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Protecting waters from pollution caused by nitrates from agricultural sources – Evaluation

with * are mandatory.

Introduction

The <u>Nitrates Directive</u>[1], adopted in 1991, aims to protect water quality across Europe by reducing and preventing pollution by nutrients from agricultural sources that pollute ground and surface waters and by promoting the use of good farming practices.

To achieve this, the Member States have to:

- monitor nitrates concentrations and eutrophication of water bodies,
- identify polluted waters and designate nitrate vulnerable zones,
- establish codes of good agricultural practices and action programmes to prevent and reduce water pollution from nutrients.

The Nitrates Directive forms an integral part of the overarching <u>Water Framework Directive</u> and is one of the key laws protecting waters against agricultural pressures.

Excess nutrients from agricultural sources is one of the main causes of water pollution in Europe. Nitrates and phosphates from fertilizer and manure enter groundwater through leaching and reach surface water through runoff from agricultural fields.

A high level of nitrate makes water unsuitable for drinking. In rivers, lakes and marine waters, nitrates and phosphates cause algae to grow excessively. This affects the natural ecosystem and can lead to depletion of the oxygen in the water. This phenomenon, known as eutrophication, has negative consequences for biodiversity, fisheries and recreational activities.

More information and Nitrates Directive can be found here.

This public consultation aims to gather stakeholders' views on the experience with the Nitrates Directive since it was adopted in 1991. The evaluation will aim to assess the effectiveness, efficiency, coherence, relevance and EU added value of the Nitrates Directive in the light of the EU environmental and climate objectives and the need for resilient agriculture and food security.

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

Survey instructions

The questionnaire consists of four parts:

Part 1. 'About you' collects personal information.

Part 2. 'General questions'.

Part 3. 'In-depth questions' is open to all but has more detailed questions targeted at citizens and stakeholders with some or good knowledge of the Nitrates Directive.

Part 4. 'Final remarks' allows you to make overall comments and upload documents.

Where questions are not relevant to your experience or knowledge, please respond 'Don't know' or skip the question.

Where specific questions appear more relevant to other organisation(s) you are aware of, please forward the survey to them and invite them to respond.

The estimated time of completion of this questionnaire is 20 minutes.

About you

*Language of my contribution

 anguage or my community
Bulgarian
Croatian
Czech
Danish
Dutch
English
Estonian
Finnish
French
German
Greek
Hungarian
Irish
Italian
Latvian
Lithuanian
Maltese
Polish
Portuguese
Romanian
Slovak
Slovenian
Spanish
Swedish

^{*}I am giving my contribution as

Academic/research institution
Business association
Company/business
Consumer organisation
EU citizen
Environmental organisation
Non-EU citizen
Non-governmental organisation (NGO)
Public authority
Trade union
Other
* First name
Lili
*Surname
Balogh
*Email (this won't be published)
info@agroecology-europe.org
*Organisation name
255 character(s) maximum
Agroecology Europe
*Organisation size
Micro (1 to 9 employees)
Small (10 to 49 employees)
Medium (50 to 249 employees)
Large (250 or more)
Large (250 of more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the <u>transparency register</u>. It's a voluntary database for organisations seeking to influence EU decision-making.

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*Country of origin

Please add your country of origin, or that of your organisation.

This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.

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	Afghanistan		Djibouti		Libya	Saint Martin
	Åland Islands		Dominica		Liechtenstein	Saint Pierre and
						Miquelon
	Albania		Dominican		Lithuania	Saint Vincent
			Republic			and the
						Grenadines
	Algeria		Ecuador		Luxembourg	Samoa
	American Samoa		Egypt		Macau	San Marino
	Andorra		El Salvador		Madagascar	São Tomé and
						Príncipe
	Angola		Equatorial Guinea	a	Malawi	Saudi Arabia
	Anguilla		Eritrea		Malaysia	Senegal
	Antarctica		Estonia		Maldives	Serbia
	Antigua and		Eswatini		Mali	Seychelles
	Barbuda					
	Argentina		Ethiopia		Malta	Sierra Leone
	Armenia		Falkland Islands		Marshall Islands	Singapore
	Aruba		Faroe Islands		Martinique	Sint Maarten
	Australia		Fiji		Mauritania	Slovakia
	Austria		Finland		Mauritius	Slovenia
	Azerbaijan		France		Mayotte	Solomon Islands
	Bahamas		French Guiana		Mexico	Somalia
	Bahrain		French Polynesia		Micronesia	South Africa
	Bangladesh		French Southern		Moldova	South Georgia
			and Antarctic			and the South
			Lands			Sandwich
						Islands
	Barbados		Gabon		Monaco	South Korea
	Belarus		Georgia		Mongolia	South Sudan

0	Belgium	0	Germany		Montenegro	0	Spain
	Belize		Ghana		Montserrat	0	Sri Lanka
	Benin		Gibraltar		Morocco		Sudan
	Bermuda		Greece		Mozambique		Suriname
	Bhutan		Greenland		Myanmar/Burma		Svalbard and
							Jan Mayen
	Bolivia		Grenada		Namibia	0	Sweden
	Bonaire Saint		Guadeloupe		Nauru	0	Switzerland
	Eustatius and						
	Saba						
	Bosnia and		Guam		Nepal	0	Syria
	Herzegovina						
0	Botswana	0	Guatemala	0	Netherlands	0	Taiwan
	Bouvet Island	0	Guernsey		New Caledonia	0	Tajikistan
	Brazil		Guinea		New Zealand	0	Tanzania
	British Indian	0	Guinea-Bissau	0	Nicaragua	0	Thailand
	Ocean Territory					_	
0	British Virgin	0	Guyana		Niger	0	The Gambia
	Islands						
(O)	Brunei	0	Haiti	0	Nigeria	0	Timor-Leste
0	Bulgaria	0	Heard Island and		Niue	0	Togo
			McDonald Islands	3		_	
0	Burkina Faso	0	Honduras	0	Norfolk Island	0	Tokelau
	Burundi	0	Hong Kong	0	Northern	0	Tonga
					Mariana Islands		
	Cambodia	0	Hungary		North Korea	0	Trinidad and
							Tobago
	Cameroon		Iceland	0	North Macedonia	0	Tunisia
	Canada	0	India	0	Norway	0	Türkiye
0	Cape Verde	0	Indonesia	0	Oman	0	Turkmenistan
	Cayman Islands	0	Iran		Pakistan	0	Turks and
							Caicos Islands
	Central African		Iraq		Palau		Tuvalu
<u></u>	Republic						
	Chad		Ireland		Palestine		Uganda

0	Chile	Isle of Man	Panama	0	Ukraine
	China	Israel	Papua New		United Arab
			Guinea		Emirates
	Christmas Island	Italy	Paraguay	0	United Kingdom
	Clipperton	Jamaica	Peru	0	United States
	Cocos (Keeling)	Japan	Philippines		United States
	Islands				Minor Outlying
					Islands
	Colombia	Jersey	Pitcairn Islands		Uruguay
	Comoros	Jordan	Poland		US Virgin Islands
	Congo	Kazakhstan	Portugal	0	Uzbekistan
	Cook Islands	Kenya	Puerto Rico		Vanuatu
	Costa Rica	Kiribati	Qatar	0	Vatican City
	Côte d'Ivoire	Kosovo	Réunion		Venezuela
	Croatia	Kuwait	Romania		Vietnam
	Cuba	Kyrgyzstan	Russia	0	Wallis and
					Futuna
	Curaçao	Laos	Rwanda	0	Western Sahara
	Cyprus	Latvia	Saint Barthélemy		Yemen
	Czechia	Lebanon	Saint Helena		Zambia
			Ascension and		
			Tristan da Cunha	l	
	Democratic	Lesotho	Saint Kitts and		Zimbabwe
	Republic of the		Nevis		
	Congo				
	Denmark	Liberia	Saint Lucia		

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. Fo r the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published. Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

*Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the its

organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.
■ I agree with the personal data protection provisions
 1.1 After completing this survey, are you willing to be contacted for any clarification (e.g., a follow-up email or interview and/or further updates on the study)? Yes No
 1.2 If you answered 'Company/Business', please specify whether you are: Farmer Agricultural advisor Manufacturer/supplier of farming equipment/technologies Manufacturer/supplier of fertilisers Other
 1.3 I am active in the following fields: [Check as many fields as relevant]. Agriculture Fishing and/or aquaculture Water management (e.g., planning, developing, distributing and managing water resources) Water supply and sanitation (e.g., abstraction, supply, distribution of drinking water, wastewater management, etc.)

Environmental protection activities (e.g., protection of water, soil, air,
biodiversity, climate, etc.)
Information and communication
Human health
Tourism and recreation
Recovery of materials
Other
1.4 If your answer was other, please specify 100 character(s) maximum
Part 2. General questions
2.1 In your opinion, is water pollution by nitrates sufficiently covered in the public
debate?
© Yes
No
Don't know

2.2 Are you concerned about the following issues? [Please rate your answers on a scale from 1 'not concerned at all' to 5 'concerned']

Issue	Not concerned at all	Rather not concerned	Neutral	Somewhat concerned	Very concerned	Don't know
Drinking water pollution by nitrates	©	©	0	©	•	0
Groundwater pollution by nitrates	0	0	0	0	•	0
Eutrophication of rivers and lakes	0	0	0	0	•	0
Eutrophication of coastal and marine waters	0	0	0	0	•	0
Pollution of bathing/recreational sites	0	0	0	•	0	0

2.3 How do you consider the following issues of water pollution by nitrates have evolved in the last five years in your country or region?

Issue	Strong deterioration	Some deterioration	No change	Some improvement	Strong improvement	Don't know
Drinking water pollution by nitrates	©	0	•	©	©	0
Groundwater pollution by nitrates	0	•	0	0	0	0
Eutrophication of rivers and lakes	0	•	0	0	0	0
Eutrophication of coastal and marine waters	0	0	•	0	0	0
Pollution of bathing/recreational sites	0	•	0	0	0	0

2.4 How o	do you	ı consider	the act	ions aı	nd effo	rt of f	ollowing	actors t	o tackle	water
pollution (eutro	ohication,	pollutio	n of dr	inking	water	and gro	undwate	er)?	

Stakeholders	Doing enough	Not doing enough	Don't know
EU authorities (e.g., European Parliament, Council of the EU, European Commission)	0	•	0
National authorities	0	•	0
Regional or local authorities	0	•	0
Farmers	0	•	0
Fertiliser industry	0	•	0
Professional associations (e.g., farmers, fertiliser industry, etc.)	0	•	0
Consumer organisations	0	0	•
Food industry and retailers	0	•	0
Environmental organisations	•	0	0
Water management companies	•	0	0
Wastewater treatment companies	0	•	0
Other (please specify)	0	0	0

2.5 I	[OPTIONAL]	l If	vour	answer	was	"other".	please s	pecify	٧.
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20	200 character(s) maximum	

2.6 In your opinion, are the existing policies and legislation effective to tackle the issues of water pollution by nitrates from agricultural sources?

	Rather yes	Rather no	Don't know
EU policies and legislation	•	0	0
National policies and legislation	0	•	0
Regional and local policies and legislation	0	•	0

2.7 In your view, does the Nitrates Directive sufficiently contribute to the following objectives:

Rather	Rather	Don't
yes	no	know

EU environmental objectives	•	0	0
Climate change mitigation and adaptation	•	0	0
Protecting EU water resources and aquatic ecosystems	•	0	0
Clean air	•	0	0
Protecting biodiversity	•	0	0
Protecting EU soils	•	0	0
Sustainable and resilient agriculture and food security	•	0	0
Helping farmers to adapt and increase resilience in changing climatic and environmental conditions	•	0	0
Supportive of new agricultural practices	•	0	0
Promoting the recycling of nutrients from various sources, including processed manure	•	0	0
Allowing for simplification and limitation of burdens and cost	0	0	•
Coherent with other EU legislation	•	0	0
Coherent with developments in farm practices and technology	•	0	0

The following questions are targeted at respondents with a deeper knowledge of the issues that the Nitrates Directive aims to tackle. Would you like to reply to these questions or move on to the final section?

Reply

Move on to the final section

Part 3. In-depth questions

3.1 To what extent has the Nitrates Directive been effective in achieving the following? [Please rate your answer on a scale from 'not effective' to 'effective'].

Objectives	Not effective	Somewhat effective	Effective	Don' t know
Reduce and prevent water pollution by nutrients from agricultural sources to protect human health and living resources (including drinking water)	0	•	0	0
Reduce and prevent water pollution by nutrients from agricultural sources to protect aquatic ecosystems (eutrophication)	0	•	0	0

©	•	0	0
0	•	0	0
©	•	0	0
0	•	0	0
•	0	0	0
0	0	0	•
0	•	0	0

3.2 To what extent have the following measures of the Nitrates Directive been effective in <u>reducing and preventing</u> water pollution by nutrients from agricultural activities? [Please rate your answer on a scale from 'not effective' to 'effective'].

	Not effective	Somewhat effective	Effective	Don' t know
Identification of water affected and at risk of being affected by nitrates pollution	0	•	0	0
Designation of Nitrates Vulnerable Zones (NVZ)	0	•	0	0
Establishment of a voluntary code of good agricultural practices for farmers outside Nitrates Vulnerable Zones	•	0	0	0
Promotion of the application of the voluntary code(s) of good agricultural practice, including through the provision of training, skills development and information for farmers	•	0	0	0
Development of action programmes to reduce and prevent nitrates pollution in Nitrates Vulnerable Zones	0	•	0	0
Reinforcement of action programmes' measures where and when necessary to achieve the Nitrates Directive objectives	0	•	0	0
Measures concerning the storage of animal manure	0	•	0	0
Measures on the application on land of fertilisers and animal manure (closing periods, slopes, buffer zones,)	0	•	0	0

Measures concerning land management practices (crop rotation, vegetation cover,)	0	•	0	0
The limit (170 Kg/ha) for the application of nitrogen from manure and processed manure in Nitrate Vulnerable Zones	0	0	•	0
Overall limits to the application of fertilisers	0	0	•	0
Fertiliser plans	0	•	0	0
Monitoring of nutrients pollution	0	•	0	0
Derogations allowing to apply manure and processed manure above 170 Kg N/ha	•	0	0	0

3.3 [OPTIONAL] Please provide further explanation and additional comments on the previous question if relevant.

500 character(s) maximum

The derogations from the 170 kg N/ha limit were granted to one-third of Member States in the most recent reporting period. This extensive use of this derogation has undermined the effectiveness of the Directive. Member States should be required to align livestock numbers with the manure application limit, redesigning the livestock systems acording to agroecological principles, leading to the extensification of livestock systems for ruminants and monogastrics.

3.4 How significant are in your opinion the costs related to the following aspects of the Nitrates Directive's implementation in the Member States? [Please rate your answer on a scale from 'not significant' to 'significant'].

National measures	Not significant	Somewhat significant	Significant	Don' t know
Manure storage	0	•	0	0
Disposal of excess manure (transport to other farms, biogas plants, etc.)	0	•	0	0
Procedures for the land application of fertilisers and manure (fertiliser rates and uniformity etc.)	•	0	0	0
Restrictions on application of fertilisers and manure (closing periods, buffer strips, slopes etc.)	•	0	0	0
Land cover and management (catch crops, crop rotation, etc.)	•	0	0	0
Planning and recordkeeping (administrative costs for farmers)	0	•	0	0
Administrative costs for public authorities	•	0	0	0
Monitoring groundwater and surface water	•	0	0	0

Other (please specify)	0	•	0	0
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3.5 [OPTIONAL] Place for comments, if you would like to add something on the previous question:

500 character(s) maximum

The overall environmental costs of all reactive nitrogen losses in Europe are estimated at EUR 70–EUR 320 billion per year, much beyond the costs of reducing pollution at source (European Commission, 2021). For comparison, the annual European budget for the Common Agricultural Policy is EUR-56 billion during the current period. In other words, the costs of inaction and non-implementation of the Nitrate Directive and Water Framework Directive are much higher that the costs of implementation.

3.6 How significant are the costs of nitrates pollution in terms of the following:

Costs	Not significant	Somewhat significant	Very significant	Don' t know
Costs to human health	0	0	•	0
Costs of drinking water treatment	0	0	•	0
Costs to commercial fishing and aquaculture	0	•	0	0
Costs for cleaning bathing sites and other degraded sites	0	0	•	0
Costs to tourism and recreational activities	0	0	0	•
Cost of degradation of natural areas and nature protected areas (biodiversity loss)	0	0	•	0

3.7 In your opinion, has the Nitrates Directive contributed to reduce these costs? [Please rate your answer on a scale from 'no' to 'significantly'.

Costs	No	Somewhat	Significantly	Don' t know
Costs to human health	0	•	0	0
Costs of drinking water treatment	0	•	0	0
Costs to commercial fishing and aquaculture	0	•	0	0
Costs for cleaning bathing sites and other degraded sites	0	•	0	0
Costs to tourism and recreational activities	0	•	0	0
Cost of degradation of natural areas and nature protected areas (biodiversity loss)	0	•	0	0

3.8 How proportionate are in your opinion the costs of implementation of the Directive in view of the objectives to be achieved?

Costs	Proportionate	Somewhat disproportionate	Disproportionate	Don't know
For the agriculture sector	•	0	0	©
For Member State authorities	•	©	0	©

3.9 To what extent are the following objectives linked with the Nitrates Directive still relevant? [Please rate your answer on a scale from 'Not relevant' to 'relevant'].

Objectives	Not relevant	Somewhat relevant	Relevant	Don' t know
Reduce and prevent water pollution by nutrients from agricultural sources to protect human health and living resources (including drinking water)	0	0	•	0
Reduce and prevent water pollution by nutrients from agricultural sources to protect aquatic ecosystems (eutrophication)	0	0	•	0
Reduce and prevent water pollution by nutrients from agricultural sources to safeguard other legitimate uses of water (for example tourism)	0	0	•	0
Address the problems arising from intensive livestock production	0	0	•	0
Address the environmental risks of excessive and inappropriate use of fertilizers including manure	0	0	•	0
Tackling transboundary pollution with nutrients in water bodies shared by more than one Member State	0	0	•	0
Assist farmers implement the requirements of the Directive	0	0	•	0
Help farmers to adapt to scientific and technological developments	0	•	0	0
Help farmers to adapt and increase resilience in changing climatic and environmental conditions	0	0	•	0

3.10 Overall, is the Nitrates Directive sufficiently coherent with the following policies and legislation?.

Policy/legislation	Rather	Rather	Don't
	yes	no	know
Common Agricultural Policy (CAP)	•	0	0

Organic Farming Regulation (EU) 2018/848	•	0	0
Water Framework Directive 2000/60/EC	•	0	0
Marine Strategy Framework Directive 2008/56/EC	•	0	0
Drinking Water Directive (EU) 2020/2184	•	0	0
Bathing Water Directive 2006/7/EC	0	0	•
Urban Waste Water Treatment Directive 91/271/EEC	0	0	•
Floods Directive 2007/60/EC	0	0	•
Environmental Quality Standards Directive 2008/105/EC	•	0	0
Sewage Sludge Directive 86/278/EEC	0	0	•
Industrial Emissions Directive 2010/75/EU	•	0	0
National Emmissions Reduction Commitments Directive (EU) 2016/2284	•	0	0
Fertilising Products Regulation (EU) 2019/1009	0	0	•
Birds Directive 2009/147/EC	•	0	0
Habitats Directive 92/43/EEC	•	0	0
Air quality Directive 2008/50/EC	•	0	0

3.11 [OPTIONAL] If your answer was "rather no", please provide explanation if relevant. Please also indicate if you see scope for simplification.

500 character(s) maximum

More consistency should be achieved between the CAP and the Nitrates Directive by instituting funding criteria within the CAP that align strictly with the goals outlined in the Nitrates Directive and the Water Framework Directive. Moreover, supporting actively farmers in their transition towards more sustainable farming practices - through relevant independant farm advisory systems - could further reinforce this coherence.

3.12 How important is the Nitrates Directive in achieving EU environmental objectives? [Please rate your answers on a scale from 'not important' to 'important'].

Goal & Strategy	Not important	Somewhat important	Important	Don' t know
Sustainable and resilient agriculture and food sector	0	0	•	0
Reducing nutrient losses by at least 50% by 2030	0	0	•	0
Achieving the goal of good ecological status by all water bodies	0	0	•	0

Achieve the good environmental status of marine waters	0	•	•	0
Reducing ammonia emissions	0	0	•	0
Sustainable consumption and a circular economy	0	•	0	0
Zero pollution	0	0	•	0
Climate neutrality	0	0	•	0
Organic farming	0	0	•	0
Others	0	0	•	0

3.13 [OPTIONAL] If your answer was "others", please specify.

2	200 character(s) maximum

- 3.14 To what extent has the Nitrates Directive contributed to a more harmonised and ambitious approach of the Member States to addressing pollution by nutrients from agriculture?
 - No contribution
 - Limited contribution
 - Some contribution
 - High contribution
 - Don't know

Part 4. Final remarks

4.1 [OPTIONAL] You have the possibility to provide any other comment or suggestion you would like to share regarding the evaluation of the Nitrates Directive.

500 character(s) maximum

The Nitrates Directive is a crucial tool for reducing nitrate pollution, benefiting water quality, ecosystems, public health, and sustainable farming. However, its implementation falls short in achieving environmental goals and nutrient loss reduction targets outlined in the Green Deal. Therefore, there is a need for proactive implementation, with a focus on robust support for the adoption of agroecological practices, and measures to limit derogations.

4.2 [OPTIONAL] You have the possibility to upload one or more documents if you wish to share a more extensive contribution or any background materials that will help us to understand your answers [option for uploading files].

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact

ENV-NITRATES@ec.europa.eu