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Nitrogen Approach of the Government Under Pressure: Dozens of Peak Polluters Oppose Buyout

Buyout Scheme Farmers causing the most nitrogen pollution in natural areas are rarely willing to be bought out, shows research of NRC. Those who do consider it, often had plans to quit even before the government announced the buyout scheme.

A substantial number of the largest polluters to peak nitrogen levels in livestock farming have no intention of being bought out by the government, they tell NRC. If they do not cease farming, a much larger number of smaller livestock farms will have to be bought out elsewhere in the country. The use of coercive measures by the government is becoming more likely.

The Farmer-Citizen Movement (BBB), the largest party in all provinces in last week's Provincial States elections, vehemently opposes this.

Nitrogen Minister Christianne van der Wal (VVD) announced a buyout scheme in November for peak polluters, mainly livestock farms that heavily burden vulnerable natural areas with their nitrogen emissions. The three thousand largest peak polluters will receive a "wildly attractive" offer from the ministry starting in April. This is expected to result in a significant reduction in nitrogen emissions around natural areas later this year, allowing stalled construction projects to resume. However, the ministry has no idea how many peak polluters are willing to be bought out.

Moreover, the list of companies eligible for the buyout scheme is not yet finalized. The precise criteria by which the ministry determines which companies are peak polluters have not been established. However, Van der Wal wrote in February that it concerns "companies that burden nature much more heavily than other companies", regardless of location.

Based on that definition, NRC calculated who the peak polluters are in the three most important agricultural provinces – Limburg, North Brabant, and Gelderland. The newspaper attempted to contact all farmers in the top 100. This led to conversations with 28 livestock farmers.

The vast majority of them do not want to stop farming at all. Only three farmers say they are considering it. The government's approach is further under pressure if the largest peak polluters do not participate – many more companies lower down the list will then need to be bought out. According to NRC's calculations, for every farmer in the top 100 who does not cooperate, twice as many further down the top 500 need to be bought out. This number increases rapidly as you go lower on the list, and the contribution of a company to nitrogen loading on nature is lower.

According to the Ministry of Agriculture, Nature, and Food Quality (LNV), it is only possible to make statements about the willingness to participate once the scheme is open. "The amount of compensation and the fact that there will not be another attractive voluntary scheme after this buyout scheme will certainly influence the participation level."

Generous offer

The large peak polluters refuse to be bought out for various reasons, they tell NRC. They have recently taken over the business from their parents, or believe they have the right to continue farming because they have the permits. They respond calmly to Minister Van der Wal's offer. "Even if I get a bag of money, we have built up our own spot, and that is priceless," says a livestock farmer from Kootwijkerbroek, who wishes to remain anonymous. Fellow farmers find the government's nitrogen goals unfair and question whether nature is even affected by their nitrogen emissions.

The three farmers NRC spoke who are considering to stop fear they will not recoup the tens of thousands of euros invested in emission-reducing measures. Two of them had been contemplating quitting for a while.

The peak polluters spoken to by NRC include poultry farmers, pig farmers, calf farms, and other cattle farms. Most of the businesses are located on or near the Veluwe. The companies vary in size: because much of the nitrogen emissions occur near the stable, a medium-sized farm near a nature reserve can be just as much a peak contributor as a much larger farm further away.

The farmers did not have any contact with the province or the government about the buyout scheme. This surprises Wim de Vries, professor of integral nitrogen effect analysis at Wageningen University & Research. "If you want a buyout scheme to have an effect, you need to know how many farmers are willing to participate. It is incomprehensible that the government does not know this yet." LNV says it is waiting for registrations. "It is up to the farmer to make the choice, and the government will assist to the best of its ability."

There is also much uncertainty about the buyout scheme itself, say the livestock farmers. The government was supposed to announce in February which companies qualify, but this was postponed until after the Provincial States elections. It is also unclear whether Brussels will approve the scheme, which must reimburse 120% of the business value. Offering a high buyout sum could be seen as unauthorized state aid. Farmers also fear they will have to hand over a large part of the money to the tax authorities.

Hurry up

In October, Johan Remkes advised the government to speed up the buyout of farmers. By the end of 2023, about six hundred peak polluters should stop farming or minimize their emissions, he wrote. The government had its own interpretation of Remkes' advice and expanded the group that can be bought out to three thousand.

The weak point of the government's approach turns out to be voluntariness: a farmer can decide for himself whether to be bought out. This makes the outcome unpredictable. The government will assess the results at the end of this year.

It would not be the first time that a buyout scheme does not achieve the desired result. Such schemes for livestock farmers have yielded much less than hoped for in the past 25 years, concluded the Netherlands Environmental Assessment Agency (PBL) in a study last November. The agency finds it "difficult to imagine" that the current plans will be realized. In previous schemes, the livestock population only decreased "by a few percent," while now a reduction of dozens of percents is necessary.

In previous buyout schemes, "a significant part" consisted of smaller livestock farmers, according to PBL, while the greatest gain is to be had from large companies. Jan Vroegindeweij (59), whose family owns several poultry farms with locations in, among others, Opheusden: "Why should I stop? Dutch farmers are very efficient; everyone in the world tells us we are doing well."

Significant reduction

Critical for the support of the peak polluters approach is the agricultural agreement, says nitrogen professor Jan Willem Erisman of Leiden University. This agreement determines the future of agriculture. The government is in negotiation with farmer organizations, nature organizations, supermarket chains, banks, local governments, and food processors, but the talks have been difficult so far. "If there is no agreement, farmers will also withdraw from the peak polluters approach", Erisman thinks. On Thursday, Agractie, one of the negotiating parties, withdrew from the negotiations.

If the government's peak contributor approach works, according to Erisman and his colleague Wim de Vries from Wageningen University & Research, it will yield enough nitrogen space to kick-start housing construction and legalize unlicensed farms. On a longer-term basis, this is just the beginning of nature restoration, emphasize the professors. The government hopes that the peak polluter approach will result in a "substantial reduction" of 100 mol per hectare in vulnerable natural areas, the unit in which nitrogen deposition is expressed. The average excess per hectare of vulnerable nature is about 5.5 times as much.

If not enough farmers register, the government can switch to "coercive measures". Expropriation and revoking permits are "existing possibilities", says LNV. Less severe measures, such as pricing nitrogen emissions, "are conceivable" as well.

About this research

NRC compiled a ranking of peak polluters based on permits from around 19,000 livestock farmers in three provinces. It shows how much livestock a farmer has and how high the nitrogen emissions are. The emissions are related to cadastral parcels based on the address. The ranking was created using a 'deposition potential map' by independent nitrogen researcher Ton Brouwer.

The effect of buying out peak polluters was calculated by simulating emissions with the nitrogen modeling tool of RIVM, Aeries. It was then calculated for all 250,000 hectares of nitrogen-sensitive natural areas whether the nitrogen deposition would drop below the critical deposition value after buying out the top 600.

The permit data is centrally maintained by only three provinces: North Brabant, Limburg, and Gelderland. These provinces represent a significant part of livestock farming: 45% of agricultural emissions come from here. Moreover, more than half of the nitrogen-sensitive natural areas are in these provinces.

NRC's list does not match the ministry's list of peak polluters. The newspaper has data from livestock farms in only three provinces, although many of the businesses that Van der Wal will likely target are probably located there. The RIVM's list of the hundred largest ammonia sources includes ninety livestock farms, three-quarters of which are in the three provinces.

The permits are sometimes outdated and likely overestimate emissions. Farmers do not have to fully fill their stables. Sometimes they no longer keep certain animals but leave that nitrogen space on the permit. The address on the permit also does not always match the location of the stable.

Modelers from RIVM and Wageningen University & Research work with current agricultural censuses, but NRC did not have access to them. The Netherlands Enterprise Agency (RVO) refused to provide this data to NRC. A freedom of information procedure has been running for three months.

NRC's calculations provide a good national overview. This is evident from various calculations. According to Van der Wal, buying out the top 600 would yield about 80 mol of nitrogen per hectare. NRC comes to 93 mol. According to the RIVM, barns on average deposit about 556 mol per hectare in natural areas in Limburg, Gelderland, and North Brabant. NRC comes to 539 mol. The difference is mainly due to missing farmers from Overijssel and Utrecht.