

Opening Statement prepared for Joint Committee on Agriculture, Food, and the Marine regarding the proposal on Soil Monitoring and Resilience (Soil Monitoring Law) and implications for the agricultural sector.

24th January 2024

Introduction

Thank you, Chairman, for the opportunity to address the Committee to contribute to your discussions on the proposed Directive on Soil Monitoring and Resilience (Soil Monitoring Law) and implications for the agricultural sector. Firstly, I would like to note that the Joint Committee on Environment and Climate Action, at its' meeting on the 30th May 2023, considered the EU legislative proposal on Soil Monitoring and Resilience. The Department of the Environment, Climate and Communications, who are the lead government department in relation to this proposed Directive, engaged with that Committee at that time.

Agriculture and forestry are Ireland's dominant land uses, responsible for shaping approximately two thirds of our total land area. A core component of land is soil. Soil is a finite resource, meaning its loss and degradation is not recoverable within a human lifespan.

The health of agricultural soils is crucial, not only for sustainable food production but also for the provision of many other ecosystem services, such as water filtration, carbon sequestration, flood regulation and habitat for most living things and their food. It is therefore a highly valuable natural resource, yet it is often overlooked. Ensuring we sustainably manage our soils is key to strengthening the resilience and the regeneration of our soils.

The EU Commission estimate that over 60% of European soils are unhealthy and scientific evidence shows that this is getting even worse. The unsustainable use of EU natural resources, in particular the degradation and pollution of soils, is one of the major drivers of the climate and biodiversity crises. Our soil hosts at least 25% of the biodiversity on the planet. It is the foundation of the food chain and is the largest terrestrial carbon pool in the planet. However, soils currently do not receive the same level of legal protection in the EU

as air and water. The European Parliament, other EU institutions, stakeholders and citizens have therefore called on the Commission to develop an EU legal framework for the protection and sustainable use of soil.

Background Information

The Commission first proposed a Soil Framework Directive in 2006. This first proposed EU-wide legislative approach on soil protection since the establishment of the EU was subsequently withdrawn. Due to the lack of a common EU legislation, Member States have tried to address soil health issues, such as degradation and erosion at a national level. Nevertheless, as these are global issues there remained a call for a common EU-wide solution to further strengthen efforts to improve soil health.

In November 2021, the European Commission presented the Soil Strategy for 2030. This strategy provides a new vision for soil that is anchored in the EU Biodiversity Strategy and Farm to Fork Strategy. It sets out a framework and concrete measures to protect and restore our soils.

On the 5th of July 2023 the European Commission published the proposal for a Directive on Soil Monitoring and Resilience, the Soil Monitoring Law. This proposal was developed from the results of EU Soil Expert meetings held by the Commission throughout 2022. The Department of Agriculture, Food and the Marine is working closely with colleagues in Department of Environment, Climate and Communications representing Ireland on this EU soils expert working group. The two government departments also engage with colleagues in Teagasc, Department Housing Local Government and Heritage (NPWS), Environmental Protection Agency and Geological Survey Ireland in relation to the proposals.

The long-term objective of the proposed Soil Monitoring Law is to have all soils across the EU in healthy condition by 2050, as outlined in the soil strategy. To achieve this ambitious goal, the proposal provides a common definition of what constitutes a healthy soil and lays down measures on monitoring and assessment of soil health, sustainable soil management, and remediation of contaminated sites.

Under the proposed directive, Member States will be required to regularly monitor soil health and land take within 'soils districts' to be established throughout their territory. The proposal includes elements to increase the knowledge and data availability on the health of soils, including agricultural soils, and to maintain or improve soil functions, including the production of food, feed, and biomass. The proposal does not impose direct obligations on landowners and land managers, including farmers.

The proposal sets out certain principles to be respected when defining sustainable soil management practises at Member State level but does not define the specific management practices to be applied or restricted. Importantly this proposal gives authorities and soil managers the flexibility to choose the most appropriate soil management practices and how to apply them. These principles will be determined taking into consideration the specific local, climatic, and social-economic conditions, as well as land uses and soil types, and existing knowledge on what works best for our farmers and society.

In addition, there is a requirement for authorities to promote awareness of the multiple benefits of sustainable soil management, promote research and implementation of soil management concepts and make available an updated mapping of financial instruments and activities to support the implementation of sustainable soil management.

The proposal also lays down certain principles that Member States should follow as part of sustainable soil management.

The proposed directive requires Member States to set up a mechanism for a voluntary soil health certification process for farmers and other land managers. This voluntary soil certification process should be complementary to a carbon removal certification process. This voluntary certification process may provide opportunities for landowners to be rewarded for good soil management practises that maintain soils in a healthy condition.

Conclusion

The proposed Directive on Soil Monitoring and Resilience is the subject of ongoing discussions at the Council Working Party on the Environment under the Belgian presidency.

Increased recognition of the critical importance of healthy soils is welcomed and every effort will be made to ensure that the directive provides long term benefits to our environment, farmers, other land owners and wider society.

I thank the Committee for the opportunity to discuss the proposed directive and I am happy to answer any questions you may have.