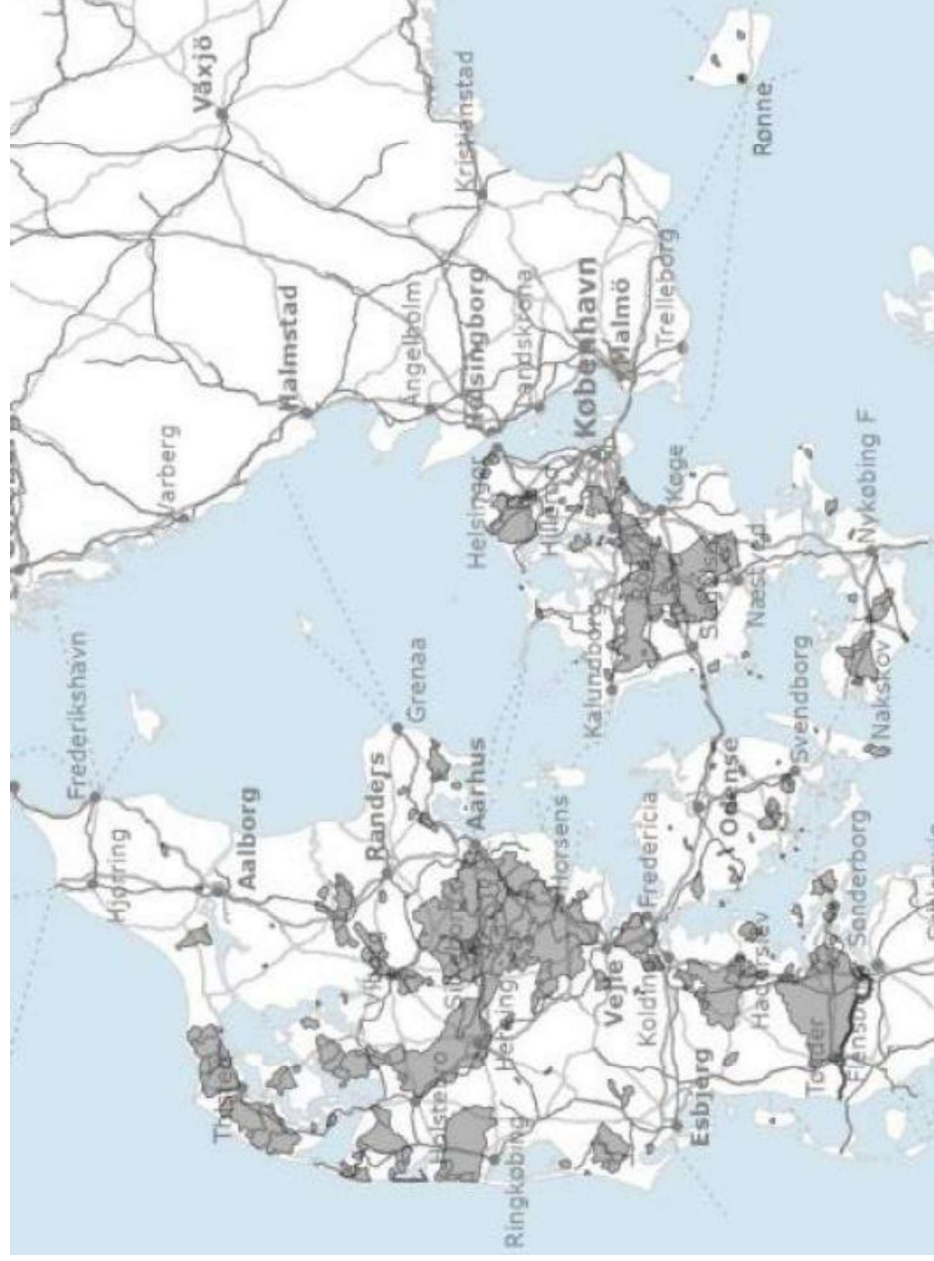
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Current & future Phosphorus ceilings

Fertilizertype	Pceilings	in 2022/2023	Pceilings from 2025/2026	Indirect N limitation
Slurry etc. from pig, poultry & fur animals	33 kg P/ha	29 kg P/ha		
Cattle slurry	30 kg P/ha	29 kg P/ha		
Pfertilizer on derogation farms	34 kg P/ha	33 kg P/ha < 200 kg N/ha		
Other organic fertilizers	30 kg P/ha	30 kg P/ha		
Chemical fertilizer	30 kg P/ha	30 kg P/ha		

Stricter Phosphorus ceilings in catchments to P-sensitive lakes



Max.30/34kgP/ha



Ammonia emissions & Protection of nitrogen sensitive Natura2000 areas

2023

September

NO _x
89
18
21

(ust)

organic compounds

port

locals to year

Model 1: the manure produced at derogation farms beyond 170 kg N/ha will be left out of the production
→ **reduction in emissions of 190 tonnes of NH3-N**

Model 2: The manure produced at derogation farms beyond 170 kg N/ha will be applied to other farm areas so that the farm will be comply with 170 kg N/ha limit
→ **increase in emissions of 30-60 t NH3-N**

Span due to regulatory requirements regarding application technique (outside of NAP) in different situations (e.g. injection into grass land vs application by trail hose/shoe in e.g. established cereal cultures:



<https://landbrugsavisen.dk/avis/gylle-p%C3%A5-5-gr%C3%A6s-v%C3%A6s-v%C3%A6g-den-rette-metode>



<https://oerd.dk/raadgiverbloggen/2022/udbud-af-oekologiske-goedninger/>

Ammoniaemissions

Slurry application may only be done by the use of

- Trailing hoses
- Trailing shoes
- Injection

Injection or acidification is required on

- Areas without established crops
- Grassland
- Areas within 20 metres of nature sensitive to ammonia

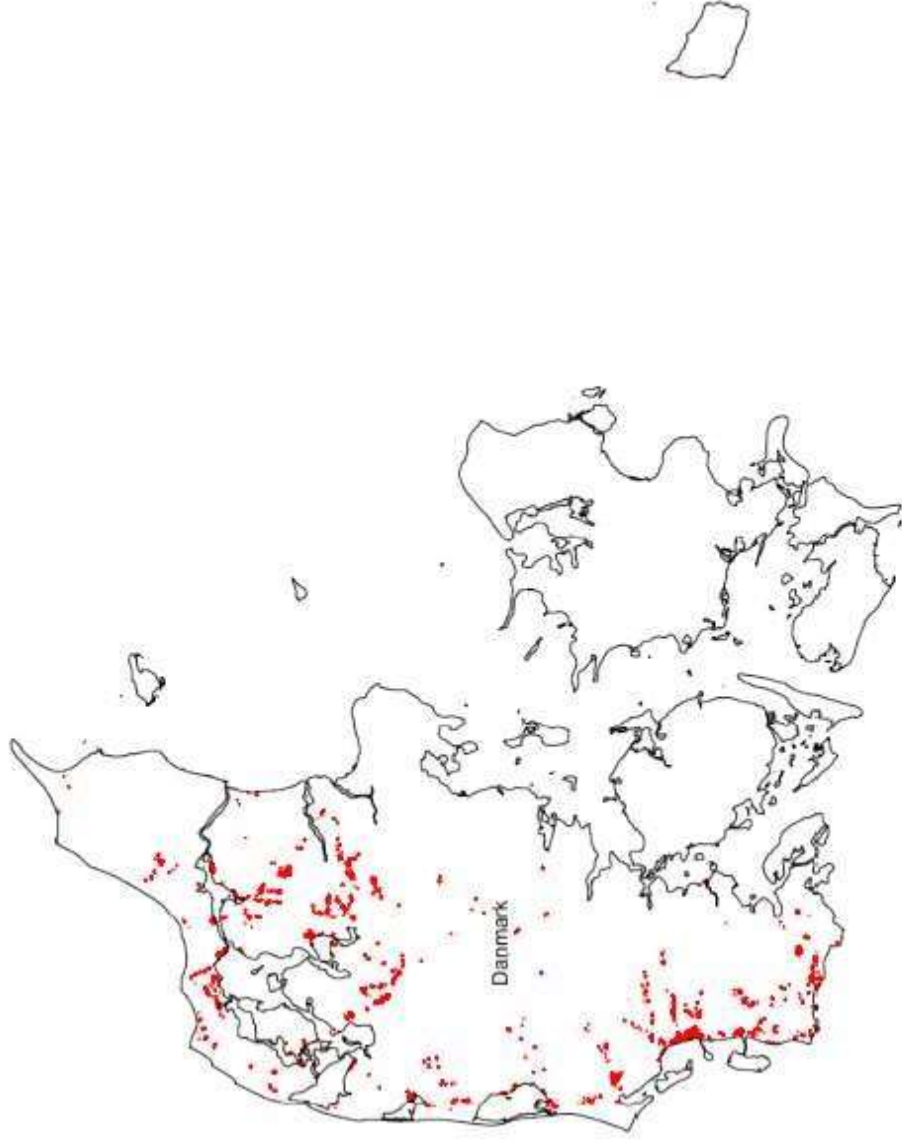


Slurry application techniques for reducing ammonia emissions



Natura2000

Fields belonging to
derogation farms in
Natura2000 areas and 250m
outside Natura2000 area.







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Future regulation

2023

September

13

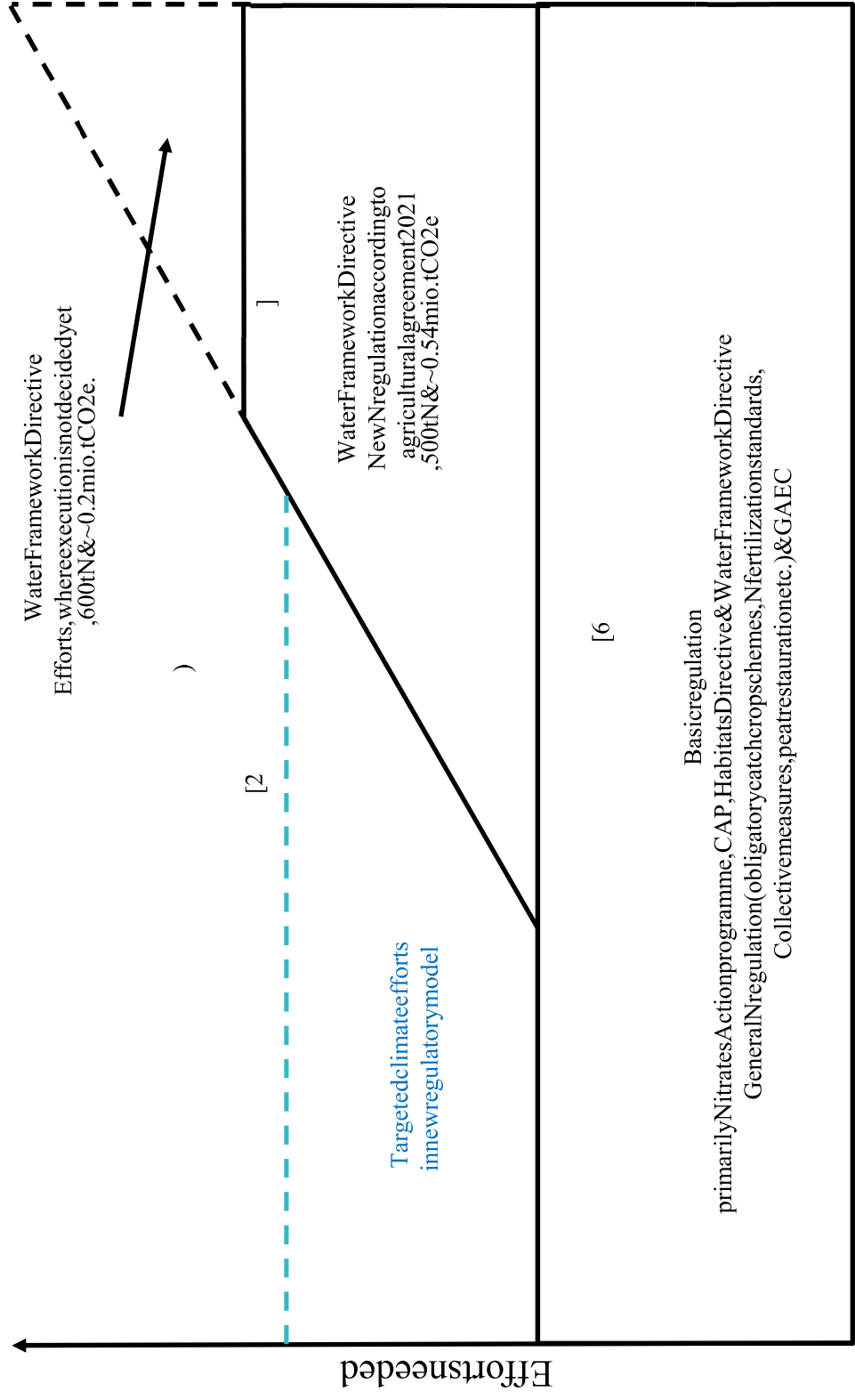
WFD2027 – calls for an even more targeted regulation at farm level



New Nitrogen regulation (planned for 2026) aiming at applying calculated N loss at farm level as basis for regulation/schemes etc.



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all coastal water catchments



Vision: Accounting at farm level

- Development of a farm level model that will enable accounting and regulation of the loss of nitrogen in 2026. And later the emissions of greenhouse gasses from the individual farm.
- This can ensure more targeted and cost-efficient regulation of the agricultural sector.

Climate	
Your emissions XXX t CO ₂ e	😊
Your goal XXX t CO ₂ e	😊
Difference (emission goal) XXX t CO ₂ e	🔄

Top 3 emission sources

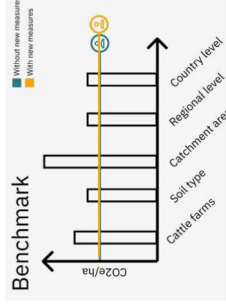
1. Stable
2. Stock
3. Field

... See complete list

Options for further action

- Feed additives
- Extensification of peatlands

... See complete list



Environment	
Your emissions XXX t N	😞
Your goal XXX t N	😊
Difference (Udledningsmål) XXX t N	🔄

Top 3 emission sources

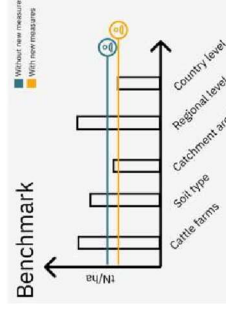
1. Field
- 2.
- 3.

... See complete list

Options for further action

- Mini wetland
- Precision agriculture

... See complete list



How to succeed with the green transition of the agricultural sector?



***If not one way,
then the other...***





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Thank you for your attention

2023

September

13

Groundwater nitrate concentration on sandy soils

from Derogation report 2022:

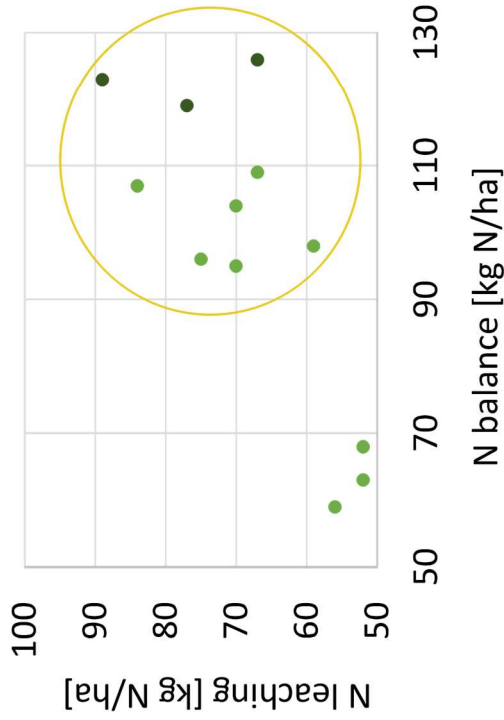


TABLE 4.6 N inputs, N balances and nitrate leaching and nitrate concentration at the bottom of the root zone calculated for four groups of livestock densities at cattle farms and for three geographical areas in Jutland, Denmark, 2021. Combined dataset from the single payment register and the fertiliser accounts. Organic farms were not included in the analysis.

Region	Annual use of organic N kg N ha ⁻¹	N balance (kg N ha ⁻¹ a ⁻¹)						Root zone water					
		Inorg. fertilizer	Animal manure	Other org.	N. fix.	N depos.	Seeds	Total input	Harvest	N balance	Percolation (mm a ⁻¹)	Nitrate leaching (kg N ha ⁻¹)	NO ₃ ⁻ conc. (mg l ⁻¹)
Jutland N	0-100	85	51	1.6	16	14	1.2	167	105	63	355	52	64
	100-140	77	117	1.1	22	14	1.5	233	135	98	361	59	72
	140-170	68	157	0.1	30	14	1.4	271	161	109	359	67	83
	170-230	63	199	0.1	37	14	1.3	314	188	126	349	67	85
Jutland NW	0-100	84	61	3.8	17	14	1.5	180	113	68	430	52	54
	100-140	72	120	0.0	18	14	1.5	226	130	95	458	70	68
	140-170	63	153	0.0	27	14	1.5	259	155	104	436	70	71
	170-230	57	196	0.2	34	14	1.5	303	184	119	445	77	77
Jutland W	0-100	79	55	5.3	17	16	1.6	173	115	59	520	56	48
	100-140	78	119	1.7	18	16	1.7	235	139	96	546	75	61
	140-170	72	158	0.8	25	16	1.7	273	166	107	544	84	68
	170-230	69	201	0.2	26	16	1.5	314	192	123	550	89	71





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Danish water quality data

EUNitratecommittee meeting

2023

Brussels

september
Waterandclimateadaptation
unit

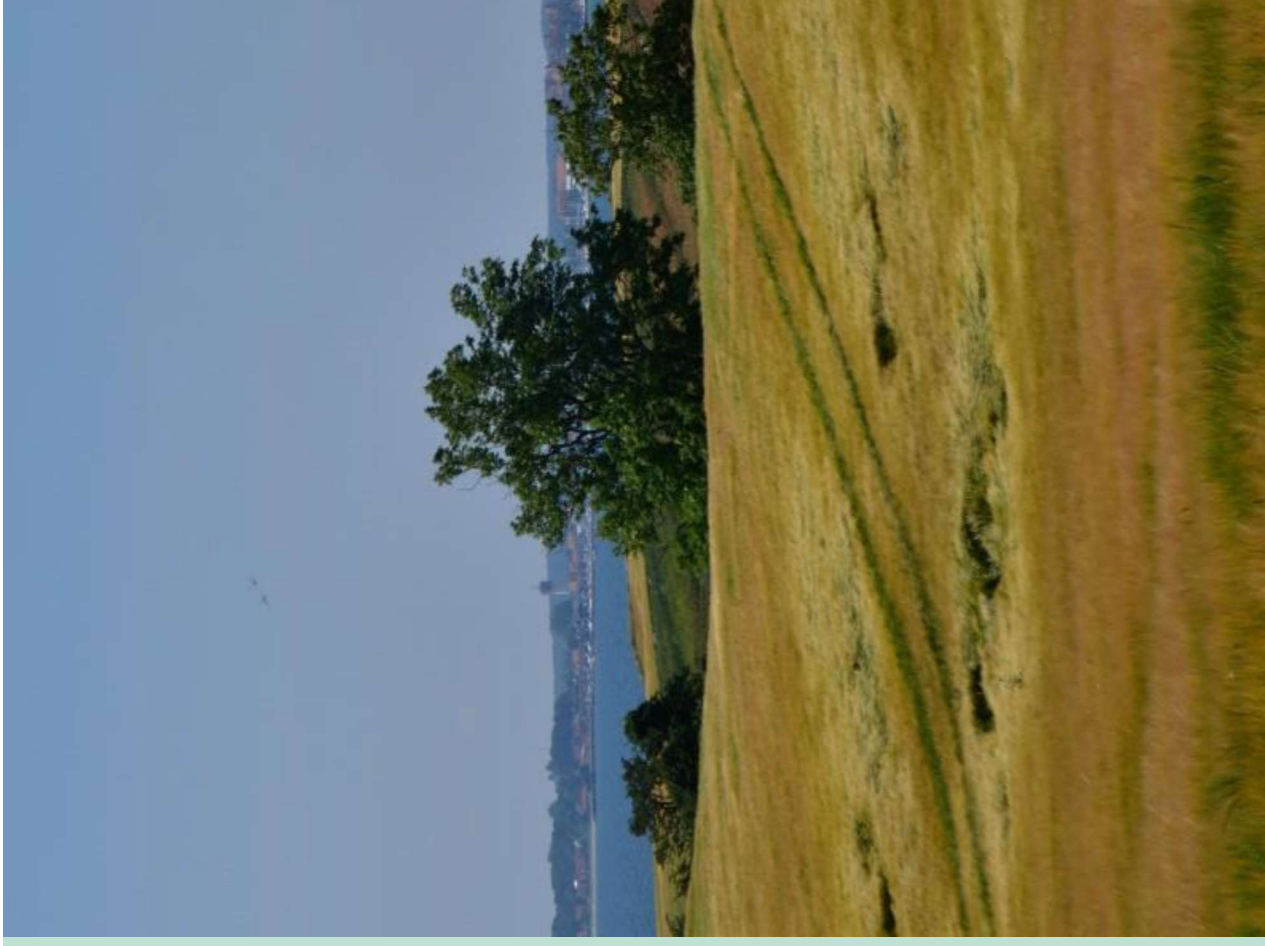
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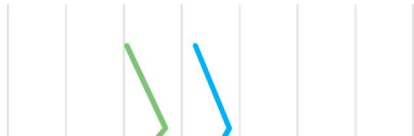


Groundwater




■ <0.05
■ ≥ 0.05
■ ≥ 0.05
■ <0.05

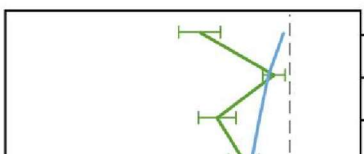
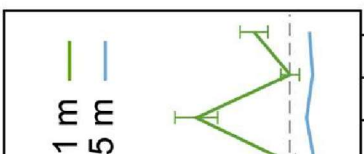




2021 2022

degree with







Lakes

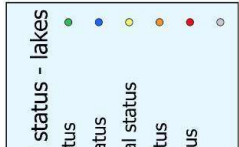




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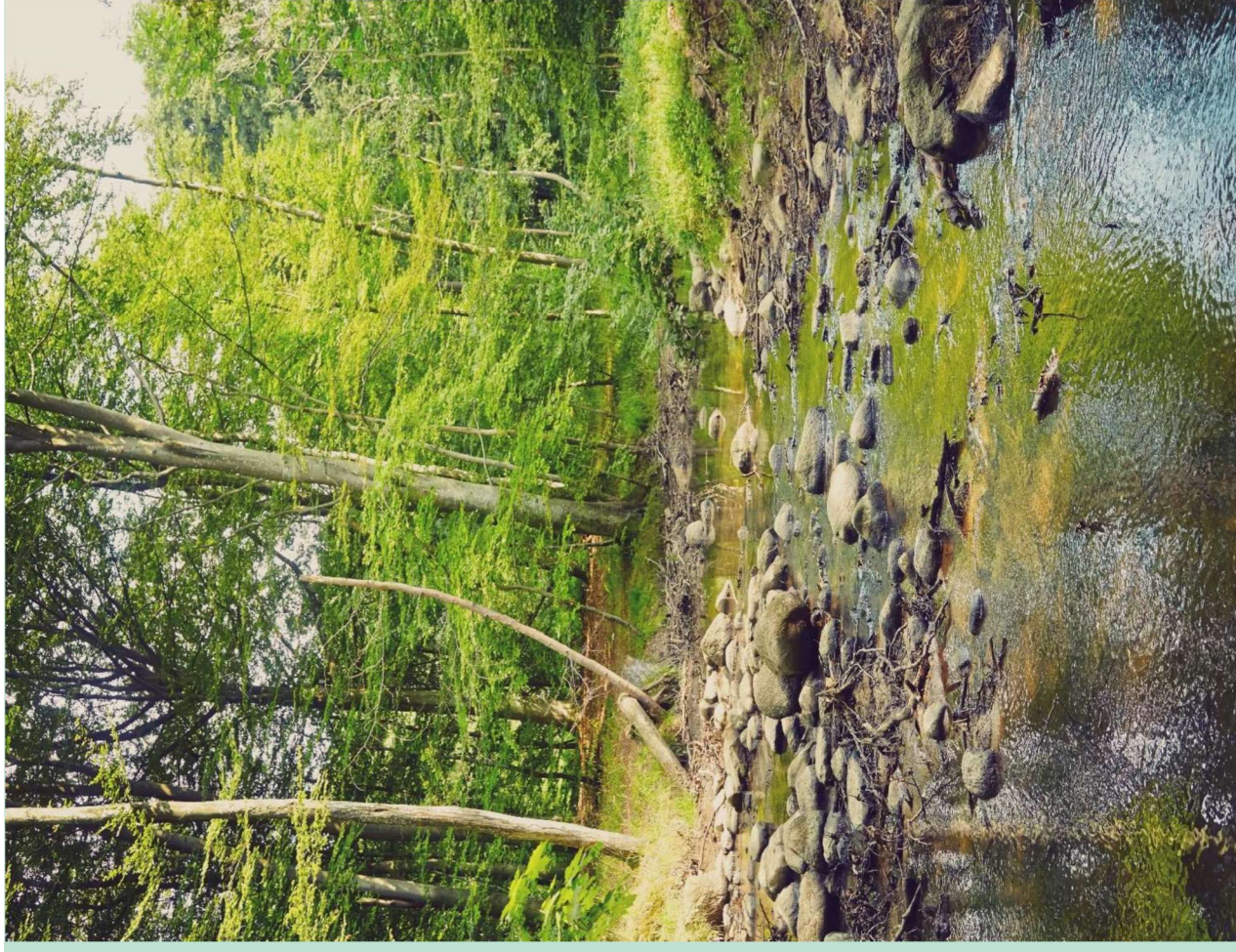
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Conclusions-lakes

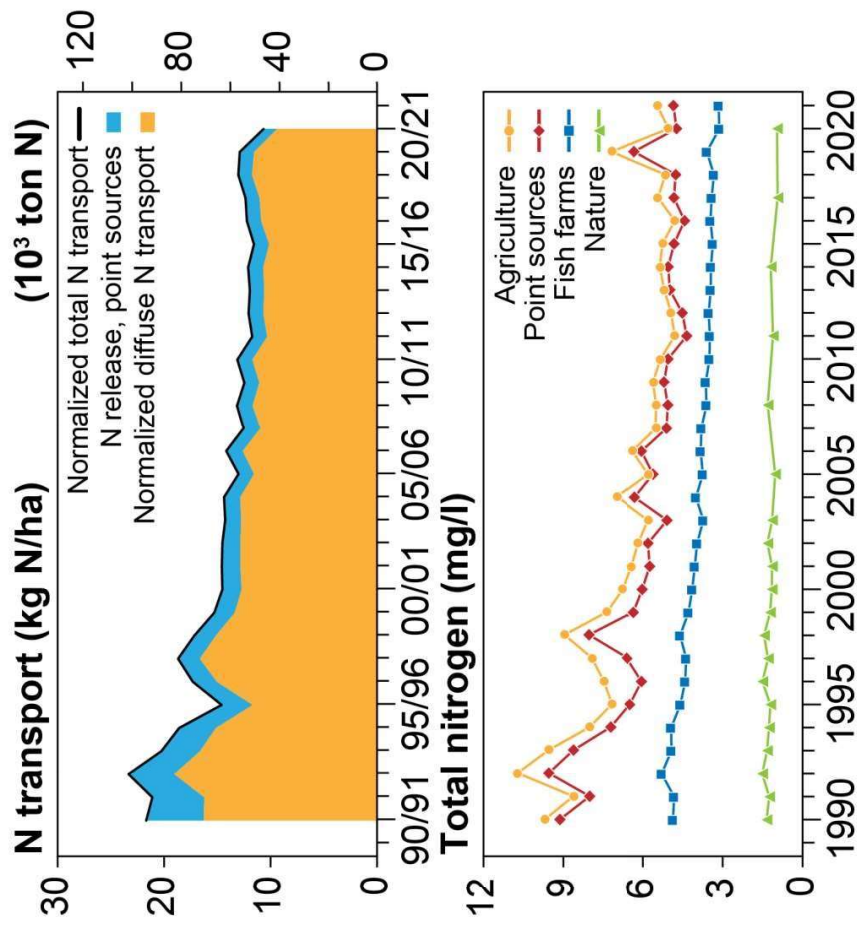
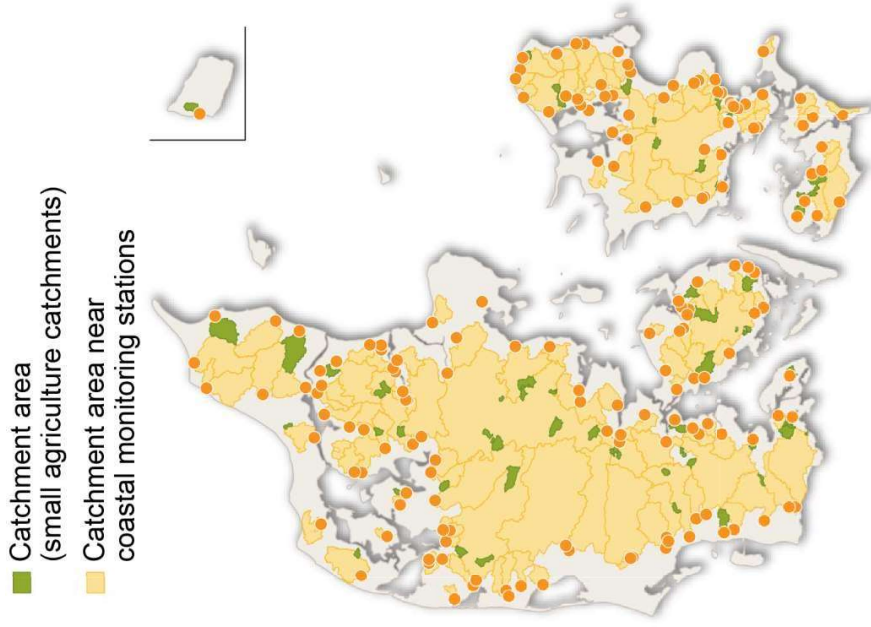
- Big improvement in lakes in the 1990's primarily due to better waste water management
- Total P and N increase in lakes within the last 10-20 years

Water courses



Streams

N concentration and load to coastal and marine waters



KORT SKAL OPDATERES

Source: Vandløb 2021



Coastal areas



tal

nce 2003

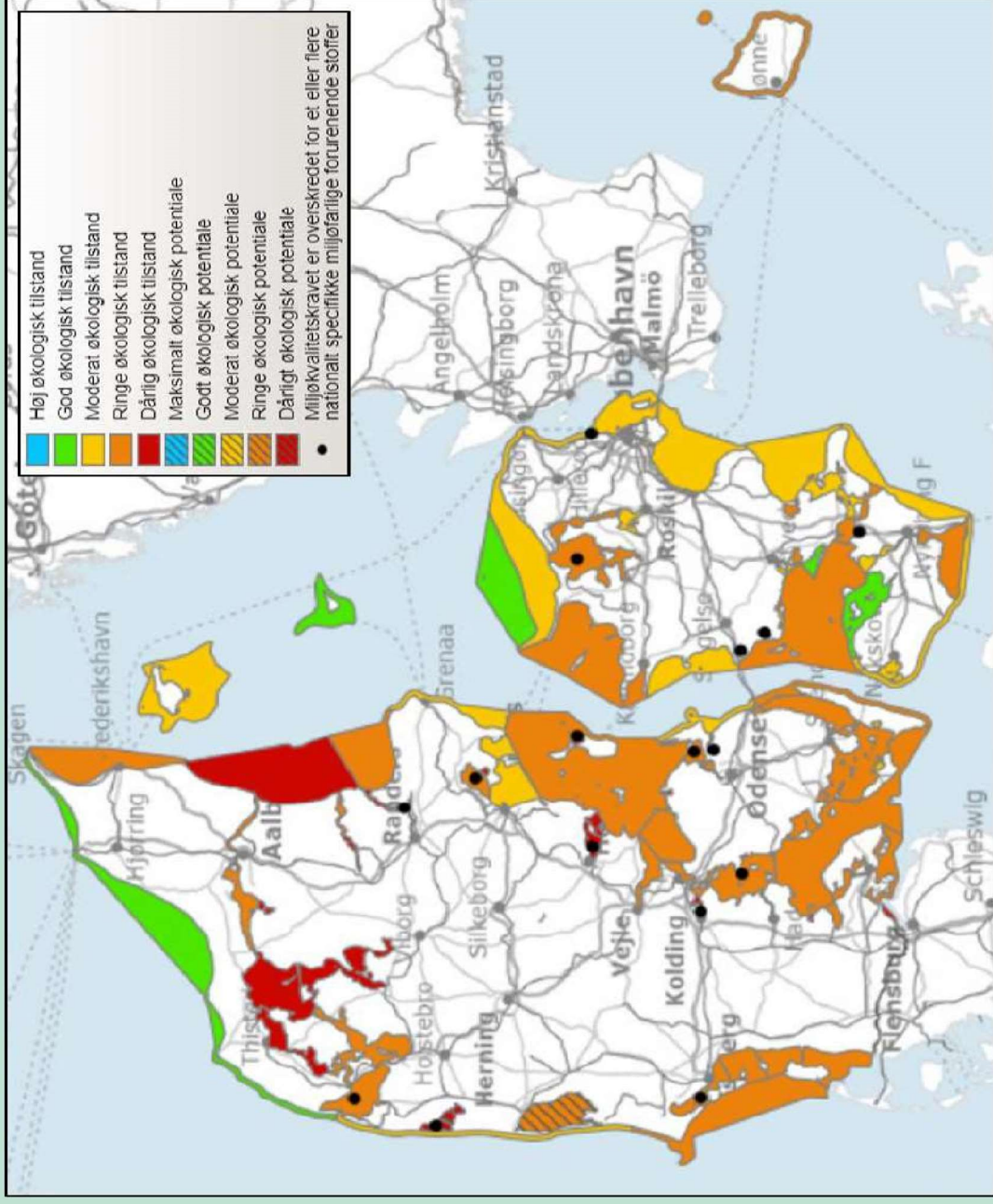


Coastal areas

The reported status of eutrophication corresponds to the status assessments from the River Basin Management plans 2021-2027.

Primary factors that prevent good ecological status:

- Elevated nutrient input and eutrophication

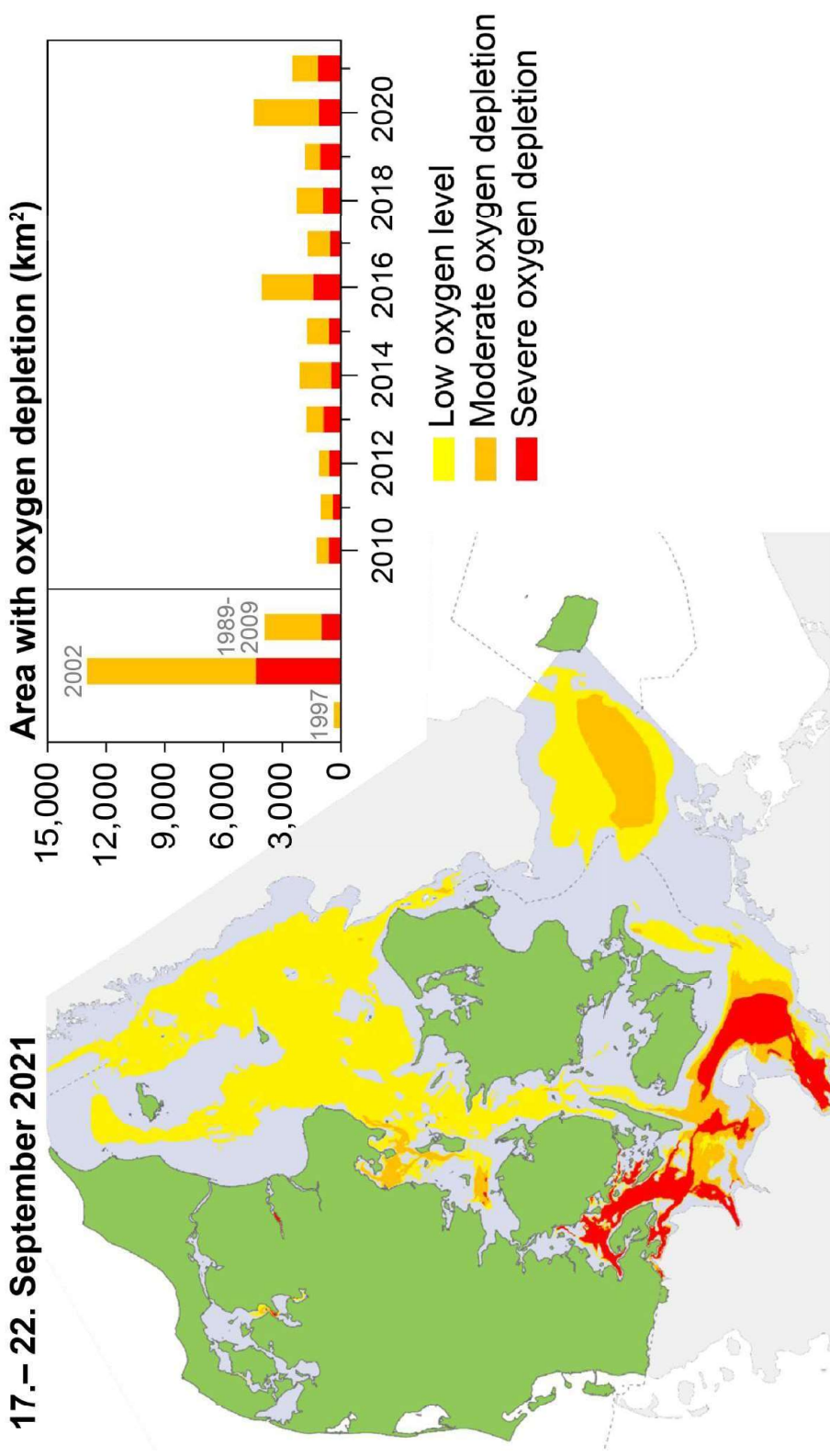






Marine area with moderate and severe oxygen depletion

17.– 22. September 2021



Conclusions-coastal waters

- Approx. 40% reduction in concentration of total Nitrogen in the coastal waters since 1990.
- The positive development has leveled out since 2003
- The recent extent of oxygen depletion is lower than the 1989-2009 period, but there is an overall increase over the last decade
- The seasonal oxygen depletion in coastal areas is becoming more long-lasting in the southern Belt Seas, i.e. starting earlier and ending later in the season
- Changes in climatic conditions are counteracting expected improvements, e.g. increased temperatures in the coastal waters

Broad and ambitious agreement on Green transition of Danish agriculture

Purpose

Green transition of agriculture and forestry:

- Primarily climate and water environment
→ nature and biodiversity as a side effect

*Afale om grøn omstilling af dansk landbrug
af 4. oktober 2021 mellem regeringen, Venstre, Dansk
Folkeparti, Socialistisk Folkeparti, Enhedslisten,
Det Konservative Folkeparti, Radikale Venstre,
Liberal Alliance og Næstendamerne.*



Goals and ambitions

Water environment

Compliance with the Water Framework Directive in 2027

Nitrogen-reducing measures corresponding to an annual load reduction of approx. 10.800 t N out of a total annual need of 13.000 t N

Of this, 10.400 t N contribute to reductions that lift obligations under the Water Framework Directive.



Nitrogen measures in the agreement

An updated scientific basis for nitrogen-reducing measures

Targeted regulation: catch crops, fallow areas, energy crops, precision agriculture

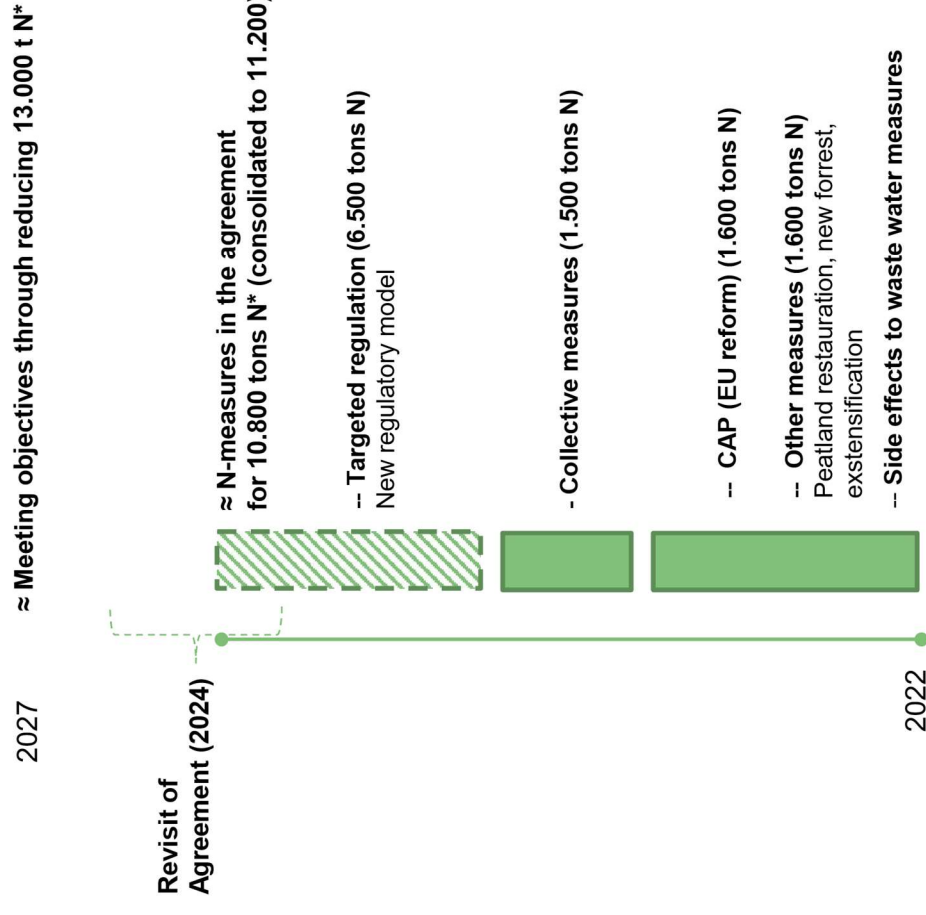
Collective measures: establishing wetlands and afforestation

Effects: it is expected that due to natural delay, the coastal areas will not achieve good ecological status until after 2027.

The environmental guarantee:

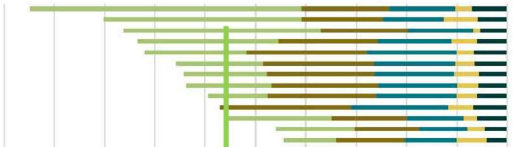
In case voluntary instruments does not meet the goals, mandatory requirements are introduced.

*A second opinion of the scientific basis of calculating the reduction need is in progress.





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33
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Miljøministeriet
Departementet

**Thank you for your
attention & interest!**

2023

september
The Danish Ministry of
Environment



Back up slides

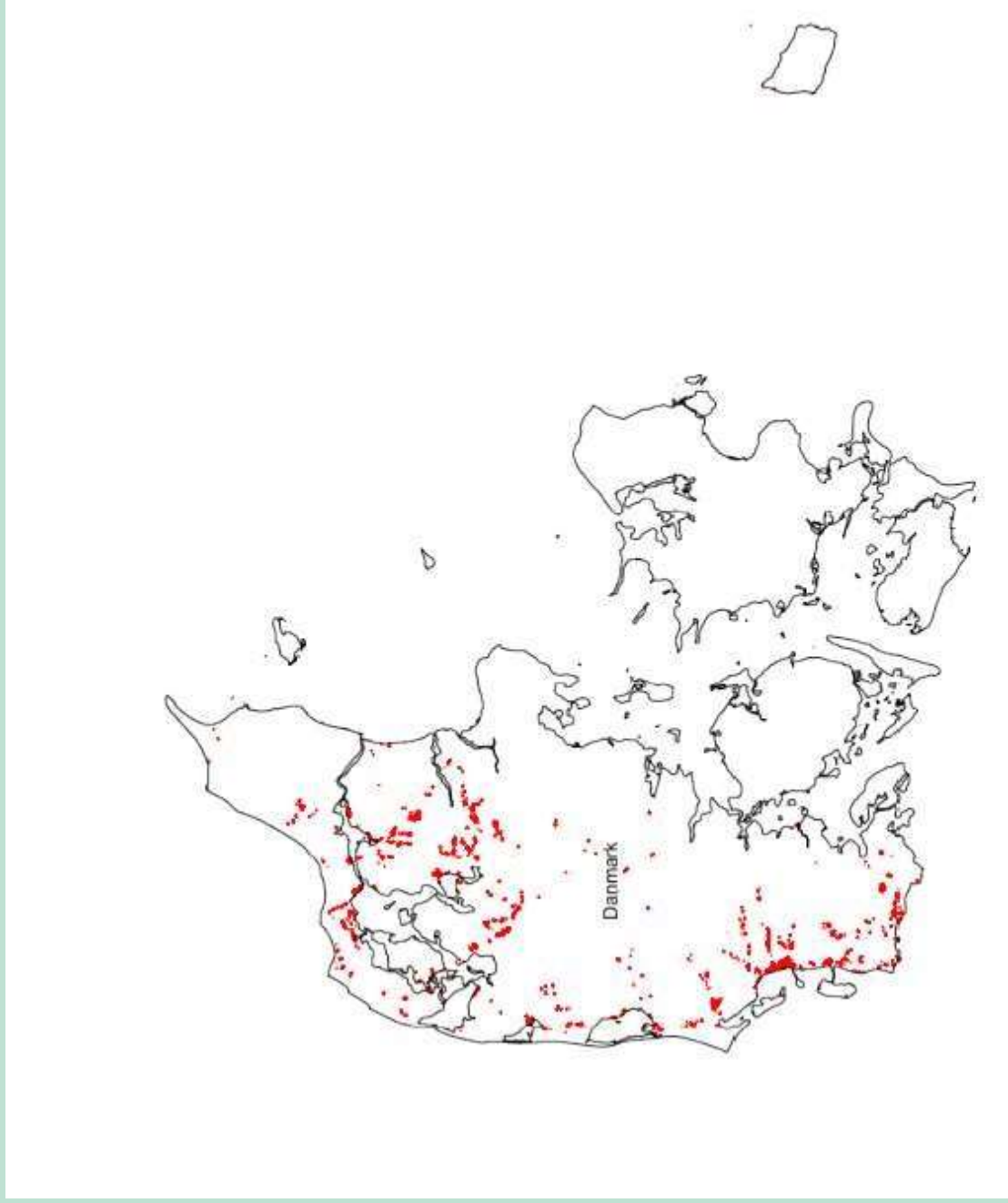
2023

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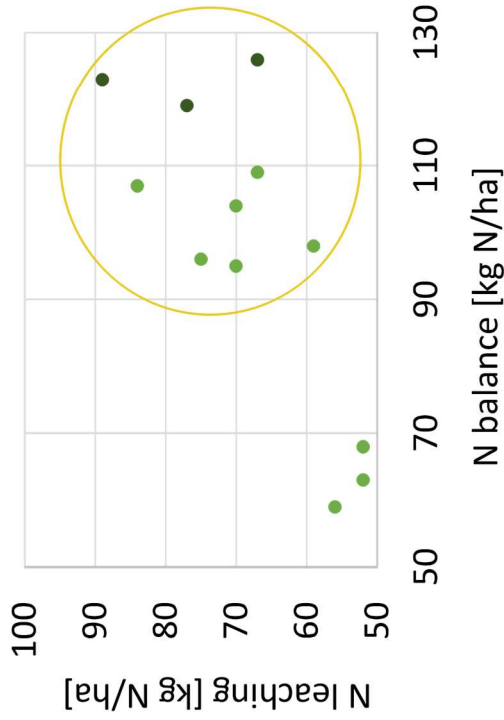
Natura2000areas

Fieldebelongingto
derogationfarmsin
Natura2000areas



Groundwater nitrate concentration on sandy soils

from Derogation report 2022:



2 / Miljøministeriet - Departementet



TABLE 4.6 N inputs, N balances and nitrate leaching and nitrate concentration at the bottom of the root zone calculated for four groups of livestock densities at cattle farms and for three geographical areas in Jutland, Denmark, 2021. Combined dataset from the single payment register and the fertiliser accounts. Organic farms were not included in the analysis.

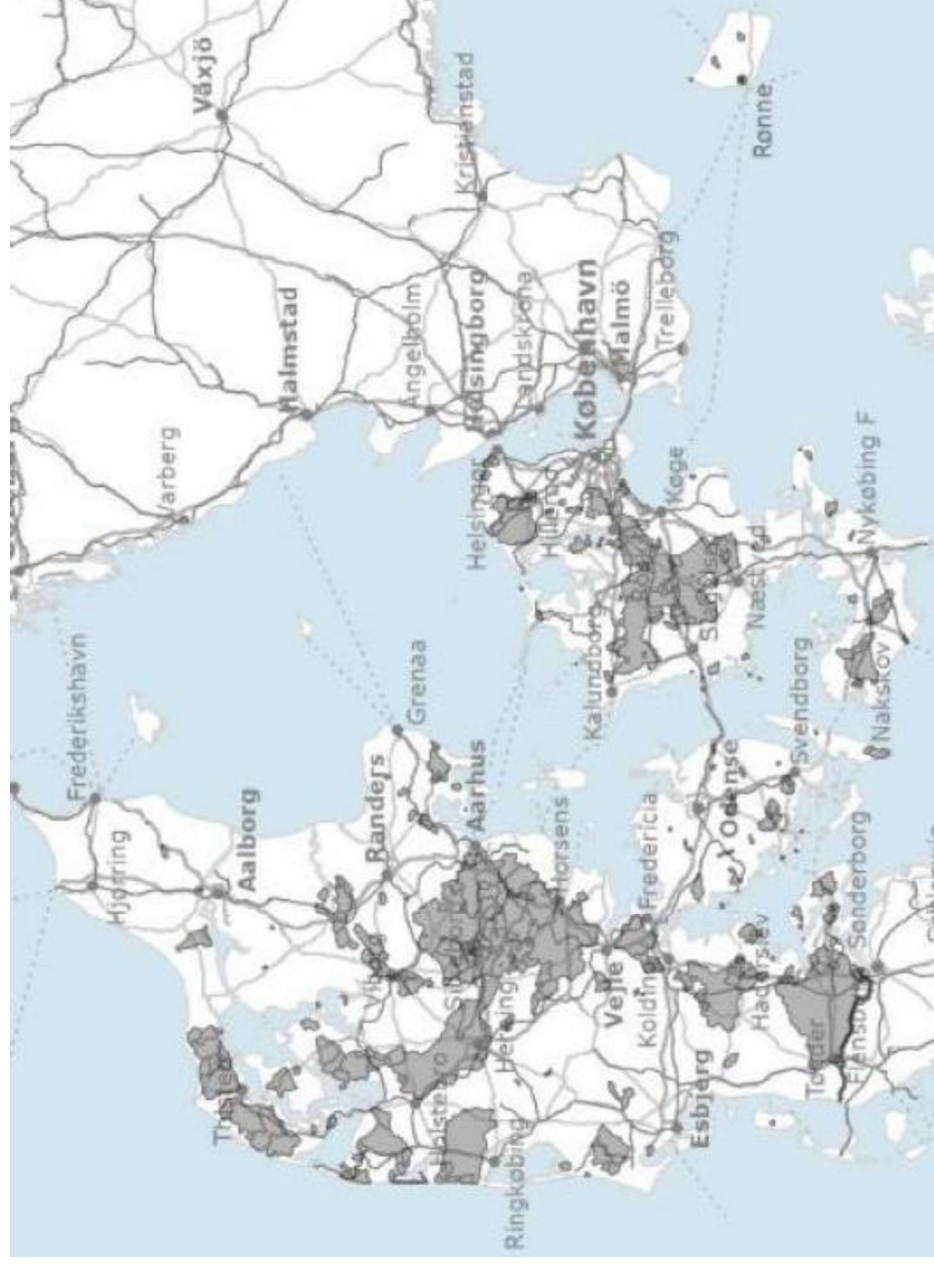
Region	Annual use of organic N kg N ha ⁻¹	N balance (kg N ha ⁻¹ a ⁻¹)							Root zone water				
		Inorg. fertilizer	Animal manure	Other org.	N. fix.	N depos.	Seeds	Total input	Harvest	N balance	Percolation (mm a ⁻¹)	Nitrate leaching (kg N ha ⁻¹)	NO ₃ -conc. (mg l ⁻¹)
Jutland N	0-100	85	51	1.6	16	14	1.2	167	105	63	355	52	64
	100-140	77	117	1.1	22	14	1.5	233	135	98	361	59	72
	140-170	68	157	0.1	30	14	1.4	271	161	109	359	67	83
	170-230	63	199	0.1	37	14	1.3	314	188	126	349	67	85
Jutland NW	0-100	84	61	3.8	17	14	1.5	180	113	68	430	52	54
	100-140	72	120	0.0	18	14	1.5	226	130	95	458	70	68
	140-170	63	153	0.0	27	14	1.5	259	155	104	436	70	71
	170-230	57	196	0.2	34	14	1.5	303	184	119	445	77	77
Jutland W	0-100	79	55	5.3	17	16	1.6	173	115	59	520	56	48
	100-140	78	119	1.7	18	16	1.7	235	139	96	546	75	61
	140-170	72	158	0.8	25	16	1.7	273	166	107	544	84	68
	170-230	69	201	0.2	26	16	1.5	314	192	123	550	89	71

Current & future Phosphorus ceilings

Fertilizer type	Current ceilings in 2022/2023	Future ceilings from 2025/2026	Indirect N limitation
Slurry etc. from pig, poultry & fur animals	33 kg P/ha	29 kg P/ha	
Cattle slurry	30 kg P/ha	29 kg P/ha	
Fertilizer on derogation farms	34 kg P/ha	33 kg P/ha	
Other organic fertilizers	30 kg P/ha	30 kg P/ha	
Chemical fertilizer	30 kg P/ha	30 kg P/ha	



Stricter Phosphorus ceilings in catchments to P-sensitive lakes



Max.30/34kgP/ha



Til:
Fra: [REDACTED]
Titel: Invitation to the 93rd meeting of the Nitrates Committee and meeting of the Nitrates Expert Group
Sendt: 03-08-2023 16:59
Bilag: Invitation 93 Committee.pdf;

Dear members,

I am pleased to inform you that the next meeting of the Nitrates Committee envisaged in Article 9 of Directive 91/676/EEC and the meeting Nitrates Expert Group will be held **on 14 September 2023 March at Albert Borschette Centre, rue Froissart 36, 1040 Brussels, starting at 10h00.**

Documents will be provided in the coming weeks.

Could you please confirm the names and affiliation of the participants by 28 August 2023 by sending an email to ENV-NITRATES@ec.europa.eu.

The Commission will, in accordance with its rules, meet the expenses of one expert from each Member State.

+++++

J'ai le plaisir de vous informer que la prochaine réunion du Comité Nitrates prévu à l'article 9 de la Directive 91/676/CEE et la réunion du Groupe d'Experts Nitrates se tiendront **le 14 septembre 2023. Les réunions auront lieu au Centre de Conférence Albert Borschette, rue Froissart 36, 1040 Bruxelles, et débuteront à 10H.**

Les documents vous seront transmis dans les prochaines semaines.

Je vous serais reconnaissant de bien vouloir transmettre les noms et affiliations des experts qui participeront à cette réunion avant le 28 août 2023 en envoyant un courriel à ENV-NITRATES@ec.europa.eu.

La Commission, conformément à ses règles, prendra en charge les frais de voyage d'un expert par Etat membre.

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93. Sitzung des Ausschusses zur Nitratrichtlinie und Sitzung der Nitrat-Sachverständigengruppe

Ich freue mich Ihnen mitteilen zu können, dass die nächste Sitzung des Ausschusses unter Artikel 9 der Richtlinie 91/676/EEC und die Sitzung der Nitrat-Sachverständigengruppe am **14 September 2023 im Konferenzzentrum Albert Borschette, rue Froissart 36, 1040 Brüssel, ab 10:00 Uhr, stattfinden wird.**

Die Dokumente werden Ihnen in den kommenden Wochen zugesandt.

Ich wäre Ihnen dankbar, wenn Sie Namen und Behördenzugehörigkeit der teilnehmenden Sachverständigen für diese Sitzung bis spätestens am 28 August 2023, indem Sie eine E-Mail an ENV-NITRATES@ec.europa.eu senden.

Gemäß den geltenden Bestimmungen wird die Kommission die Reisekosten eines Experten je Mitgliedstaat übernehmen.

[REDACTED]

Head of Unit

P.O. Marco Onida

+++++

Yours faithfully,

Til: Louise Martinussen Krupp (lokru@mim.dk)
Cc: Rasmus Moes (ramoe@mim.dk), ENVANTIRATES@ec.europa.eu, ENVANTIRATES@ec.europa.eu, DE
AFCHER@ec.europa.eu, JEANNE DEVAECHER@ec.europa.eu, BARRIO MONTOLIVA@ec.europa.eu, CORINA BARRIO
MONTOLIVA@ec.europa.eu, Christian Bretlau (cbret@mim.dk), Suraya Ali Nagi (sualn@mim.dk), Hong Quang
Ha (hoquh@mim.dk), DOP-3301@ec.europa.eu, ALE SINGA (Singa.ALE@ec.europa.eu),
LE RASMUSSEN (Le-Rasmussen.FOSDAL@ec.europa.eu)

Titel: RE: Points for further discussion
Sendt: 29-09-2023 10:51
Bilag: Follow up list of additional information needed clean.docx;

Dear Louise

Many thanks for the draft list. We have discussed internally and added a few points, including some points at the end about the state of play on measures taken and planned.

Hopefully it is manageable but let us know if anything is unclear.

As regards the date for the next meeting, we can perhaps come back to it once you have an idea when you will be able to deliver the replies.

Kind regards


Policy officer - nitrates



European Commission
Directorate General Environment
Unit D-1 Land Use & Management


From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Wednesday, September 20, 2023 3:13 PM

To: [REDACTED]

Cc: Rasmus Moes <ramoe@mim.dk>; [REDACTED]

[REDACTED]

[REDACTED]; Christian Bretlau <cbret@mim.dk>; Suraya Ali Nagi <sualn@mim.dk>; Hong Quang Ha <hoquh@mim.dk>

Subject: Points for further discussion

[REDACTED]

Thank you very much for the good discussions last week. It was indeed interesting with many good points for continuing our discussions about a Danish derogation from the Nitrates Directive. Below I have enclosed the points for discussion which we understood the Commission was interested in getting further knowledge about. Do you have anything to add?

1. Nitrogen sensitive areas and Natura 2000
 - a. How many derogation farms in or directly adjacent to Natura2000 areas?
 - b. An assessment of the status in terrestrial Natura 2000 areas in close proximity to derogation farms
 - c. Status in marine Natura 2000 areas downstream of catchments, where derogation farms are located
 - d. Brief description of environmental permit systems for livestock farms, incl. applied ammonia emission model
 - e. Brief description of additional livestock catch crop requirements ('husdyrefterafgrødekravet') in catchments draining into N-sensitive marine Natura2000 areas and where there is a (local) increase in livestock numbers
2. Drinking water extraction areas
 - a. How many farms close to extraction areas?
3. What measures do you have for lakes in buffer strips/zones?
 - a. Brief description of buffer strips around surface waters in NAP
 - b. Brief description of alternatives to catch crops, including broader riparian buffer strips
 - c. Risk map for phosphorus loss
4. Description and preliminary evaluation of the phosphorus ceilings
5. More information on local level and recent development in oxic groundwater (according to Slide 6 from presentation on 14/9)
6. A more elaborate understanding of the overall manure production (i.e. amount of nutrients in manure over time).

In terms of process, should we plan for a meeting in the week of 23-27 October for about 1,5 hours? We are fine with an online meeting. In case we're on the agenda for the next nitrates committee meeting, then we suggest to have a meeting prior to the committee meeting, like we had this time which we think worked well.

Once again, thank you for your time last week.

Best,
Louise

Venlig hilsen

Louise Martinussen Krupp

Specialkonsulent | Vand og klimatilpasning
+45 24 41 68 93 | lokru@mim.dk

Miljøministeriet

Departementet | Vester Voldgade 123 | 1552 København V | Tlf. +45 38 14 21 42 | mim@mim.dk | www.mim.dk
[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Youtube](#) | [Privatlivspolitik](#)

List of additional information from DK

1. Nitrogen sensitive areas and Natura 2000
 - a. How many derogation farms in or directly adjacent to 1) Natura2000 areas for which nitrogen is a relevant pressure and 2) nitrogen sensitive nature protected under national law (nature protection law, para 3)?
 - b. What is the total number of hectares under derogation on these farms 1) in total, 2) on adjacent fields and 3) within 250 meters?
 - c. An assessment of the status in terrestrial Natura 2000 areas, and those in close proximity to derogation farms
 - d. Status in marine Natura 2000 areas downstream of catchments, where derogation farms are located
 - e. Brief description of environmental permit systems for livestock farms, incl. applied ammonia emission model
 - f. Brief description of additional livestock catch crop requirements ('husdyrefterafgrødekraevet') in catchments draining into N-sensitive marine Natura2000 areas and where there is a (local) increase in livestock numbers. Since when is the measure in place, what were the results achieved so far?
2. Drinking water extraction areas
 - a. How many farms close to extraction areas?
 - b. What is the total number of hectares under derogation in the zones close to drinking water extraction points?
 - c. Brief explanation of the expected impact on derogation farms and the implementation timeline of a possible national ban on pesticide use in these zones
3. What measures do you have for lakes in buffer strips/zones? (make clear which measures are mandatory/voluntary)
 - a. Brief description of buffer strips around surface waters in NAP
 - b. Brief description of alternatives to catch crops, including broader riparian buffer strips
 - c. Risk map for phosphorus loss (catchments of phosphorus sensitive lakes), with indication of fields benefiting from a derogation in these areas
 - d. what is the total number of hectares under derogation in catchments of phosphorus sensitive lakes?
 - e. Brief description of additional current requirements for such derogation farms aimed at reducing any phosphorus impact of affected lakes
4. Description and preliminary evaluation of the phosphorus ceilings (what has been their impact in terms of reducing phosphorus loads in sensitive catchments?).
 - i. With the current phosphorus ceilings in place, what will be the expected evolution in gross phosphorus balances on derogation farms located in catchments of phosphorus sensitive lakes?
 - ii. A brief explanation of the equivalency between the phosphorus and nitrogen limits applicable to derogation farms and the availability of options for the farmer to specifically reduce phosphorus (separation and export of P rich fraction etc.)
5. More information on local level and recent development in oxic groundwater (according to Slide 6 from presentation on 14/9)

6. A more elaborate understanding of the overall manure production (i.e. amount of nutrients in manure over time).
7. How is climate change (rising sea water temperature) taken into account in the assessment of the required reduction of nitrogen loads to the sea? How will it be taken into account in the context of the revisit (and second opinion) in 2024?
8. State of play on measures:
 - a. An explanation of the changes to the NAP carried out since the last derogation decision, any evaluation of the impact of the new measures so far, and the timeline for the next review of the NAP in accordance with Article 5(7).
 - b. What is the percentage of farms/hectares of agricultural land that are not receiving the basic payment under the Common Agricultural Policy? What are the percentages for derogation farms?
 - c. Does the targeted regulation also apply to farms not receiving the basic payment under the CAP? What other mandatory measures apply to those farms besides those set out in the National Action Programme?
 - d. What have been the effects of the measures already in place since the last 10 years in reducing Nitrogen loads? Have results been uniform along the various catchments (or were there increases in certain catchments? If yes please give more details). Are there derogations in these catchments?
 - e. What is the state of play on the implementation of collective measures for which the graph only indicates a technical budgeting in the yellow bars (what percentage of this is already implemented)? What has been the results so far (take-up and reduction of Nitrogen load)?
 - f. What is the baseline year for the graph modelling the effects of the various measures in the different catchments? How are results of measures already in place been taken into account? Does it take into account the latest figures for nitrogen flows in the different catchments?
 - g. What is the timeline for the review of 2024 (including the various steps)?

Til: Louise Martinussen Krupp (lokru@mim.dk)

Cc: [REDACTED]

Fra: [REDACTED]

Titel: letter to DK attached

Sendt: 21-11-2023 17:10

Bilag: Letter to DK coastal waters.pdf;

Dear Louise

Please find attached a letter concerning the state of coastal and marine waters in Denmark that was dispatched this afternoon for Mr Vindahl Vind.

As you will see it was sent to the general email address of the ministry, but I assume it will arrive in due time to the right place.

In the meantime, we wanted to be sure that you and your colleagues are informed as well. I would therefore be grateful if you could acknowledge receipt by return of this email.

Many thanks in advance.


Best regards

On behalf of the Nitrates Team,

[REDACTED]



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate D. Biodiversity
The Director

 Ref. Ares(2023)7917435 - 21/11/2023

Brussels

Mr Christian Vindahl Vind
Deputy Permanent Secretary
Ministry of Environment
Denmark
mim@mim.dk

Subject: Deterioration of the situation in Danish coastal and marine waters

Dear Mr Vindahl Vind,

I am writing in relation to the implementation of the Nitrates Directive ⁽¹⁾ and the Water Framework Directive ⁽²⁾ in Denmark.

The present letter is prompted by data available to the Commission through reporting obligations as well as a recent report published in September 2023 from the University of Aarhus on oxygen depletion in Danish coastal and marine waters ⁽³⁾. These reports are used by the Danish authorities as part of the scientific basis for the assessment of the status of Danish coastal and marine waters. For example, they were referred to in the presentation by Denmark in the Nitrates Committee on 15 September, in the context of the request for a derogation under paragraph 2 of Annex III of the Nitrates Directive.

This latest report concludes that the extent of eutrophication and oxygen depletion in 2023 was the second largest ever recorded for September ⁽⁴⁾. It shows a worsening over the recent years ⁽⁵⁾ partly reflecting climatic factors, including a trend towards higher water temperatures in Danish coastal and marine waters, and partly nitrogen inputs to these waters, of which a significant part originates from agricultural activities in Denmark.

(1) Council Directive of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC).

(2) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy.

(3) Iltsvind i danske farvande 24. august 21. september 2023, Rådgivningsnotat fra DCE Nationalt Center for Miljø og Energi, 29. september 2023. Also available on: <https://mst.dk/nyheder/2023/september/markant-forvaerret-iltsvind>

(4) See extract from the report summary in Annex I (a).

(5) See graph in Annex I (b).

The Minister of environment has acknowledged the gravity of the situation ⁽⁶⁾.

Data from 2022 and earlier years already give a certain indication of a deteriorating trend. With the latest figures, the deteriorating trend now appears even more evident.

The report should also be seen in the context of Danish inputs of nitrogen to the coastal waters, which has not shown a clear declining trend in recent years ⁽⁷⁾. I would like to remind you that the Danish authorities have in the past assured the Commission that measures would be put in place to ensure significant reductions in inputs and improvements in water quality ⁽⁸⁾.

We have concerns related to continued problems of water quality in Denmark as well as the fact that significant measures to reduce nitrogen loads from agriculture are still to be decided (and implemented) to fulfil the objectives of the Nitrates Directive and the Water Framework Directive with regard to coastal waters ⁽⁹⁾. According to the information we have received, the Danish authorities plan to take decisions in 2024 on measures to address these remaining reduction needs, and the measures would be implemented only in 2026 at the earliest ⁽¹⁰⁾.

I would like to draw your attention to the importance of an effective and timely reaction to the deteriorating situation in the Danish coastal and marine waters. In this regard, it is relevant to recall the obligation of Member States under Article 5 (5) of the Nitrates Directive to:

... take, in the framework of the action programmes, such additional measures or reinforced actions as they consider necessary if, at the outset or in the light of experience gained in implementing the action programmes, it becomes apparent that the measures referred to in paragraph 4 will not be sufficient for achieving the objectives specified in Article 1.

Under the jurisprudence of the Court of Justice of the European Union ⁽¹¹⁾, the Member States should take such additional measures or reinforced actions when it is first realised that the measures implemented under Article 4 are not sufficient to achieve the objectives of Article 1 of the directive.

This should also be read in conjunction with the obligations under Article 11(5) of the Water Framework Directive establishing that: "Where monitoring or other data indicate that the objectives set under Article 4 for the body of water are unlikely to be achieved, the Member State shall ensure that: i) the causes of the possible failure are investigated, ii) relevant permits and authorisations are examined and reviewed as appropriate, iii)

⁽⁶⁾ "These are alarming figures which we are taking very seriously" (translation from Danish: <https://mim.dk/nyheder/2023/sep/magnus-heunicke-vaerste-iltsvind-i-20-aar/>)

⁽⁷⁾ See graphs in Annex I e) and f), taken from the latest report of the Danish monitoring programme for nature and marine environment (NOVANA) from March 2023, VANDLØB 2021 Kemisk vandkvalitet, stoftransport og miljøfarlige forurenende stoffer, NOVANA, p. 56 and 58, <https://mst.dk/nyheder/2023/marts/novana-2021-bliv-klogere-paa-naturens-tilstand>

⁽⁸⁾ EU PILOT 8540/16/ENVI.

⁽⁹⁾ See graph in Annex I (c) received from the Danish authorities.

⁽¹⁰⁾ See map in Annex I (d) received from the Danish authorities.

(11) See for example Case C-543/16 Commission v Germany, judgement of the CJEU of 21 June 2018, paras 52-53.

the monitoring programmes are reviewed and adjusted as appropriate, and iii) additional measures as may be necessary in order to achieve those objectives are established, including, as appropriate, the establishment of stricter environmental quality standards following the procedures laid down in Annex V. „

The Commission is assessing the 3rd River Basin Management Plan reported by the Denmark to ascertain in particular how the obligations mentioned above have been applied and how the recommendations of the Commission included in the Report to the Council and the Parliament on the implementation of the Nitrates Directive ⁽¹²⁾ and the recommendations included in the Report to the Council and the Parliament on the Implementation of the Water Framework Directive ⁽¹³⁾ are implemented.

We shall therefore be looking forward to receiving information on any actions that the Danish authorities are envisaging in response to these developments.

In addition, we would be grateful to receive the actual data behind the two graphs in Annex I e) and f), as well as any additional data that may in the meantime have become available for the hydrological year 2021/22 as well as the calendar year 2022.

We also request further information on the determination of the baseline for the assessment of remaining reduction requirements referred to above considering those data. The fact that a consistent declining trend in nitrogen flows to coastal waters has not yet become evident based on past measures could raise questions with regard to this baseline. In addition, the Commission would appreciate information on how Article 11(5) of the Water Framework Directive has been applied in the 3rd River Basin Management Plan.

The above information will be crucial in the context of monitoring compliance with the requirements of the Nitrates, Water Framework, Birds and Habitats Directives. I would like to recall that in Denmark all marine Natura 2000 sites as well as several terrestrial sites (hosting habitats like bogs, heathlands and grasslands) are considered to be nitrogen-sensitive. Most of these habitats have an unfavourable conservation status in all biogeographical regions and several have a deteriorating trend ⁽¹⁴⁾. The information will also be relevant in the context of the Danish request to renew the derogation pursuant to the Nitrates Directive.

Finally, let me express my appreciation of the good cooperation with the Danish authorities on this matter.

Yours sincerely,



E-signed

(12) [SWD\(2021\) 1001 final](#)

(13) [COM\(2019\) 95 final](#)

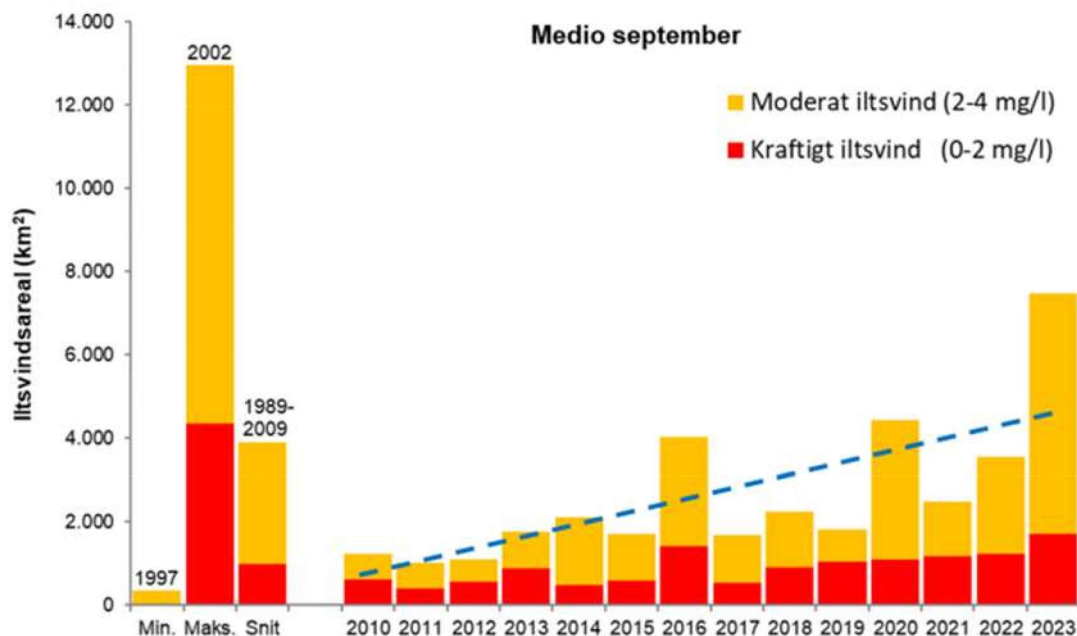
(14) According to the Danish [Article 17](#) assessment.

Annex I

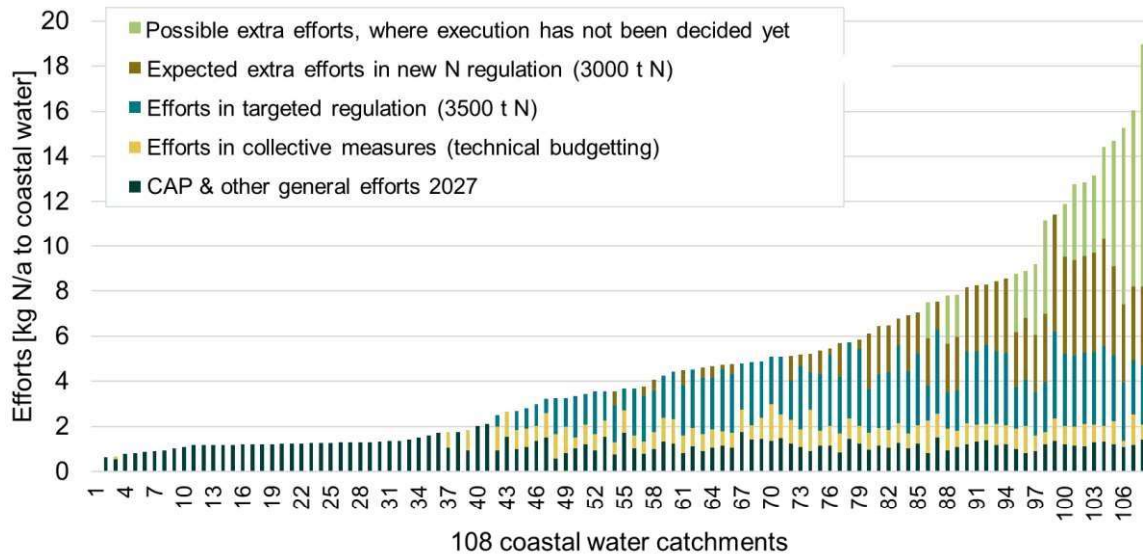
a. Extract from oxygen depletion report September 2023 from Aarhus University

Oxygen depletion worsened markedly during the reporting period (24 August – 21 September). High water temperatures and mostly calm wind conditions stimulated the development of oxygen depletion. For the first time since 2008, there was widespread oxygen depletion in southern and central Kattegat. The most affected areas in the inner Danish waters were Limfjorden, Mariager Fjord, the southern Little Belt, the south-east Jutland fjords, the South Funen Archipelago and Fehmarn Belt. In many of these areas the bottom water was anoxic, and toxic sulphide was released from the bottom. In these areas, a large part of the water volume was affected by predominantly severe oxygen depletion. Dead fish were observed in Limfjorden, and a shroud appeared on the bottom in several areas. The extent of the oxygen depletion was the second largest ever recorded for September. In several areas, the situation was highly critical, especially for benthic animals, fish and plants.

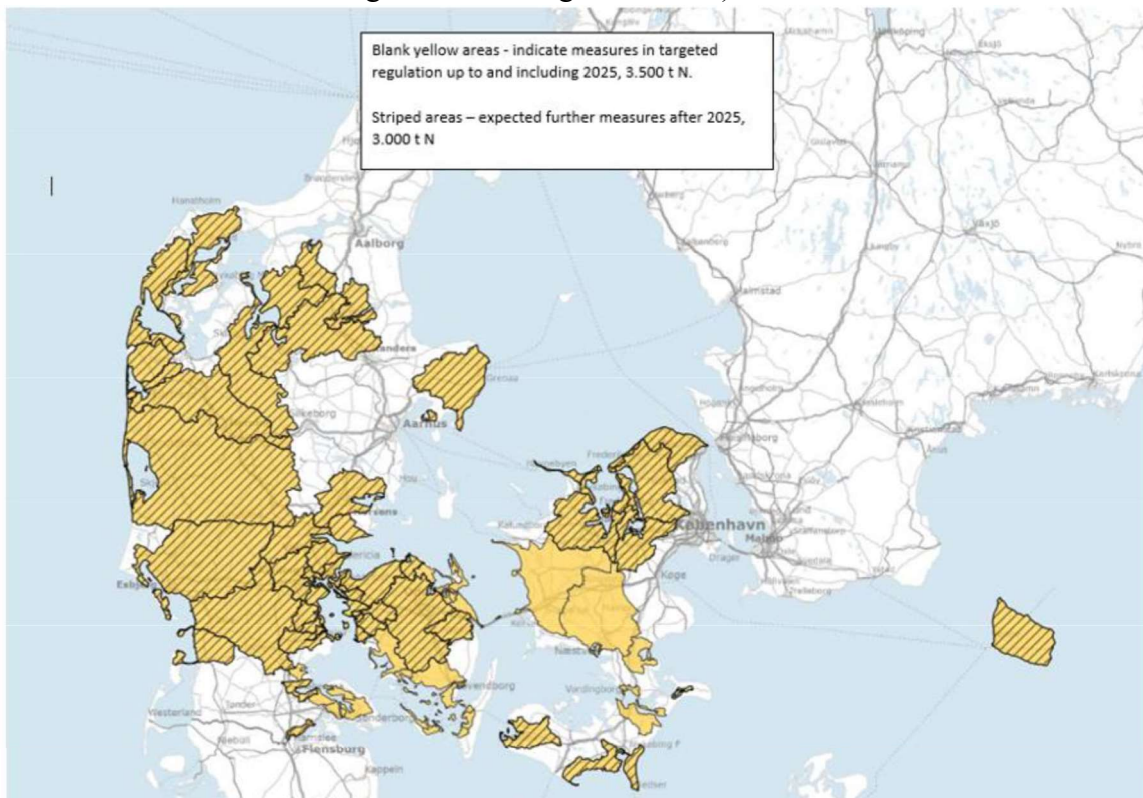
b. Graph from oxygen depletion report September 2023 from Aarhus University



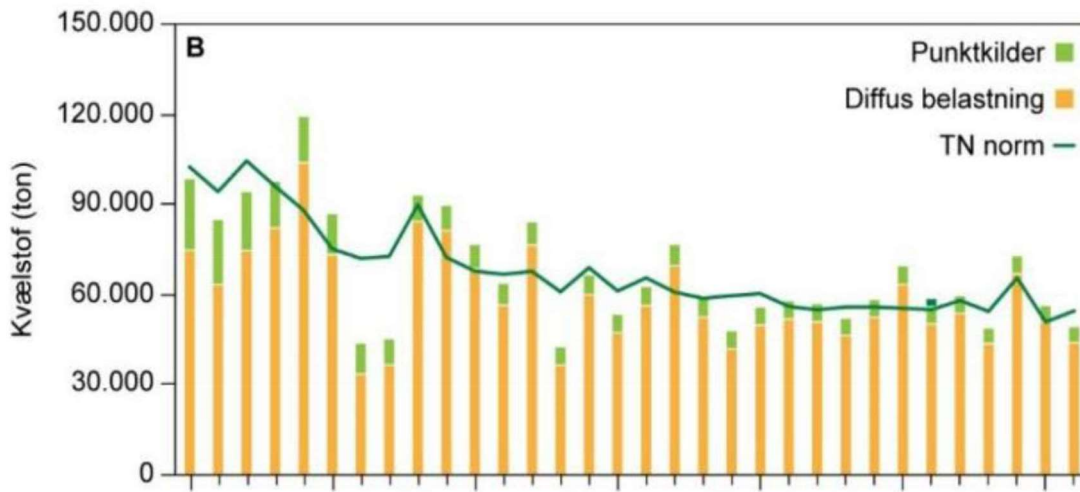
- c. Expected distribution of different efforts for reaching good ecological status in the coastal water catchments in 2027



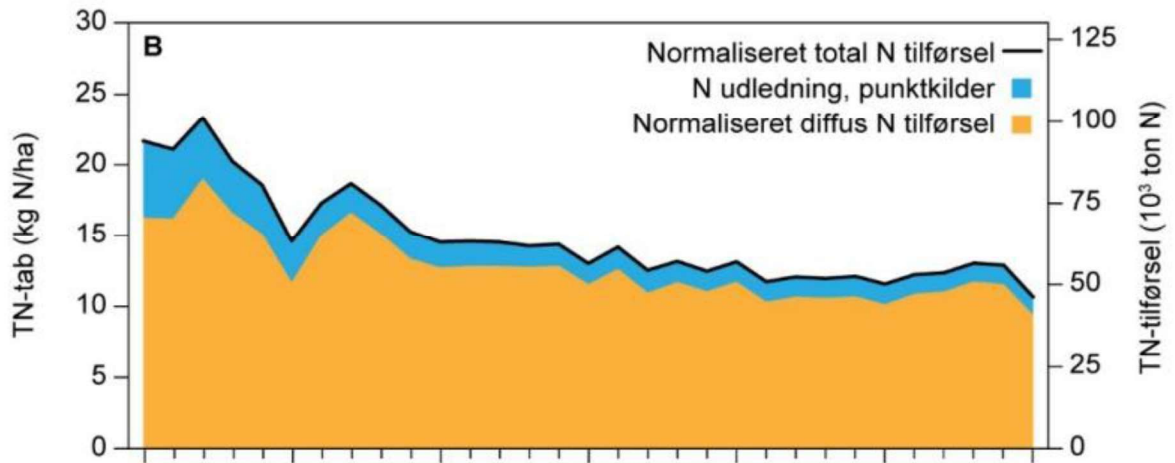
- d. Catchments with additional measures to be implemented after 2025 (striped areas cover the brown and green bars in figure c above).



- e. Nitrogen transport per calendar year 1990-2021 (water-flow corrected ⁽¹⁵⁾)



f. Nitrogen transport per hydrological year (¹⁶) 1990/21-2020/21 (water-flow corrected)



(15) Total N transport co-vary with the level of precipitation. The data have been corrected for this.

(16) The hydrological years cover April-March.

Til: [REDACTED]
Fra: Louise Martinussen Krupp (lokru@mim.dk)
Titel: RE: letter to DK attached
Sendt: 24-11-2023 09:21

Det er helt fint at I ringer.
Bh. Louise

Mvh Louise Martinussen Krupp
Den 24. november 2023 kl. 09.20.04 [REDACTED]
[REDACTED]

Hej Louise

Jeg tror [REDACTED] vil deltage så det er nok nemmere at vi ringer til dig, hvis det er ok. Det så ud til at virke den anden dag.

Vi kan også prøve på Teams.

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Friday, November 24, 2023 9:10 AM
To: [REDACTED]
Subject: SV: letter to DK attached

Hej [REDACTED]

Skal jeg ringe dig op på dit arbejdsnummer ca. kl.10.00?
Bh. Louise

Fra: [REDACTED]
Sendt: 22. november 2023 16:48
Til: Louise Martinussen Krupp <lokru@mim.dk>
Emne: RE: letter to DK attached

Hej Louise

Jeg tror vi fik kontakt til din telefonsvarer, men lad os prøve fredag. Hvis du har brug for en hurtig snak I morgen er mit nummer på kontoret [REDACTED]

Hilsen

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Wednesday, November 22, 2023 12:13 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: SV: letter to DK attached

Sounds good. I can be reached on 24 41 68 93.
Maybe I will give you a quick call before as will have to inform our minister.
Bh. Louise

Fra: [REDACTED]

Sendt: 22. november 2023 12:01

Til: Louise Martinussen Krupp <lokru@mim.dk>

Cc: [REDACTED]

Emne: RE: letter to DK attached

Dear Louise

If it suits you Friday late morning (e.g. 10.00) we could have a chat just at team level (no HoU). Would that be fine with you? (Today and tomorrow the colleagues are not available...)

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Wednesday, November 22, 2023 10:59 AM

To: [REDACTED]

Cc: [REDACTED]

[REDACTED]

Subject: SV: letter to DK attached

Dear [REDACTED]

The letter is well received, and it has also find its way to the permanent secretary. Thanks.

Do you have time for a short chat later today or tomorrow? Just to have an understanding of possible next steps.

Bh. Louise

Fra: [REDACTED]

Sendt: 21. november 2023 17:10

Til: Louise Martinussen Krupp <lokru@mim.dk>

Cc: [REDACTED]

Emne: letter to DK attached

Dear Louise

Please find attached a letter concerning the state of coastal and marine waters in Denmark that was dispatched this afternoon for Mr Vindahl Vind.

As you will see it was sent to the general email address of the ministry, but I assume it will arrive in due time to the right place.

In the meantime, we wanted to be sure that you and your colleagues are informed as well. I would therefore be grateful if you could acknowledge receipt by return of this email.

Many thanks in advance.

Best regards

On behalf of the Nitrates Team,

[REDACTED]

Til: [REDACTED]
Cc: [REDACTED] Rasmus Moes (ramoe@mim.dk)
Fra: Louise Martinussen Krupp (lokru@mim.dk)
Titel: SV: letter to DK attached
Sendt: 21-12-2023 10:36
Bilag: Letter to director [REDACTED] RE coastal waters.pdf;

Dear [REDACTED] and members of the nitrates team,

Attached you'll find the Ministry's first reply to [REDACTED] letter concerning coastal waters in Denmark. The letter is also underway through the Ministry of Foreign Affairs to [REDACTED]. As you'll see this is our first immediate reaction and we will keep you updated on the situation and share, when available, the requested information.

Thank you very much for the good cooperation. Although Denmark is in a difficult situation with regards to its water quality, we appreciate the open dialogue on the matter.

I wish you all happy holidays and I look forward to continuing the dialogue in the new year.

All the best,
Louise

Fra: [REDACTED]
Sendt: 21. november 2023 17:10
Til: Louise Martinussen Krupp <lokru@mim.dk>
Cc: [REDACTED]
Emne: letter to DK attached

Dear Louise

Please find attached a letter concerning the state of coastal and marine waters in Denmark that was dispatched this afternoon for Mr Vindahl Vind.

As you will see it was sent to the general email address of the ministry, but I assume it will arrive in due time to the right place.

In the meantime, we wanted to be sure that you and your colleagues are informed as well. I would therefore be grateful if you could acknowledge receipt by return of this email.

Many thanks in advance.

Best regards
On behalf of the Nitrates Team,

[REDACTED]



**Reply to letter on the “Deterioration of the situation in the
Danish coastal and marine waters” of 21/11/2023
(Ares(2023)7917435)**

Dear [REDACTED]

Thank you for your letter of 21st of November 2023. The Ministry of Environment will do the utmost to make available the requested information.

I can assure you that the Ministry shares your concern about the situation and the need to take steps to remedy it. Therefore, I am pleased to share with you that the Danish Finance Act 2024 was adopted on the 27th of November. In this connection, it was agreed to set aside DKK 405 million for the years 2024-2027 to a rapid action plan to help to improve Danish coastal waters.

The rapid action plan will, amongst other initiatives, accelerate the process of taking peatlands and other agricultural lands out of production. The plan does so by strengthening the work of municipalities and private consultants during the process, often involving a number of land owners. The plan will also contribute to increase the use of other existing collective measures. The exact implementation of the plan will be politically decided in winter 2023/2024.

In 2024, we have a revisit of the political Agreement on a green transition of the Danish agricultural sector as well as an update of the 3rd River Basin Management Plans (RBMP) for the period 2021-2027. The remaining efforts in order to achieve good ecological status in all Danish coastal waters and the required nutrient measures for the respective coastal waters will be politically decided in connection with the revisit of the agricultural agreement. These decisions will be taken account for and implemented in the update of the 3rd RBMPs. This is in addition to the already agreed measures for 2021-2027, that include a significant reduction in Nitrogen load to coastal waters of 10,400 tonnes Nitrogen compared to the status load in the 3rd RBMP of 56.300 tons Nitrogen. An equivalent to approx. 590 million € (4.4 billion DKK) has been set aside for measures to realize this agreed reduction. In this relation, it has to be noted, that the scientific basis for the revisit of the Danish agricultural agreement is currently being updated, and is expected to be finalized in spring 2024.

The requested data, including the latest data from 2022, is unfortunately not available at this moment. I will share the data with you at the earliest convenience, likely in January 2024, where the latest national monitoring reports, including 2022-data, are expected to be made available.

Regarding the baseline, we can inform you that the baseline for 2027 is a forecast of the effect of measures already planned and structural changes affecting the land-based nitrogen load to coastal waters in 2027. It is an evaluation of several different elements, e.g. including the decline in agricultural area, the share of organic farming and development in crop yields, but also effects of collective measures (wetlands, mini-wetlands and set-aside of farmland) from the 2nd RMBP, which had not yet been fully implemented. The total effect of these elements has earlier been estimated to approx. 4,900 tonnes N reduction in nitrogen load to coastal waters in 2027. Currently an update of the baseline 2027 is ongoing, which is part of the updated scientific basis of the revisit of the political agreement in 2024. The status load of nitrogen and phosphorus to coastal waters will also be updated ahead of the revisit.

We would furthermore like to highlight that Denmark has strengthened the Nitrates Action Programme in 2020 and 2021, respectively. Closed periods for certain fertilizers have been revised. Nitrogen fertilization standards on soils rich in organic carbon have been reduced. Utilization requirements for the vast majority of livestock slurry types have also been increased to levels, which – to our knowledge – no other EU member state is requiring at a comparable ambitious level. All these general regulatory measures are expected to decrease loss of nitrogen – first to soil water, followed by upper groundwater and in drained areas to inland waters and finally to coastal waters. The expected time span before effects of measures can be observed in coastal waters can - depending on hydrogeological transport times – vary from a few years to several decades for a few coastal water catchments. As the regulatory changes have been implemented, starting from 2020/2021 and the latest monitoring data, which are available to this date, are from 2021, it cannot be expected to see any effect of this recent enforcement yet - and certainly not in coastal waters. Nevertheless, the strengthened measures have resulted in more than 15,000 tonnes Nitrogen less fertilization allowance, and hence equivalently lower fertilizer input, at national scale.

Article 11(5) of the Water Framework Directive applies in the Danish water planning, among other provisions, as a basis for e.g. the nutrient reduction measures and monitoring. Nutrients from agricultural activities are regulated under general rules, including the Danish Nitrates Action Programme. The current targeted regulation supplement the general regulation in catchments, where there is a higher reduction need. In this relation, it should be noted that the efforts in the targeted regulation have been increased from approx. 1,150 tonnes Nitrogen discharge reduction to coastal waters in 2019 to 3,500 tonnes Nitrogen from 2020. The effects from these increased efforts are still to be seen. A new regulatory scheme, aiming at an even higher level of detail and cost-effectiveness, is currently under development and is planned to be in place before 2027.

I will keep you updated on the situation and any progress with respect to the revisit in 2024.

I can assure you that obtaining better conditions in coastal waters is of great importance to the ministry and the Danish government as such.

Should you have any questions, please do not hesitate to contact me or my staff.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'C. Vindahl Vind', written over a light blue circular stamp.

Christian Vindahl Vind
Deputy Permanent Secretary
+45 41 31 84 87
chvin@mim.dk

Til: Louise Martinussen Krupp (lokru@mim.dk)
Fra: [REDACTED]
Titel: RE: Meeting with the Commission next week
Sendt: 03-03-2024 11:27

Hej Louise

Kollegerne er inviteret fordi emnet (og brevet) også berører de andre direktiver, men vi har bestemt forstået, at situationen omkring nitratdirektivet og kvægundtagelsen er de primære emner, som I ønsker at diskutere.

Hilsen

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Sunday, March 3, 2024 10:32 AM
To: [REDACTED]
Subject: SV: Meeting with the Commission next week

Kære [REDACTED]

Fødevarerministeriet deltager ved Morten og Wibke, måske også på AC niveau.

Ift. at vandramme- og habitatkontorene er med til mødet, tænker jeg ikke betyder at der vil blive stillet faglige spørgsmål. Enig? Vi skal selvfølgelig nok svare på spørgsmål, det er bare ift. at afstemme forventning da hvor mødet er på AC niveau. Vores 'nye' AC Peter er ikke helt up-to-date endnu på kvægundtagelsen.

Vi ser mest mødet som en sondering på, hvor Kommissionen står ift. brevet modtaget i november og ift. den fremtidige dialog.

Bh. Louise

Fra: [REDACTED]
Sendt: 1. marts 2024 17:50
Til: Louise Martinussen Krupp <lokru@mim.dk>
Emne: RE: Meeting with the Commission next week

Fint

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Friday, March 1, 2024 5:47 PM
To: [REDACTED]
Subject: SV: Meeting with the Commission next week

Kære [REDACTED]

FVM er inviteret, men deltagelse er ikke endelig bekræftet. Jeg holder dig opdateret. Desuden forventer vi ikke at bruge en hel time – just so you know – for planlægningsskyld.

God weekend,

Bh. Louise

Fra: [REDACTED]
Sendt: 1. marts 2024 14:42
Til: Louise Martinussen Krupp <lokru@mim.dk>
Emne: RE: Meeting with the Commission next week

Du er velkommen.
Fik du i øvrigt arrangeret deltagelse fra fødevareministeriet?

■

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Friday, March 1, 2024 2:27 PM
To: [REDACTED]
Subject: SV: Meeting with the Commission next week

Kære ■

Tak for hurtigt svar.
Bh. Louise

Fra: [REDACTED]
Sendt: 1. marts 2024 14:18
Til: Louise Martinussen Krupp <lokru@mim.dk>
Emne: RE: Meeting with the Commission next week

Hej Louise

Udover mig selv skulle vi have:

[REDACTED]
[REDACTED]
[REDACTED]

Derudover vil der sandsynligvis være nogle flere kolleger, men jeg har ikke det fulde overblik, da mødet var med ret kort varsel. Vi har også inviteret kollegerne der er ansvarlige for vandrammedirektivet og for habitatdirektivet, da de kunne have interesse i det.

Hilsen

■

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Friday, March 1, 2024 2:06 PM
To: [REDACTED]
Subject: SV: Meeting with the Commission next week

Hej ■
Hvem deltager i mødet fra jeres side?
Bh. Louise

Fra: [REDACTED]
Sendt: 29. februar 2024 17:15
Til: Louise Martinussen Krupp <lokru@mim.dk>
Emne: RE: Meeting with the Commission next week

Hej Louise
Det lyder godt. Vi sender en invitation til dig.
Hilsen

■

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Thursday, February 29, 2024 5:12 PM
To: [REDACTED]
Subject: SV: Meeting with the Commission next week

Hej [REDACTED]

Mødet er bekræftet af AC Peter Have. Foruden Peter deltager Rasmus og jeg selv. Fødevarerministeriets deltagelse er under afklaring. Webex invitationen kan sendes til mig.

Tak for hjælpen med at få et møde i kalenderen så hurtigt.

Bh. Louise

Fra: [REDACTED]
Sendt: 29. februar 2024 16:56
Til: Louise Martinussen Krupp <lokru@mim.dk>
Emne: RE: Meeting with the Commission next week

Hej Louise

Jeg ville lige tjekke: Tror du I kan bekræfte i dag eller bliver det først i morgen?

Desuden ville jeg sige at vi sender en webex invitation, men skal bruge email-adresserne på den der skal have forbindelse.

Hilsen

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>
Sent: Thursday, February 29, 2024 12:06 PM
To: [REDACTED]
Cc: [REDACTED] Rasmus Moes <ramoe@mim.dk>; [REDACTED]
[REDACTED]
[REDACTED]
Subject: SV: Meeting with the Commission next week

Dear [REDACTED]

I think that could work. I will confirm asap. Thank you very much for this.

Bh. Louise

Fra: [REDACTED]
Sendt: 29. februar 2024 12:01
Til: Louise Martinussen Krupp <lokru@mim.dk>
Cc: [REDACTED] Rasmus Moes <ramoe@mim.dk>; [REDACTED]
[REDACTED]
Emne: RE: Meeting with the Commission next week

Dear Louise

We would then rather propose to put it in the morning at 9.30-10.30. Will that work for you?

Best

[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Thursday, February 29, 2024 10:49 AM

To: [REDACTED]
Cc: [REDACTED] Rasmus Moes <ramoe@mim.dk>; [REDACTED]
[REDACTED]
[REDACTED]

Subject: SV: Meeting with the Commission next week

Dear [REDACTED]

Thank you very much for the possibility with a meeting on Monday. However the senior management is out of office from 14.00 in the afternoon on Monday. Could 13.00 work for you? I'm sorry about this.

Best,
Louise

Fra: [REDACTED]

Sendt: 29. februar 2024 09:38

Til: Louise Martinussen Krupp <lokru@mim.dk>

Cc: [REDACTED]; Rasmus Moes <ramoe@mim.dk>; [REDACTED]
[REDACTED]

Emne: RE: Meeting with the Commission next week

Dear Louise

We have found an opening for an online meeting on Monday (4 March) at 14.00-15.00.

I hope this works for you as well.

Best
[REDACTED]

From: Louise Martinussen Krupp <lokru@mim.dk>

Sent: Wednesday, February 28, 2024 2:01 PM

To: [REDACTED]
Cc: [REDACTED] Rasmus Moes <ramoe@mim.dk>

Subject: Meeting with the Commission next week

Dear [REDACTED],

The Ministry of Environment would like to propose a meeting next week with director-general [REDACTED] to discuss the letter of 21 November, including getting more knowledge of what the European Commission sees as a possible way forward. We propose the meeting prior to a meeting on 12 March where the Danish government will discuss the derogation. From our side deputy permanent secretary Peter Østergaard Have will participate. He is taking over after Christian Vind who on 1 March is starting a new position.

Possibly the Ministry of Food, Agriculture and Fishery would also participate in the meeting. Can you please consider if such a meeting is possible next week?

Best,
Louise

Venlig hilsen

Louise Martinussen Krupp

Specialkonsulent | Vand og klimatilpasning
+45 24 41 68 93 | lokru@mim.dk

Miljøministeriet

Departementet | Vester Voldgade 123 | 1552 København V | Tlf. +45 38 14 21 42 |
mim@mim.dk | www.mim.dk
[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Youtube](#) | [Privatlivspolitik](#)

Til: [REDACTED]
Fra: Louise Martinussen Krupp (lokru@mim.dk)
Titel: Kvægundtagelsen
Sendt: 15-03-2024 14:22

Kære [REDACTED]

Til din orientering træf den danske regering i går beslutning om ikke at forny undtagelsen til nitratdirektivet. Dette formidler vi også i et brev til direktør Humberto Delgado snarest.

God weekend,

Bh. Louise

Venlig hilsen

Louise Martinussen Krupp
Specialkonsulent | Vand og klimatilpasning
+45 24 41 68 93 | lokru@mim.dk

Miljøministeriet
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Til: FOSDAL, The Rasmussen (The-Rasmussen.FOSDAL@ec.europa.eu), DE LAEGHERIE, Anne (Anne.DE
LAEGHERIE@ec.europa.eu), CODRISCU, Ion (Ion.CODRISCU@ec.europa.eu)
Cc: Rasmus Moes (ramoe@mim.dk), Morten Ejrnæs (mejr@fvm.dk), Wibke Christel (wibch@fvm.dk)
Fra: Louise Martinussen Krupp (lokru@mim.dk)
Titel: Danish derogation from the Nitrates Directive
Sendt: 10-04-2024 17:53

Dear all,

The Danish government has decided not to negotiate a new derogation from the Nitrates Directive. The decision was published this afternoon at the Ministry's web site: "[Kvægundtagelsen](#)" [ophører 31. juli 2024 - Miljøministeriet \(mim.dk\)](#)

We will also let you know in a formal letter to Humberto Delgado Rosa.

Best wishes,
Louise

Venlig hilsen

Louise Martinussen Krupp
Specialkonsulent | Vand og klimatilpasning
+45 24 41 68 93 | lokru@mim.dk

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