



## JOINT LETTER

# Shared recommendations for the improvement of the Soil Monitoring and Resilience Directive (Soil Monitoring Law)

17 November 2023

### Preamble

An ambitious legislative framework is key to address major soil threats across the EU and to ensure that European soils are managed sustainably while their status is fully restored by 2050. Soil degradation is a process that can no longer be neglected, and preserving the various soils' ecosystem services becomes a priority to halt biodiversity loss, and reduce risks related to landslides, flash flooding and desertification. Healthy soils are also needed to ensure food security and reduce water pollution, while being an important sink for carbon stocks. The proposal of the EU Commission for a Soil Monitoring Law and the recent [draft report](#) released by MEP Hojsik are a first step in this direction.

Being in close contact with regional authorities and sectoral actors that directly interface with soil management across Europe, we understand the utmost importance of providing a clear message and direction to EU Member States (MSs) and their operating bodies to translate the future Directive into effective and targeted action on the ground, where measures and results could be closely monitored and assessed on different levels. This to enable MSs to smoothly work towards – and progressively achieve – the objectives of the EU Soil Strategy by 2050. Starting from this perspective, with this joint letter, the European Biogas Association, the Association of Cities and Regions for sustainable Resource management (ACR+), the European Compost Network, and the European Biochar Industry Consortium strongly advise the EU legislators to integrate in the body of the proposed Directive the interlinked aspects enumerated below.

### Key recommendations

We call on the co-legislators in the European Parliament and in the Council:

- 1. To introduce a binding legal target for soil health to be achieved by 2050 and set intermediate targets for 2030 and 2040.** We support the amendment in the draft report to make the 2050 target binding but we believe this should be complemented by intermediate targets to pave the way towards 2050. These targets would allow MSs and the competent soil district authorities to plan interventions from the very beginning of implementation of the Directive, in a more targeted and focused way, and to evaluate performance and re-adjust effort against the set intermediate goals. These latter will also serve the competent

EU authorities to monitor progress across the EU on achieving the set restoration and decontamination targets. Including also the 2030 intermediate target (along the 2040 proposed by the Parliament) in the text proposal is key to prompt action from year 1 and to start building planning capacity with the highest priority.

2. **To include guiding schemes on minimum spatial coverage for soils' ecological status monitoring to which each member state should comply with** (Annex I, part A, Methodology for determining sampling points). These minimum coverage levels should aim to make the monitoring exercise large enough for the results of the monitoring to be representative of the situation in the soil district, and across land use types. To this extent, we suggest that the suggested sampling methodology is adjusted to include minimum coverage thresholds per category of land use (i.e. urban, agriculture, forest, natural areas, industrial sites) such to provide a balanced monitoring of soils' ecological status across land use types. This would also be in line with the parallel effort of establishing Soil Health Living Labs that address soil challenges across different land uses. The requirement for spatial coverage of the monitoring exercise should be integrated in Chapter II or in Annex I of the Directive and shall be align with the proposed EP proposition of a three-tier system. The monitoring indicators shall be able to provide a clear picture of the ecological status of soils in relation to the 8 objectives of the EU Soil Mission, going beyond soil pollution, and addressing all other relevant soil degradation challenges as partly enumerated in the draft report of the Parliament in its review or article 1. Where MSs already have the monitoring data, these could be used to build up the monitoring scheme in the cases where data are no older than 3 years prior to the date of effectiveness of the Directive.
3. **To require soil district authorities to establish soil district plans including a set of sustainable soil management practices to be implemented** (Article 9) within 3 years from entering into force of the Directive, with regular updates every 5 years thereafter. As proposed in the draft report, soil district plans should include measures and targets at soil district level to achieve measurable improvement of soil health conditions. To achieve the binding target by the set intermediate and 2050 timeline, these plans must be mandatory and must include a set of sustainable soil management (SSM) practices from the list set by Member States, based on the peculiarities of their territories and the soil threats challenges specific to the soil districts.
4. **To require the Commission to provide knowledge and assistance to Member States and soil districts competent authorities regarding the implementation of sustainable soil management practices as part of the soil district plans** (articles 9 and 10). As proposed in the draft report, the set-up by the EU Commission of a Sustainable Soil Management Toolbox to share best SSM practices between Member States is a positive initiative. We suggest the Toolbox to be interactive, such to allow for the toolbox to be expanded with measures and actions implemented by the different soil districts if these measures were not originally present in the first version of the Toolbox provided by the Commission. For a measure to be uploaded to the Toolbox, soil district competent authorities or MSs should be able to provide scientific evidence of positive impact of the adopted measure. For measures already present in the first version of the Toolbox, MSs adopting those measures, should be able to report the generated impact to the Toolbox platform for other soil districts to be able to assess potential implementation of the measure. To reduce the burden on Member States, this toolbox should contain information on the relevance and impact of each practice based on soil type, land use and climatic conditions. If Member States have to define SSM practices from 2 years after the entry into force of the Directive as per the draft report, the toolbox should be publicly available by that time. As an example, with reference to the EU Soil Mission objective of improving carbon storage of soils, a first version of the Toolbox can include the application of organic soil improvers on agricultural soils as a measure to increase organic carbon content in soils. Indeed, organic substances

as digestate, compost and biochar application can contribute to restore soil organic carbon in line with principle “e.” of Annex III of the proposal. The extent of adoption of these measures should be evaluated in line with the different relevant environmental policies and regulations pertaining to the European Green Deal package.

Thank you for your attention,

- The [European Biogas Association](#) is the voice of renewable gas in Europe since 2009. Supported by its members, EBA is committed to work with European institutions, industry, agricultural partners, NGOs and academia to develop policies which can enable the large-scale deployment of renewable gases and organic fertilisers throughout Europe. The association counts today on a well-established network of over 200 national organisations, scientific institutes, and companies from Europe and beyond. EBA is a partner in the European project [FER-PLAY](#), in the [4 per 1000 initiative](#) and a signatory of the [“Save Organics in Soil” manifesto](#) and the [Mission soil manifesto](#).  
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- [ACR+](#), the Association of Cities and Regions for sustainable Resource management, represents a European network of 100+ local and regional authorities and waste management agencies engaged in the promotion of a circular economy transition. ACR+ is a partner in the EU projects [PREPSOIL](#), [SOILL](#) (starting in Jan. 2024) and [FER-PLAY](#).  
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- The [European Compost Network](#) is the leading European membership organisation promoting sustainable recycling practices by composting and anaerobic digestion of organic resources and guarding over the quality and safe use of the recovered organic fertilisers and soil improvers. With 67 members from 28 European Countries ECN represents more than 4500 experts and plant operators with more than 45 million tonnes of biological waste treatment capacity.  
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- At the [European Biochar Industry \(EBI\) Consortium](#) we represent the key actors of the biochar sector, including producers, biochar production plant manufacturers, wholesalers and refiners. Our aim is to support biochar as an environmental and climate solution to agriculture, industry and the construction sector, based on locally sourced, renewable resources. Turning waste streams into valuable resources is our mission, fostering the Biochar Industry on a European level is our daily business. With this, we create carbon removals at scale.  
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