Message 001

Communication from the Commission - TRIS/(2025) 2698

Directive (EU) 2015/1535

Notification: 2025/0556/NL

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta’ dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20252698.EN

1. MSG 001 IND 2025 0556 NL EN 06-10-2025 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën
Belastingdienst/Douane centrale dienst voor in- en uitvoer

3B. Ministerie van Landbouw, Visserij, Voedselzekerheid en Natuur
Directie Wetgeving en Juridische Zaken
Afdeling Natuur en Stikstof

4. 2025/0556/NL - S00E - ENVIRONMENT

5. Regulation of the Minister of Agriculture, Fisheries, Food Security and Nature of [DATE], No WJZ, amending the European subsidies by the Ministry of Economic Affairs and Climate Policy and the Ministry of Agriculture, Nature and Food Quality Regulation 2021 (REES 21) in connection with the expansion of the subsidy module on ‘collaboration in peat meadows and transition areas N2000’

6. The subsidy module on ‘raising groundwater levels in peat meadow areas’ contributes to the mitigation of and adaptation to climate change, the sustainable development and efficient management of natural

resources, and the protection of biodiversity.

7.

8. The subsidy module on ‘raising groundwater levels in peat meadow areas’ makes it possible to provide subsidies to cooperatives of farmers and other landowners to raise groundwater levels on grassland plots in peat meadow areas. A reimbursement may also be made for the extensification measures of dairy farms. To be eligible for a subsidy, the average CO2 emissions per hectare per year on the peatland plots after implementing the subsidy project must be calculated at more than 10.0 tonnes of CO2 and the emission reduction to be achieved must be more than 10 % (if the average CO2 emissions per hectare per year are less than 10.0 tonnes of CO2, the achievement of a 5 % emission reduction will suffice).

The costs of raising the groundwater level that are eligible for a subsidy are the costs of purchasing, installing and maintaining water infiltration systems and the costs of purchasing, installing and maintaining digital groundwater monitoring wells (Article 5.8.3.3, Parts f and g of the European subsidies by the Ministry of Economic Affairs and Climate Policy and the Ministry of Agriculture, Nature and Food Quality Regulation (with effect from 1 October, European subsidies by the Ministry of Economic Affairs, the Ministry of Agriculture, Fisheries, Food Security and Nature and the Ministry of Climate Policy and Green Growth 2021). Annex 3, Part 5, of REES 2021 specifies when the aforementioned costs qualify for reimbursement. Annex 3, Part 5a, may contain technical regulations.
Annex 3, Part 5a, stipulates that the costs of water infiltration systems, such as underwater drainage and pressure drainage, shall only qualify for reimbursement in the event of compliance with KIWA evaluation guideline 1411. Another condition for reimbursement is that drainage pipes have a casing made of natural material. The regulation includes a provision for mutual recognition, from which it follows that an evaluation guideline that contains requirements equivalent to those of KIWA guideline BRL1411 and that has been drawn up by an independent certification body in another Member State of the European Union or in a state, other than a Member State of the European Union, that is party to a treaty to that effect, or partly to that effect, that is binding upon the Netherlands, shall be deemed equivalent to KIWA evaluation guideline 1411.

9. The KIWA evaluation guideline applies to the design, construction and maintenance of systems for the dewatering and/or infiltration of soil or the infiltration of peat meadow areas. Where peat meadow areas are concerned, the main function of such a peat meadow infiltration system is to supply water to the soil in order to prevent the degradation of peat by oxidation.
The guideline requirements safeguard the quality, functionality and effectiveness of the water infiltration system and, as such, contribute to the objectives of the regulation (to reduce CO2, protect the environment (overriding reason of public interest) and the quality of the water system (safety, overriding reason of public interest).
The requirements do not go beyond what is necessary to safeguard these objectives.
There are no applicable European standards. The requirement is non-discriminatory because all companies that install water infiltration systems are able to meet these requirements. For the safety of people, the effectiveness of agriculture and to protect the environment, it is essential that water management in an area functions properly in order to avoid flooding or drought in the area in question. The installation of a water infiltration system affects the aforementioned water management in the peat meadow area. A sound water infiltration system also contributes to the achievement of the best CO2 reduction possible. The KIWA

evaluation guideline was drawn up based on the (practical) knowledge, regulations and legislation on pipe drainage available at that time, which constitute the minimum requirements that a water infiltration system is to meet to function properly (suitable and do not go beyond what is necessary). If an existing water infiltration system is inadequate, the consequences mentioned above may be significant and the repair work and costs considerable.
The setting of quality requirements as soon as possible, from the design and construction to the maintenance of water infiltration systems is the least burdensome way to achieve a water system that functions properly (and prevents any disruption of the water system) and to ensure that greenhouse gases are actually reduced.

10. Numbers or titles of the basic texts:

11. No

12.

13. No

14. Yes

15. No

16.
TBT aspects: No

SPS aspects: No

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European Commission
Contact point Directive (EU) 2015/1535
email: grow-dir2015-1535-central@ec.europa.eu