

ELO's views on the

Proposal for a Directive on Soil Monitoring and Resilience COM(2023)416

ELO welcomes the European Commission's proposal for a Directive on Soil Monitoring and Resilience (Soil Monitoring Law). We particularly appreciate that it is a directive that focuses on monitoring, thus recognising the diversity, complexity, and mystery of EU soils, especially when it comes to soil biodiversity.

ELO also supports the proposed governance structure, particularly the use of LUCAS as a basis, extending its grid and covering all soils. The data collected are expected to upgrade the EU Soil Observatory and aid in the development of relevant soil-related remote sensing tools and analysis.

With LUCAS in mind, ELO emphasises the importance of having the “soil descriptors established at Union level” and related methodologies closely resembling the current LUCAS measurements, which are well-established and recognised by the scientific community. When it comes to the proposed criteria, it is important to associate maximum levels with the capacity and characteristics of the soil rather than proposing a general range. The value proposed may make sense for sandy soil but little sense for soil with high clay content. For descriptors not covered in LUCAS, it is important to ensure result comparability for the same type of soil, and Member States should not be allowed to change values without proper explanation.

While the soil sampling grid is expected to increase by more than fourfold, its coverage may not accurately describe nearby soils. Therefore, a soil may be considered unhealthy even when it is not. This is particularly problematic when associated with the proposed “one out, all out principle,” which will dilute good results as it pre-determines an unhealthy description. Co-legislators should reconsider this approach and explore more appropriate alternatives that would provide a more realistic description of European soils.

The limitations of the coverage and the proposed principle make it important to rethink the soil health certification for landowners and managers. Any certification should be based on the conditions of the plot, so alternatives like the involvement in relevant schemes should be considered, especially since the idea of free soil testing suggested in the soil strategy was not included in this proposal.

Sustainable Soil Management (SSM) should be linked to assessments. The proposal requests Member States to define SSM practices and a negative list within 4 years, but since the first soil health assessment is expected in 5 years, this leads to defining SSM practices that have little to do with the conditions to correct. Likewise, the usefulness of the SSM Principles is also questioned, as it does not have any link to data collected and is not appropriate for all occasions. The current proposal is likely to result in less tailored SSM practices than what already exists, for example in the CAP Strategic Plans.

ELO proposes, instead, a focus on a living database of practices and the recognition of existing schemes and scaling-up mechanisms. As an example, ELO reminds the commission of their support for ELO's Land and soil Management Award, mentioned in the Soil Strategy for 2030.

The main goal should be to guide land managers through tailored practices based on degradation levels, together with supported soil restoration opportunities for that specific soil and conditions. The guidelines should be designed with stakeholders involvement and consider links to other relevant proposals like climate adaptation.

The level of effort must be prioritised according to the opportunity of restoration. This becomes more relevant with the increasing impacts of climate change. However, this proposal provides nothing new for funding and support. This is particularly problematic as degradation can occur quickly and not due to management, but the actions to bring soil back to health requires management efforts over long periods.

ELO welcomes the digital soil health data portal, which would allow for building knowledge over time, especially when combined with other data sources and testing. Public data must be restricted to aggregated format at district level, particularly for data derived from soil sampling. Also, it should be made explicit that landowners and managers should be able to request more specific information about their soil within their district.

We also welcome the efforts to monitor land take and soil sealing and efforts to mitigate them. When it comes to contamination, ELO supports the risk-based approach for assessment and management. However, its definition should be improved by focusing on risk.

In Summary, ELO welcomes the basis of the proposal, especially concerning the improvement of knowledge, as it is essential to have a solid foundation to develop well-designed and cost-effective “Resilience” proposals, which is the part of the directive that requires most reconsideration. For this reason, we advocate for a step-by-step approach, using the evaluation of the directive after the initial health assessment to then develop better resilience proposals. This approach also allows for the inclusion of results derived from the various projects currently funded under the EU mission ‘A Soil Deal for Europe’.

About the European Landowners’ Organization (ELO)

The European Landowners’ Organization (ELO) is a leading voice representing the interests of landowners, rural entrepreneurs, and rural land managers in Europe. ELO promotes sustainable land management practices, fosters innovation, and advocates for the recognition of landowners' crucial role in shaping Europe's landscapes and rural areas.

<https://www.europeanlandowners.org/>

Policy Contact

Ana Rocha - Director - EU's Agri & Forestry-Related Policies

policy@elo.org