



**2023/0232(COD)**

15.2.2024

# **OPINION**

of the Committee on Agriculture and Rural Development

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the council  
on Soil Monitoring and Resilience (Soil Monitoring Law)  
(COM(2023)416 – C9-0234/2023 – 2023/0232(COD))

Rapporteur for opinion: Maria Noichl

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## AMENDMENT

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take the following into account:

### Amendment 1

#### Proposal for a directive

##### Recital 1

*Text proposed by the Commission*

(1) Soil is a vital, limited, **non-renewable** and irreplaceable resource that is crucial for the economy, the environment and the society.

*Amendment*

(1) Soil is a vital, limited and irreplaceable resource that is crucial for **agricultural and forestry production**, the economy, the environment, **food production, food security** and the society.

### Amendment 2

#### Proposal for a directive

##### Recital 2

*Text proposed by the Commission*

(2) Healthy soils are in good chemical, biological and physical condition so that they can provide ecosystem services that are vital to humans and the environment, such as safe, nutritious and sufficient food, biomass, clean water, nutrients cycling, carbon storage and a habitat for biodiversity. **However, 60 to 70 % of the soils in the Union are deteriorated and continue to deteriorate.**

*Amendment*

(2) Healthy soils are in good chemical, biological and physical condition so that they can **more effectively** provide ecosystem services that are vital to humans and the environment, such as safe, nutritious and sufficient food, biomass, clean water, nutrients cycling, carbon storage and a habitat for biodiversity.

### Amendment 3

#### Proposal for a directive

##### Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

**(2a)** *The ecosystem services provided by soils include cultural services that enable the generation of scientific knowledge and the promotion of scientific education and dissemination. The scientific and educational value of soils warrants the need to conserve the best examples of the variety of soils found in EU countries so that the scientific research of those materials by current and future generations can continue.*

#### **Amendment 4**

##### **Proposal for a directive Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**(3a)** *Soils formation occurs in a very slowly way with 500 years or more needed to create 2,5 cm of new topsoil, according to the European Commission, but soil health can be maintained or improved if appropriate measures are taken and implemented, so this directive should not impose restrictive measures and unachievable targets;*

#### **Amendment 5**

##### **Proposal for a directive Recital 9**

*Text proposed by the Commission*

*Amendment*

(9) The EU Biodiversity Strategy for 2030 states that it is essential to step up efforts to protect soil fertility, reduce soil erosion and increase soil organic matter by adopting sustainable soil management practices. It also states that significant progress is needed on identifying contaminated soil sites, restoring degraded

(9) The EU Biodiversity Strategy for 2030 states that it is essential to step up efforts to protect **and enhance** soil fertility, reduce soil erosion and increase soil organic matter by adopting **or maintaining** sustainable soil management practices. It also states that significant progress is needed on identifying contaminated soil

soils, defining the conditions for good ecological status of soils, introducing restoration objectives, and improving the monitoring of soil health.

sites, restoring degraded soils, defining the conditions for good ecological status of soils, introducing restoration objectives, and improving the monitoring of soil health.

## Amendment 6

### Proposal for a directive Recital 10

#### *Text proposed by the Commission*

(10) The EU Soil Strategy for 2030 sets the long-term vision that by 2050, all EU soil ecosystems are in **healthy** condition and are **thus** more resilient. As **a key solution**, healthy soils contribute to address the EU's goals of achieving climate neutrality and becoming resilient to climate change, developing a clean and circular (bio)economy, reversing biodiversity loss, safeguarding human health, halting desertification and reversing land degradation.

#### *Amendment*

(10) The EU Soil Strategy for 2030 sets the long-term vision that by 2050, all EU soil ecosystems are in **a healthier** condition and are more resilient. As **one of the solutions**, healthy soils contribute to address the EU's goals of achieving climate neutrality and becoming resilient to climate change, developing a clean and circular (bio)economy, reversing biodiversity loss, safeguarding human health, **food security**, halting desertification, **storing groundwater** and reversing land degradation. **Agriculture already makes a fundamental contribution to protecting soil health and preserving the landscape and biodiversity. Moreover, the multidimensional role played by agriculture offers additional positive externalities for regions, helping to keep rural communities alive and enhancing our environmental and ecosystem-related heritage.**

## Amendment 7

### Proposal for a directive Recital 11

#### *Text proposed by the Commission*

(11) Funding is vital to enable a transition to healthy soils. The Multiannual Financial Framework presents several funding opportunities available for the

#### *Amendment*

(11) **The additional** funding is vital to enable a transition to healthy soils. The Multiannual Financial Framework presents several funding opportunities available for

protection, sustainable management and regeneration of soils. A ‘Soil Deal for Europe’ is one of the five EU missions of the Horizon Europe programme and is specifically dedicated to promoting soil health. The Soil Mission is a key instrument for the implementation of this Directive. It aims to lead the transition to healthy soils through funding an ambitious research and innovation programme, establishing a network of 100 living labs and lighthouses in rural and urban areas, advancing the development of a harmonized soil monitoring framework and increasing the awareness of the importance of soil. Other Union programmes that present objectives contributing to healthy soils are the Common Agricultural Policy, the Cohesion Policy funds, the Programme for Environment and Climate Action, the Horizon Europe work programme, the Technical Support Instrument, the Recovery and Resilience Facility and InvestEU.

the protection, sustainable management and regeneration of soils. A ‘Soil Deal for Europe’ is one of the five EU missions of the Horizon Europe programme and is specifically dedicated to promoting soil health. The Soil Mission is a key instrument for the implementation of this Directive. It aims to lead the transition to healthy soils through funding an ambitious research and innovation programme, establishing a network of 100 living labs and lighthouses in rural and urban areas, advancing the development of a harmonized soil monitoring framework and increasing the awareness of the importance of soil. ***The nine outermost regions should be included in this network (Art. 349 TFEU)<sup>40a</sup> as they concentrate 80% of the Union's biodiversity.*** Other Union programmes that present objectives contributing to healthy soils are the Common Agricultural Policy, the Cohesion Policy funds, the Programme for Environment and Climate Action, the Horizon Europe work programme, the Technical Support Instrument, the Recovery and Resilience Facility and InvestEU. ***CAP funding, if it can contribute to the general objective, should not be affected by this Directive.***

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<sup>40a</sup>

[https://www.europarl.europa.eu/doceo/document/TA-9-2023-0228\\_PT.html#def\\_1\\_33](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0228_PT.html#def_1_33)

## Amendment 8

### Proposal for a directive Recital 13

*Text proposed by the Commission*

(13) In its conclusions of 23 October 2020<sup>43</sup>, the Council supported the Commission in stepping up efforts to better protect soils ***and soil biodiversity, as a***

*Amendment*

(13) In its conclusions of 23 October 2020<sup>43</sup>, the Council supported the Commission in stepping up efforts to better

*non-renewable resource of vital importance.*

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<sup>43</sup> Council Conclusions on Biodiversity - the need for urgent action, 12210/20.

## Amendment 9

### Proposal for a directive

#### Recital 14

##### *Text proposed by the Commission*

(14) Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>44</sup> sets out a binding objective of climate neutrality in the Union by 2050 and negative emissions thereafter, and of prioritising swift and predictable emission reductions and, at the same time, enhancing removals by natural sinks. Sustainable soil management results in increased carbon sequestration and in most cases in co-benefits for ecosystems and biodiversity. The Commission's Communication on Sustainable Carbon Cycles<sup>45</sup> underlined the need for clear and transparent identification of the activities that unambiguously remove carbon from the atmosphere such as the development of a EU framework for the certification of carbon removals from natural ecosystems including soils. Moreover, the revised Regulation on Land Use, Land Use Change and Forestry not only places soil carbon central to the achievement of targets on the pathway to a climate neutral Europe, but also calls for Member States to prepare a system for the monitoring of soil carbon stocks, using, inter alia, the land use/cover area frame statistical survey (LUCAS) dataset.

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<sup>44</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of

protect soils.

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<sup>43</sup> Council Conclusions on Biodiversity - the need for urgent action, 12210/20.

##### *Amendment*

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<sup>44</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of

30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

<sup>45</sup> Communication from the European Commission to the European Parliament and to the Council Sustainable Carbon Cycles COM (2021) 800.

30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

<sup>45</sup> Communication from the European Commission to the European Parliament and to the Council Sustainable Carbon Cycles COM (2021) 800.

## Amendment 10

### Proposal for a directive

#### Recital 17

##### *Text proposed by the Commission*

(17) The Commission's Communication on safeguarding food security and reinforcing the resilience of food systems<sup>47</sup> stressed that food sustainability is fundamental for food security. Healthy soils make the Union food system more resilient by providing the basis for nutritious and sufficient food.

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<sup>47</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Safeguarding food security and reinforcing the resilience of food systems, COM (2022) 133 final.

## Amendment 11

### Proposal for a directive

#### Recital 19

##### *Amendment*

(17) The Commission's Communication on safeguarding food security and reinforcing the resilience of food systems<sup>47</sup> stressed that food sustainability is fundamental for food security **and food sovereignty. Productive**, healthy soils make the Union food system more resilient by providing the basis for **safe**, nutritious and sufficient food. **The Common Agricultural Policy provides a harmonised framework to ensure food supply security.**

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<sup>47</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Safeguarding food security and reinforcing the resilience of food systems, COM (2022) 133 final.



*Text proposed by the Commission*

(19) Soils host more than 25% of all biodiversity and are the second largest carbon pool of the planet. Due to their ability to capture and store carbon, healthy soils contribute to the achievement of the Union's objectives on climate change. Healthy soils also provide a favourable habitat for organisms to thrive and are crucial for enhancing biodiversity and the stability of ecosystems. ***Biodiversity below and above ground are intimately connected and interact through mutualistic relationships (e.g. mycorrhizal fungi that connect plant roots).***

*Amendment*

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**Amendment 12**

**Proposal for a directive**

**Recital 22**

*Text proposed by the Commission*

(22) Soil degradation impacts fertility, yields, pest resistance and nutritional food quality. Since 95 % of our food is directly or indirectly produced on soils and the global population continues to increase, it is key that this finite natural resource remains healthy to ensure food security in the long-term and secure the productivity and profitability of Union agriculture. Sustainable soil management practices maintain or enhance soil health and contribute to the sustainability and resilience of the ***food system***.

*Amendment*

(22) Soil degradation impacts fertility, yields, pest resistance and nutritional food quality. Since 95 % of our food is directly or indirectly produced on soils and the global population continues to increase, it is key that this finite natural resource remains healthy to ensure food security in the long-term and secure the productivity and profitability of Union agriculture. Sustainable soil management practices, ***as laid down in the Common Agricultural Policy***, maintain or enhance soil health and contribute to the sustainability and resilience of the ***agrifood systems***.

**Amendment 13**

**Proposal for a directive**

**Recital 23**

*Text proposed by the Commission*

(23) The long-term objective of the Directive is to achieve healthy soils by 2050. As an intermediate step, in light of the limited knowledge about the condition of soils and about the effectiveness and costs of the measures to regenerate their health, the directive takes a staged approach. In the first stage the focus will be on setting up the soil monitoring framework and assessing the situation of soils throughout the EU. It also includes requirements to lay down measures to manage soils sustainably and regenerate unhealthy soils once their condition is established, but without imposing an obligation to achieve healthy soils by 2050 neither intermediate targets. This proportionate approach will allow sustainable soil management and regeneration of unhealthy soils to be well prepared, incentivised and set in motion. In a second stage, as soon as the results of the first assessment of soils and trends analysis are available, the Commission will take stock of the progress towards the 2050 objective ***and the experience thereof, and will propose a review of the directive if necessary to accelerate progress towards 2050.***

#### **Amendment 14**

#### **Proposal for a directive**

#### **Recital 24**

*Text proposed by the Commission*

(24) Addressing the pressures on soils and identifying the appropriate measures to maintain or regenerate soil health requires that the variety of soil types, the specific local and climatic conditions and the land use or the land cover is taken into account. It is therefore appropriate that Member States establish soil districts. Soil districts

*Amendment*

(23) The long-term objective of the Directive is ***to aim*** to achieve healthy soils by 2050. As an intermediate step, in light of the limited knowledge about the condition of soils and about the effectiveness and costs of the measures to regenerate their health, the directive takes a staged approach. In the first stage the focus will be on setting up the soil monitoring framework and assessing the situation of soils throughout the EU. It also includes requirements to lay down measures to manage soils sustainably and regenerate unhealthy soils once their condition is established, but without imposing an obligation to achieve healthy soils by 2050 neither intermediate targets. This proportionate approach will allow sustainable soil management and regeneration of unhealthy soils to be well prepared, incentivised and set in motion. In a second stage, as soon as the results of the first assessment of soils and trends analysis are available, the Commission will take stock of the progress towards the 2050 objective.

*Amendment*

(24) Addressing the ***region-specific*** pressures on soils and identifying the appropriate measures to maintain or regenerate soil health requires that the variety of soil types, the specific local and climatic conditions and the land use or the land cover is taken into account. It is therefore appropriate that Member States

should constitute the basic governance units to manage soils and to take measures to comply with the requirements laid down in this Directive, in particular with regard to the monitoring and assessment of soil health. ***The number, geographic extent and boundaries of soil districts for each Member State should be determined in order to facilitate the implementation of Regulation (UE) .../... of the European Parliament and of the Council<sup>48</sup>***. There should be a minimum number of soil districts in each Member State taking into account the size of the Member State. This minimum number of soil districts for each Member State ***shall*** correspond to the number of NUTS 1 territorial units established in Regulation (EC) No 1059/2003 of the European Parliament and of the Council<sup>49</sup>.

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***<sup>48</sup> +OP please insert in the text the number of the Regulation on the carbon removal certification contained in document COM(2022) 672 final and insert the number, date, title and OJ reference of that Directive in the footnote.***

<sup>49</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

## **Amendment 15**

### **Proposal for a directive Recital 25**

*Text proposed by the Commission*

(25) In order to ensure an appropriate governance on soils, Member States should be required to appoint a competent authority for ***each soil district. Member States should be allowed to appoint any***

establish soil districts. Soil districts should constitute the basic governance units to manage soils and to take measures to comply with the requirements laid down in this Directive, in particular with regard to the monitoring and assessment of soil health. There should be a minimum number of soil districts in each Member State taking into account the size of the Member State. This minimum number of soil districts for each Member State ***may*** correspond to the number of NUTS 1 territorial units established in Regulation (EC) No 1059/2003 of the European Parliament and of the Council<sup>49</sup>.

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<sup>49</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

*Amendment*

(25) In order to ensure an appropriate governance on soils, Member States should be required to appoint a competent authority for ***soil districts.***

*additional competent authority at appropriate level including at national or regional level.*

## **Amendment 16**

### **Proposal for a directive**

#### **Recital 26**

*Text proposed by the Commission*

(26) In order to have a common definition of healthy soil condition, ***there is a need to define*** a minimum common set of measurable criteria, ***which***, if not respected ***leads*** to a critical loss in the soil's capacity to function as a vital living system and to provide ecosystem services. ***Such criteria should reflect and be based on the existing level of soil science.***

*Amendment*

(26) In order to have a common definition of healthy soil condition, a minimum common set of measurable criteria ***is defined. The mix of criteria can vary per soil type and land use. Such criteria should reflect and be based on the existing level of soil science and*** if not respected ***may lead*** to a critical loss in the soil's capacity to function as a vital living system and to provide ecosystem services.

## **Amendment 17**

### **Proposal for a directive**

#### **Recital 28**

*Text proposed by the Commission*

(28) ***In order to create incentives, Member States should set up mechanisms to recognize the efforts of landowners and land managers to maintain the soil in healthy condition, including in the form of soil health certification complementary to the Union regulatory framework for carbon removals, and supporting the implementation of the renewable energy sustainability criteria set out in article 29 of Directive (EU) 2018/2001 of the European Parliament and of the Council<sup>50</sup>. The Commission should facilitate soil health certification by inter alia exchanging information and promoting best practices, raising awareness and assessing feasibility of developing recognition of certification***

*Amendment*

***deleted***

*schemes at Union level. Synergies between different certification schemes should be exploited as much as possible to reduce administrative burden for those applying for relevant certifications.*

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<sup>50</sup> *Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast) (OJ L 328, 21.12.2018, p. 82).*

## Amendment 18

### Proposal for a directive Recital 30

#### *Text proposed by the Commission*

(30) Soil is a limited resource subject to an ever-growing competition for different uses. Land take is a process often driven by economic development needs, that transforms natural and semi-natural areas (including agricultural and forestry land, gardens and parks) into artificial land development, using soil as a platform for constructions and infrastructure, as a direct source of raw material or as archive for historic patrimony. This transformation may cause the loss, often irreversibly, of the capacity of soils to provide other ecosystem services (provision of food and biomass, water and nutrients cycling, basis for biodiversity and carbon storage). In particular, land take often affects the most fertile agricultural soils, putting food security in jeopardy. Sealed soil also exposes human settlements to higher flood peaks and more intense heat island effects. Therefore, it is necessary to monitor land take and soil sealing and their effects on soil's capacity to provide ecosystem services. It is also appropriate to lay down certain principles to mitigate the impacts of land take as part of sustainable soil

#### *Amendment*

(30) Soil is a limited resource subject to an ever-growing competition for different uses. Land take is a process often driven by economic development needs, that transforms natural and semi-natural areas (including agricultural and forestry land, gardens and parks) into artificial land development, using soil as a platform for constructions and infrastructure, as a direct source of raw material or as archive for historic patrimony. This transformation may cause the loss, often irreversibly, of the capacity of soils to provide other ecosystem services (provision of food and biomass, water and nutrients cycling, basis for biodiversity and carbon storage). In particular, land take often affects the most fertile agricultural soils, putting food security in jeopardy. Sealed soil also exposes human settlements to higher flood peaks and more intense heat island effects. Therefore, it is necessary to monitor land take and soil sealing and their effects on soil's capacity to provide ecosystem services. It is also appropriate to lay down certain principles to mitigate the impacts of land take as part of sustainable soil management. ***The monitoring of land take***

management.

***and the establishment of these principles must be carried out in consultation with local stakeholders and take due account of the socio-economic needs of the territories.***

## **Amendment 19**

### **Proposal for a directive Recital 31**

#### *Text proposed by the Commission*

(31) The assessment of soil health based on the monitoring network should be accurate while at the same time keeping the costs of such monitoring at reasonable level. It is therefore appropriate to lay down criteria for sampling points that are representative of the soil condition under different soil types, climatic conditions and land use. The grid of sampling points should be determined by using geostatistical methods and be sufficiently dense to provide an estimation of the area of healthy soils, at national level, within an uncertainty of not more than 5%. This value is commonly considered to provide a statistically sound estimation and reasonable assurance that the objective has been achieved.

#### *Amendment*

(31) The assessment of soil health based on the monitoring network should be accurate while at the same time keeping the costs of such monitoring at reasonable level, ***and cannot be paid for by soil managers***. It is therefore appropriate to lay down criteria for sampling points that are representative of the soil condition under different soil types, climatic conditions and land use. The grid of sampling points should be determined by using geostatistical methods and be sufficiently dense to provide an estimation of the area of healthy soils, at national level, within an uncertainty of not more than 5%. This value is commonly considered to provide a statistically sound estimation and reasonable assurance that the objective has been achieved.

## **Amendment 20**

### **Proposal for a directive Recital 32**

#### *Text proposed by the Commission*

(32) The Commission should assist and support Member States' monitoring of soil health by continuing to carry out and enhancing regular in-situ soil sampling and related soil measurements (LUCAS soil) as part of the Land Use/Cover Area frame statistical Survey (LUCAS) Programme.

#### *Amendment*

(32) The Commission should assist and support Member States' monitoring of soil health by continuing to carry out and enhancing regular in-situ soil sampling and related soil measurements (LUCAS soil) as part of the Land Use/Cover Area frame statistical Survey (LUCAS) Programme.

For that purpose, the LUCAS Programme shall be enhanced and upgraded to fully align it with the specific quality requirements to be met for the purpose of this Directive. In order to alleviate the burden, Member States should be allowed to take into account the soil health data surveyed under the enhanced LUCAS soil. ***The Member States thus supported should take the necessary legal arrangements to ensure that the Commission can carry out such in-situ soil sampling, including on privately owned fields, and in compliance with applicable national or Union legislation.***

For that purpose, the LUCAS Programme shall be enhanced and upgraded to fully align it with the specific quality requirements to be met for the purpose of this Directive. In order to alleviate the burden, ***existing soil sampling points, national monitoring and measuring systems will be taken into account and*** Member States should be allowed to take into account the soil health data surveyed under the enhanced LUCAS soil.

## Amendment 21

### Proposal for a directive Recital 34

*Text proposed by the Commission*

*Amendment*

***(34) Building on and upgrading the existing EU soil observatory, the Commission should establish a digital soil health data portal that should be compatible with the EU Data Strategy<sup>51</sup> and the EU data spaces and which should be a hub providing access to soil data coming from various sources. That portal should primarily include all the data collected by the Member States and the Commission as required by this Directive. It should also be possible to integrate in the portal, on a voluntary basis, other relevant soil data collected by Member States or any other party (and in particular data resulting from projects under Horizon Europe and the Mission ‘A Soil Deal for Europe’), provided that those data meet certain requirements as regards format and specifications. Those requirements should be specified by the Commission by way of implementing acts.***

***deleted***



*<sup>51</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European strategy for data, COM(2020)66 final.*

## **Amendment 22**

### **Proposal for a directive Recital 36**

*Text proposed by the Commission*

*(36) In order to make the widest possible use of soil health data generated by the monitoring carried out under this Directive, Member States should be required to facilitate the access to such data for relevant stakeholders such as farmers, foresters, land owners and local authorities.*

*Amendment*

*deleted*

## **Amendment 23**

### **Proposal for a directive Recital 37**

*Text proposed by the Commission*

(37) To maintain or enhance soil health, soils need to be managed sustainably. Sustainable soil management will enable the long-term provision of soil services, including improved air and water quality and food security. It is therefore appropriate to lay down sustainable soil management principles to guide soil management practices.

*Amendment*

(37) To maintain or enhance soil health, soils need to be managed sustainably. Sustainable soil management will enable the long-term provision of soil services, including improved air and water quality and food security. It is therefore appropriate to lay down ***an indicative list of*** sustainable soil management principles to guide soil management practices.

## **Amendment 24**

### **Proposal for a directive Recital 38**



*Text proposed by the Commission*

(38) Economic instruments, including those under the Common Agricultural Policy (CAP) that provide support to farmers, have a crucial role in the transition to the sustainable management of agricultural soils and, to a lesser extent, forest soils. The CAP aims to support soil health through the implementation of conditionality, eco-schemes and rural development measures. Financial support for farmers and foresters who apply sustainable soil management practices can also be generated by the private sector. ***Voluntary sustainability labels in the food, wood, bio-based, and energy industry, for example, established by private stakeholders, can take into account the sustainable soil management principles set out in this Directive. This can enable food, wood, and other biomass producers that follow those principles in their production to reflect these in the value of their products.*** Additional funding for a network of real-life sites for testing, demonstrating and upscaling of solutions, including on carbon farming, will be provided through the Soil Mission's living labs and lighthouses. Without prejudice to the polluter pays principle, support and advice should be provided by Member States to help landowners and land users affected by action taken under this Directive taking into account, in particular, the needs and limited capacities of small and medium sized enterprises.

**Amendment 25**

**Proposal for a directive**

**Recital 39**

*Text proposed by the Commission*

***(39) Pursuant to Regulation (EU) 2021/2115 of the European Parliament***

*Amendment*

(38) Economic instruments, including those under the Common Agricultural Policy (CAP) that provide support to farmers, have a crucial role in the transition to the sustainable management of agricultural soils and, to a lesser extent, forest soils. The CAP aims to support soil health through the implementation of conditionality, eco-schemes and rural development measures. Financial support for farmers and foresters who apply sustainable soil management practices can also be generated by the private sector. Additional funding for a network of real-life sites for testing, demonstrating and upscaling of solutions, including on carbon farming, will be provided through the Soil Mission's living labs and lighthouses. Without prejudice to the polluter pays principle, support and advice should be provided by Member States, ***ensuring that it reaches the entire territory, including remote regions,*** to help landowners and land users affected by action taken under this Directive taking into account, in particular, the needs and limited capacities of small and medium sized enterprises.

*Amendment*

***deleted***

*and of the Council<sup>52</sup>, Member States have to describe in their CAP Strategic Plans how the environmental and climate architecture of those Plans is meant to contribute to the achievement of, and be consistent with, the long-term national targets set out in, or deriving from, the legislative acts listed in Annex XIII to that Regulation.*

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*<sup>52</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).*

## Amendment 26

### Proposal for a directive Recital 40

#### *Text proposed by the Commission*

(40) In order to ensure that the best sustainable soil management practices are implemented, Member States should be required to closely monitor the impact of soil management practices and adjust practices and recommendations as necessary, taking into account new knowledge from research and innovation. Valuable contributions are expected in this respect from the Horizon Europe Mission ‘A Soil Deal for Europe’ and in particular its living labs and activities to support soil monitoring, soil education and citizen engagement.

#### *Amendment*

(40) In order to ensure that the best sustainable soil management practices are implemented, **and if not already doing so**, Member States should be required to closely monitor the impact of soil management practices and adjust practices and recommendations as necessary, taking into account new knowledge from research and innovation. Valuable contributions are expected in this respect from the Horizon Europe Mission ‘A Soil Deal for Europe’ and in particular its living labs and activities to support soil monitoring, soil education and citizen engagement.

## Amendment 27

### Proposal for a directive Recital 42

#### *Text proposed by the Commission*

(42) To ensure synergies between the different measures adopted under other Union legislation that may have an impact on soil health, and the measures that are to be put in place to sustainably manage and regenerate soils in the Union, Member States should ensure that the sustainable soil management and regeneration practices are coherent with the national restoration plans adopted in accordance with Regulation (UE) .../... of the European Parliament and of the Council<sup>53+</sup>; the strategic plans to be drawn up by Member States under the Common Agricultural Policy in accordance with Regulation (EU) 2021/2115, the codes of good agricultural practices and the action programmes for designated vulnerable zones adopted in accordance with Council Directive 91/676/EEC<sup>54</sup>, the conservation measures and prioritized action framework established for Natura 2000 sites in accordance with Council Directive 92/43/EEC<sup>55</sup>, the measures for achieving good ecological and chemical status of water bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC of the European Parliament and of the Council<sup>56</sup>, the flood risk management measures established in accordance with Directive 2007/60/EC of the European Parliament and of the Council<sup>57</sup>, the drought management plans promoted in the Union Strategy on Adaptation to Climate Change<sup>58</sup>, the national action programmes established in accordance with Article 10 of the United Nations Convention to Combat Desertification, ***targets set out under Regulation (EU) 2018/841 of the European Parliament and of the Council<sup>59</sup> and Regulation (EU) 2018/842***

#### *Amendment*

(42) To ensure synergies between the different measures adopted under other Union legislation that may have an impact on soil health, and the measures that are to be put in place to sustainably manage and regenerate soils in the Union, Member States should ensure that the sustainable soil management and regeneration practices are coherent with the national restoration plans adopted in accordance with Regulation (UE) .../... of the European Parliament and of the Council<sup>53+</sup>; the strategic plans to be drawn up by Member States under the Common Agricultural Policy in accordance with Regulation (EU) 2021/2115, the codes of good agricultural practices and the action programmes for designated vulnerable zones adopted in accordance with Council Directive 91/676/EEC<sup>54</sup>, the conservation measures and prioritized action framework established for Natura 2000 sites in accordance with Council Directive 92/43/EEC<sup>55</sup>, the measures for achieving good ecological and chemical status of water bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC of the European Parliament and of the Council<sup>56</sup>, the flood risk management measures established in accordance with Directive 2007/60/EC of the European Parliament and of the Council<sup>57</sup>, the drought management plans promoted in the Union Strategy on Adaptation to Climate Change<sup>58</sup>, the national action programmes established in accordance with Article 10 of the United Nations Convention to Combat Desertification, the integrated national energy and climate plans established in accordance with Regulation (EU) 2018/1999 of the European Parliament and

*of the European Parliament and of the Council*<sup>60</sup>, the integrated national energy and climate plans established in accordance with Regulation (EU) 2018/1999 of the European Parliament and of the Council<sup>61</sup>, the national air pollution control programmes prepared under Directive (EU) 2016/2284 of the European Parliament and of the Council<sup>62</sup>, risk assessments and disaster risk management planning established in accordance with Decision No 1313/2013/EU of the European Parliament and of the Council<sup>63</sup>, and national action plans established in accordance with Regulation (UE) .../... of the European Parliament and of the Council<sup>64</sup> +. Sustainable soil management and regeneration practices should be, as far as possible, integrated within these programmes, plans and measures to the extent that they contribute to the achievement of their objectives. Consequently, relevant indicators and data, such as soil-related result indicators under the CAP Regulation and statistical data on agricultural input and output reported under Regulation (EU) 2022/2379 of the European Parliament and of the Council<sup>65</sup>, should be accessible to the competent authorities responsible for sustainable soil management and regeneration practices and soil health assessment in order to cross-link these data and indicators and thus enable the most accurate possible assessment of the effectiveness of the measures chosen.

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<sup>53</sup> OP : please insert please insert in the text the number of Regulation on nature restoration contained in document COM(2022) 304 and insert the number, date, title and OJ reference of that Regulation in the footnote Regulation (UE) .../... of the European Parliament and of the Council on nature restoration

<sup>54</sup> Council Directive 91/676/EEC of 12 December 1991 concerning the protection

of the Council<sup>61</sup>, the national air pollution control programmes prepared under Directive (EU) 2016/2284 of the European Parliament and of the Council<sup>62</sup>, risk assessments and disaster risk management planning established in accordance with Decision No 1313/2013/EU of the European Parliament and of the Council<sup>63</sup>, and national action plans established in accordance with Regulation (UE) .../... of the European Parliament and of the Council<sup>64</sup> +. Sustainable soil management and regeneration practices should be, as far as possible, integrated within these programmes, plans and measures to the extent that they contribute to the achievement of their objectives. Consequently, relevant indicators and data, such as soil-related result indicators under the CAP Regulation and statistical data on agricultural input and output reported under Regulation (EU) 2022/2379 of the European Parliament and of the Council<sup>65</sup>, should be accessible to the competent authorities responsible for sustainable soil management and regeneration practices and soil health assessment in order to cross-link these data and indicators and thus enable the most accurate possible assessment of the effectiveness of the measures chosen.

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<sup>53</sup> OP : please insert please insert in the text the number of Regulation on nature restoration contained in document COM(2022) 304 and insert the number, date, title and OJ reference of that Regulation in the footnote Regulation (UE) .../... of the European Parliament and of the Council on nature restoration

<sup>54</sup> Council Directive 91/676/EEC of 12 December 1991 concerning the protection

of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

<sup>55</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>56</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, pp. 1-73).

<sup>57</sup> Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (OJ L 288, 6.11.2007, p. 27).

<sup>58</sup> Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change COM(2021)82 final.

<sup>59</sup> ***Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).***

<sup>60</sup> ***Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).***

<sup>61</sup> Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of

of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

<sup>55</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>56</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, pp. 1-73).

<sup>57</sup> Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (OJ L 288, 6.11.2007, p. 27).

<sup>58</sup> Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change COM(2021)82 final.

<sup>61</sup> Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of

the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).

<sup>62</sup> Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).

<sup>63</sup> Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

<sup>64</sup> + OP: please insert in the text the number of the Regulation on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 contained in document COM(2022)305 and insert the number, date, title and OJ reference of that Directive in the footnote

<sup>65</sup> Regulation (EU) 2022/2379 on statistics on agricultural input and output.

the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).

<sup>62</sup> Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).

<sup>63</sup> Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

<sup>64</sup> + OP: please insert in the text the number of the Regulation on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 contained in document COM(2022)305 and insert the number, date, title and OJ reference of that Directive in the footnote

<sup>65</sup> Regulation (EU) 2022/2379 on statistics on agricultural input and output.

## **Amendment 28**

### **Proposal for a directive Recital 48**

#### *Text proposed by the Commission*

(48) Transparency is an essential component of soil policy and ensures public accountability and awareness, fair market conditions and the monitoring of progress. Therefore, Member States should

#### *Amendment*

(48) Transparency is an essential component of soil policy and ensures public accountability and awareness, fair market conditions and the monitoring of progress. Therefore, Member States should



set up and maintain a national register of contaminated sites and potentially contaminated sites which contains site-specific information that should be made publicly accessible in an online georeferenced spatial database. The register should contain the information that is necessary for the public to be informed on the existence and on the management of potentially contaminated sites and contaminated sites. Because the presence of soil contamination is not yet confirmed but only suspected on potentially contaminated sites, the difference between contaminated sites and potentially contaminated sites has to be communicated and explained well to the public to avoid raising unnecessary concern.

set up and maintain a national register of contaminated sites and potentially contaminated sites which contains site-specific information that should be made publicly accessible in an online georeferenced spatial database, ***without disclosing the identity of the owner of the site***. The register should contain the information that is necessary for the public to be informed on the existence and on the management of potentially contaminated sites and contaminated sites. Because the presence of soil contamination is not yet confirmed but only suspected on potentially contaminated sites, the difference between contaminated sites and potentially contaminated sites has to be communicated and explained well to the public to avoid raising unnecessary concern.

## **Amendment 29**

### **Proposal for a directive Recital 49**

*Text proposed by the Commission*

***(49) Article 19(1) of the Treaty on European Union (TEU) requires Member States to provide remedies sufficient to ensure effective judicial protection in the fields covered by Union law. In addition, in accordance with the Convention on access to information, public participation in decision-making and access to justice in environmental matters (Aarhus Convention)<sup>68</sup>, members of the public concerned should have access to justice in order to contribute to the protection of the right to live in an environment which is adequate for personal health and well-being.***

*Amendment*

***deleted***

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<sup>68</sup> ***Convention on access to information, public participation in decision-making and access to justice in environmental***

*matters – Declaration, (OJ L 124, 17.5.2005).*

## **Amendment 30**

### **Proposal for a directive Recital 50**

*Text proposed by the Commission*

*Amendment*

**(50) Directive (EU) 2019/1024 of the European Parliament and of the Council<sup>69</sup> mandates the release of public sector data in free and open formats. The overall objective is to continue the strengthening of the EU's data economy by increasing the amount of public sector data available for re-use, ensuring fair competition and easy access to public sector information, and enhancing cross-border innovation based on data. The main principle is that government data should be open by default and design. Directive 2003/4/EC of the European Parliament and of the Council<sup>70</sup> is aimed at guaranteeing the right of access to environmental information in the Member States in line with the Aarhus Convention. The Aarhus Convention and Directive 2003/4/EC encompass broad obligations related both to making environmental information available upon request and actively disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council<sup>71</sup> is also of broad scope, covering the sharing of spatial information, including data sets on different environmental topics. It is important that provisions of this Directive related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Directive regarding information to the public and information on monitoring of implementation should be without prejudice to Directives (EU) 2019/1024,**

**deleted**



2003/4/EC and 2007/2/EC.

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<sup>69</sup> *Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).*

<sup>70</sup> *Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).*

<sup>71</sup> *Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).*

## Amendment 31

### Proposal for a directive Recital 51

*Text proposed by the Commission*

*Amendment*

**(51) In order to ensure the necessary adaptation of the rules on soil health monitoring, sustainable soil management and management of contaminated sites, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending this Directive to adapt to technical and scientific progress the methodologies for monitoring soil health, the list of sustainable soil management principles, the indicative list of risk reduction measures, the phases and requirements for the site-specific risk assessment and the content of the register of contaminated and potentially contaminated sites. It is of particular**

*deleted*

*importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016<sup>72</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

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<sup>72</sup> *Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016 (OJ L 123, 12.5.2016, p. 1).*

## Amendment 32

### Proposal for a directive Recital 53

#### *Text proposed by the Commission*

(53) The Commission should carry out an evidence-based evaluation and, where relevant, a revision of this Directive, **6** years after its entry into force on the basis of the results of the soil health assessment. The evaluation should assess in particular the need to set more specific requirements to make sure **unhealthy** soils are regenerated and the objective to achieve healthy soils by 2050 is achieved. **The evaluation should also assess the need to adapt the definition of healthy soils to scientific and technical progress by adding provisions on certain descriptors or criteria based on new scientific evidence relating to the protection of soils or on the grounds of a problem specific to**

#### *Amendment*

(53) The Commission should carry out an evidence-based evaluation and, where relevant, a revision of this Directive, **15** years after its entry into force on the basis of the results of the soil health assessment. The evaluation should assess in particular the need to set more specific requirements to make sure **degraded** soils are regenerated and the objective to achieve healthy soils by 2050 is achieved.

*a Member State arising from new environmental or climatic circumstances. Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures.*

### **Amendment 33**

#### **Proposal for a directive Recital 54**

*Text proposed by the Commission*

(54) Coordinated measures by all Member States are necessary to achieve the vision to have all soils **healthy** by 2050 and to secure the provision of ecosystem services by soils across the Union in the long-term. Individual actions of Member States have proven *to be insufficient since the soil degradation is continuing and even deteriorating. Since the objectives of this Directive cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU.* In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

### **Amendment 34**

#### **Proposal for a directive Recital 55 a (new)**

*Amendment*

(54) Coordinated measures by all Member States are necessary to achieve the vision to have all soils **healthier** by 2050 and to secure the provision of ecosystem services by soils across the Union in the long-term. Individual actions of Member States have proven *that more time is needed as soil improves at a fairly slow pace due to its immobility.* In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

*Text proposed by the Commission*

*Amendment*

***(55a) Living Labs are expected to cover Europe with a certain density and can be expected to have a role in the monitoring efforts and in disseminating good practices, as well as supporting their application. Living Labs could have a crucial role particularly in supporting the large majority of farmers and land managers who have difficult access to knowledge and lack financial capacity to introduce soil regenerative practices.***

**Amendment 35**  
**Proposal for a directive**  
**Article 1 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The objective of the Directive is to put in place a ***solid and*** coherent soil monitoring framework for all soils across the EU ***and to continuously improve soil health in the Union with the view to achieve healthy soils by 2050 and maintain soils in healthy condition***, so that they can supply multiple ecosystem services at a scale sufficient to meet environmental, societal and economic needs, prevent and mitigate the impacts of climate change and biodiversity loss, increase the resilience against natural disasters and for food security and that soil contamination is reduced to levels no longer considered harmful to human health and the environment.

1. The objective of the Directive is to put in place a coherent ***and flexible*** soil monitoring framework for all soils across the EU so that they can supply multiple ecosystem services, ***taking into account of technical feasibility and economic proportionality and their intended use***, at a scale sufficient to meet environmental, societal and economic needs, prevent and mitigate the impacts of climate change and biodiversity loss, increase the resilience against natural disasters and for food security and that soil contamination is reduced to levels no longer considered harmful to human health and the environment.

**Amendment 36**  
**Proposal for a directive**  
**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) sustainable soil management;***

***deleted***

**Amendment 37**  
**Proposal for a directive**  
**Article 1 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) contaminated sites.

*Amendment*

(c) **monitoring and assesment of** contaminated sites.

**Amendment 38**  
**Proposal for a directive**  
**Article 2 – paragraph 1**

*Text proposed by the Commission*

This Directive applies to all soils in the territory of Member States.

*Amendment*

This Directive applies to all soils in the territory of Member States **when EU action is proven to be more beneficial than national action by Member States.**

**Amendment 39**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 1**

*Text proposed by the Commission*

(1) ‘soil’ means the **top layer of** the Earth’s crust situated between the bedrock and the land surface, which is composed of mineral particles, organic matter, **water**, air and living organisms;

*Amendment*

(1) ‘soil’ means the **rooting zone of plants in** the Earth’s crust situated between the bedrock and the land surface, which is composed of mineral particles, organic matter, **liquid components**, air and living organisms, **excluding groundwater, aquifers, water beds and raw material deposits**;

**Amendment 40**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 3**

*Text proposed by the Commission*

(3) ‘ecosystem services’ means indirect contributions of ecosystems to the economic, social, cultural and other

*Amendment*

(3) ‘ecosystem services’ means indirect contributions of ecosystems to the economic, social, cultural and other

benefits that people derive from those ecosystems;

benefits that people derive from those ecosystems, ***taking into account the specific nature of the site being monitored, with reference to soil and climatic conditions, soil management and, for agricultural sites, the type of crops grown;***

**Amendment 41**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 4**

*Text proposed by the Commission*

(4) ‘soil health’ means the physical, chemical and biological condition of the soil determining ***its*** capacity to function as a vital living system and to provide ecosystem services;

*Amendment*

(4) ‘soil health’ means the physical, chemical and biological condition of the soil determining ***taking into account its productivity and*** capacity to function as a vital living system and to provide ecosystem services ***and improve the vitality of the food production while taking into account the land use, type of land and fitting the function the soil has or intended to have;***

**Amendment 42**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 5**

*Text proposed by the Commission*

(5) ‘sustainable soil management’ means soil management practices that maintain or enhance the ecosystem services ***provided by the soil without impairing the functions enabling those services, or being detrimental to other properties of the environment;***

*Amendment*

(5) ‘sustainable soil management’ means soil management practices that ***aim to*** maintain or enhance the ***soil*** ecosystem services ***taking into account the socio economic effects;***

**Amendment 43**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 8**

*Text proposed by the Commission*

(8) ‘soil district’ means the part of the

*Amendment*

(8) ‘soil district’ means the part of the

territory of a Member State, as *delimited* by that Member State in accordance with this Directive;

territory of a Member State, as *defined* by that Member State in accordance with this Directive *and in consultation with the local authorities, taking into account the already existing administrative and territorial governance structure*;

**Amendment 44**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) ‘soil health assessment’ means the evaluation of the *health* of the soil based on the measurement or estimation of soil descriptors;

*Amendment*

(9) ‘soil health assessment’ means the evaluation of the *biological and productive status* of the soil based on the measurement or estimation of soil descriptors;

**Amendment 45**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 15 a (new)**

*Text proposed by the Commission*

*Amendment*

*(15 a) 'agricultural productive land' means an area where the conditions of the soil has been optimised to sustain or increase the ecosystem services agricultural production provides;*

**Amendment 46**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 17**

*Text proposed by the Commission*

(17) ‘land take’ means the conversion of natural and semi-natural land into artificial land;

*Amendment*

(17) ‘land take’ means the conversion of natural and semi-natural land *and agricultural productive land* into artificial land;

**Amendment 47**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 18**

*Text proposed by the Commission*

(18) ‘transfer function’ means a **mathematical** rule that allows to convert the value of a measurement, performed using a methodology different from a reference methodology, into the value that would be obtained by performing the soil measurement using the reference methodology;

**Amendment 48**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 19**

*Text proposed by the Commission*

(19) ‘public concerned’ means the public affected or likely to be affected by soil degradation, or having an interest in the decision-making procedures related to the implementation of the obligations under this Directive, including land owners and land users, as well as non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law.

**Amendment 49**  
**Proposal for a directive**  
**Article 3 – paragraph 1 – point 20**

*Text proposed by the Commission*

(20) ‘soil contamination’ means the presence of a chemical or substance in the soil in a concentration that **may be harmful** to human health or the environment;

**Amendment 50**  
**Proposal for a directive**  
**Article 4 – paragraph 1 – subparagraph 1**

*Amendment*

(18) ‘transfer function’ means a rule that allows to convert the value of a measurement, performed using a methodology different from a reference methodology, into the value that would be obtained by performing the soil measurement using the reference methodology;

*Amendment*

(19) ‘public concerned’ means the public affected or likely to be affected by soil degradation, or having an interest in the decision-making procedures related to the implementation of the obligations under this Directive, including land owners, **land managers** and land users, as well as non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law.

*Amendment*

(20) ‘soil contamination’ means the presence of a chemical or substance in the soil in a concentration that **causes a risk** to human health or **an unacceptable risk to** the environment;



*Text proposed by the Commission*

Member States **shall** establish soil districts throughout their territory.

*Amendment*

Member States **may** establish soil districts throughout their territory.

**Amendment 51**

**Proposal for a directive**

**Article 4 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

***The number of soil districts for each Member State shall as a minimum correspond to the number of NUTS 1 territorial units established under Regulation (EC) No 1059/2003.***

*Amendment*

***deleted***

**Amendment 52**

**Proposal for a directive**

**Article 4 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. When establishing the geographic extent of soil districts, Member States may take into account existing administrative units ***and shall seek homogeneity within each soil district regarding*** the following parameters:

*Amendment*

2. When establishing the geographic extent of soil districts, Member States may take into account existing administrative units ***in order to avoid administrative overload and may use such as*** the following parameters:

**Amendment 53**

**Proposal for a directive**

**Article 4 – paragraph 2 – point d**

*Text proposed by the Commission*

(d) land use or land cover as used in the Land Use/Cover Area frame statistical Survey (LUCAS) programme.

*Amendment*

(d) land use or land cover as used in the Land Use/Cover Area frame statistical Survey (LUCAS) programme, ***or as used in the national programme already in place;***

**Amendment 54**

**Proposal for a directive**

**Article 4 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) the existence of remote archipelagic regions with islands scattered between them, with each island corresponding to a soil district;***

**Amendment 55**

**Proposal for a directive**

**Article 4 – paragraph 2 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) soil slope;***

**Amendment 56**

**Proposal for a directive**

**Article 4 – paragraph 2 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

***(d c) use of COPERNICUS on the soil districts delimitation;***

**Amendment 57**

**Proposal for a directive**

**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2 a. The Commission shall provide:***

***(a) scientific input and assistance to Member States in establishing soil districts throughout their territory, upon request;***

***(b) support Member States to ensure a coherent cross border approach is taken for soil districts, and shall facilitate harmonization of monitoring systems, transfer functions, monitoring design and classification of ecological status at the level of the soil descriptors listed in Annex I.***

**Amendment 58**  
**Proposal for a directive**  
**Article 5 – paragraph 1**

*Text proposed by the Commission*

Member States *shall* designate the competent authorities responsible at an appropriate level for carrying out the duties laid down in this Directive.

*Amendment*

*It shall be for the Member States, in conjunction with their regional authorities, where applicable, to designate by ... [OP: please insert the date = 18 months from the date of entry into force of this Directive] the competent authorities responsible, at an appropriate level, for carrying out the duties laid down in this Directive. **Competent authorities pertaining to different Member States shall ensure efficient cross-border cooperation for soil districts at bordering a neighbouring Member State, in order to carry out the duties laid down in this Directive.***

Amendment 59  
**Proposal for a directive**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

Member States shall *designate one* competent *authority for each soil district* established in accordance with Article 4.

*Amendment*

Member States shall *inform the Commission on designated* competent *authorities for soil districts* established in accordance with Article 4. *The Commission shall make the list of the competent authorities available for the public on its website without undue delay. The Commission shall regularly update the list, based on updates received from Member States.*

Amendment 60  
**Proposal for a directive**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall establish a monitoring framework based on the soil

*Amendment*

1. Member States shall establish a monitoring framework *that may be* based

districts established in accordance with Article 4(1), to ensure that regular and accurate monitoring of soil health is carried out in accordance with this Article and Annexes I and II.

on the soil districts established in accordance with Article 4(1), to ensure that regular and accurate monitoring of soil health is carried out in accordance with this Article and Annexes I and II.

**Amendment 61**  
**Proposal for a directive**  
**Article 6 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall monitor soil health and land take in each soil district.

*Amendment*

2. Member States shall monitor soil health and land take in each soil district.  
***The aforementioned monitoring activities must not incur any financial burden for the land managers.***

**Amendment 62**  
**Proposal for a directive**  
**Article 6 – paragraph 3 – point d**

*Text proposed by the Commission*

(d) the remote sensing data and products referred to in paragraph 5 of this Article, if any;

*Amendment*

(d) the remote sensing data, ***proven scientifically*** and products referred to in paragraph 5 of this Article, if any;

**Amendment 63**  
**Proposal for a directive**  
**Article 6 – paragraph 3 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(e a) existing national monitoring frameworks should be prioritised.***

**Amendment 64**  
**Proposal for a directive**  
**Article 6 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. ***The Commission shall, subject to agreement from Member States***

***deleted***

*concerned, carry out regular soil measurements on soil samples taken in-situ, based on the relevant descriptors and methodologies referred to in Articles 7 and 8, to support Member States' monitoring of soil health. Where a Member State provides agreement in accordance with this paragraph, it shall ensure that the Commission can carry out such in-situ soil sampling.*

#### **Amendment 65**

##### **Proposal for a directive**

##### **Article 6 – paragraph 6 – introductory part**

*Text proposed by the Commission*

6. The Commission and the EEA shall, on the basis of existing data and within two years of the entry into force of this Directive, establish a digital soil health data portal that shall provide access in georeferenced spatial format ***to at least*** the available soil health data resulting from:

*Amendment*

6. The Commission and the EEA shall, on the basis of existing data and within two years of the entry into force of this Directive, establish a digital soil health data portal that shall provide access in ***anonymised*** georeferenced spatial format ***without disclosing the identity of the owner of the site, on*** the available soil health data resulting from:

#### **Amendment 66**

##### **Proposal for a directive**

##### **Article 6 – paragraph 6 – point b**

*Text proposed by the Commission*

***(b) the soil measurements referred to in paragraph 4 of this Article;***

*Amendment*

***deleted***

#### **Amendment 67**

##### **Proposal for a directive**

##### **Article 6 – paragraph 7**

*Text proposed by the Commission*

***7. The digital soil health data portal referred to in paragraph 6 may also provide access to other soil health related data than the data referred to in that***

*Amendment*

***deleted***

*paragraph if those data were shared or collected in accordance with the formats or methods established by the Commission pursuant to paragraph 8.*

**Amendment 68**  
**Proposal for a directive**  
**Article 6 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

**8. The Commission shall adopt implementing acts to establish formats or methods for sharing or collecting the data referred to in paragraph 7 or for integrating those data in the digital soil health data portal. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21.**

*deleted*

**Amendment 69**  
**Proposal for a directive**  
**Article 7 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

When monitoring and assessing soil **health**, Member States **shall** apply the soil descriptors **and soil health criteria** listed in Annex I.

When monitoring and assessing soil Member States **may** apply the soil descriptors **that best illustrate the soil characteristics in each soil type at national level** listed in Annex I.

When monitoring land take, Member States shall apply the land take and soil sealing indicators referred to in Annex I.

**Amendment 70**  
**Proposal for a directive**  
**Article 7 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. Member States may adapt the soil descriptors and the soil health criteria referred to in part A of Annex I, in**

**2. Member States may adapt the soil descriptors and the soil health criteria referred to in part A of Annex I, in**

accordance with the specifications referred to in the second and third columns in part A of Annex I.

accordance with the ***national and local*** specifications ***on soil health*** referred to in the second and third columns in part A of Annex I.

**Amendment 71**  
**Proposal for a directive**  
**Article 7 – paragraph 4**

*Text proposed by the Commission*

4. Member States shall set soil health criteria for the soil descriptors listed in part B of Annex I ***in accordance with the provisions set out in the third column in part B of Annex I.***

*Amendment*

4. Member States shall set soil health criteria for the soil descriptors listed in part B of Annex I ***based on the local needs.***

**Amendment 72**  
**Proposal for a directive**  
**Article 7 – paragraph 5**

*Text proposed by the Commission*

5. ***Member States may set additional soil descriptors and land take indicators, including but not limited to the optional descriptors and indicators listed in part C and D of Annex I, for monitoring purposes ('additional soil descriptors' and 'additional land take indicators').***

*Amendment*

***deleted***

**Amendment 73**  
**Proposal for a directive**  
**Article 7 – paragraph 5 a (new)**

*Text proposed by the Commission*

***5 a. Member States may adapt the soil descriptors and soil health criteria referred to in paragraphs 1 to 4 applying to agricultural productive land for social, environmental and economic sustainability purposes.***

*Amendment*



**Amendment 74**  
**Proposal for a directive**  
**Article 7 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall inform the Commission when soil descriptors, land take indicators and soil health criteria are set or adapted in accordance with paragraphs 2 to 5 of this Article.

**Amendment 75**  
**Proposal for a directive**  
**Article 8 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall determine sampling points by applying the methodology set out in part A of Annex II.

**Amendment 76**  
**Proposal for a directive**  
**Article 8 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

Member States may apply other methodologies than the ones listed in the first subparagraph, points (a) and (b), ***provided that validated transfer functions are available***, as required in Annex II, part B, fourth column.

**Amendment 77**  
**Proposal for a directive**  
**Article 8 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

Member States shall ensure that new soil measurements are performed at least every

*Amendment*

6. Member States shall inform the Commission when soil descriptors, land take indicators and soil health criteria are set or adapted in accordance with paragraphs 2 to 4 of this Article.

*Amendment*

1. Member States shall determine sampling points by applying the methodology set out in part A of Annex II ***taking into account risk assessments based on existing monitoring systems.***

*Amendment*

Member States may apply other ***equivalent*** methodologies than the ones listed in the first subparagraph, points (a) and (b), as required in Annex II, part B, fourth column.

*Amendment*

Member States shall ensure that new soil measurements are performed at least every ***10 years or sufficient timeframe in***

5 years.

*corresponding the sampling interval.*

**Amendment 78**  
**Proposal for a directive**  
**Article 8 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Member States shall ensure that the value of the land take and soil sealing indicators are updated at least every year.*

*deleted*

**Amendment 79**  
**Proposal for a directive**  
**Article 8 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6.** *The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex II in order to adapt the reference methodologies mentioned in it to scientific and technical progress, in particular where values of soil descriptors can be determined by remote sensing referred to in Article 6(5).*

*deleted*

**Amendment 80**  
**Proposal for a directive**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Member States shall assess the soil health *in all* their *soil districts* based on the data collected in the context of the monitoring referred to in Articles 6, 7 and 8 for each of the soil descriptors referred to in Parts A and B of Annex I.

Member States shall, *in conjunction with their regional authorities, where applicable*, assess the soil health, *related to the intended function of* their *soils*, based on the data collected in the context of the monitoring referred to in Articles 6, 7 and 8 for each of the soil descriptors referred to in Parts A and B of Annex I *taking account the reasoned changes on land use at the sampling areas and the natural and historical circumstances of the soil.*

Member States shall also take into account

Member States shall also take into account

the data collected in the context of soil investigations referred to in Article 14.

Member States shall ensure that soil health assessments are performed at least every **5** years and that the first soil health assessment is performed by ... (OP: please insert the date = **5** years after date of entry into force of the Directive).

the data collected in the context of soil investigations referred to in Article 14.

Member States shall ensure that soil health assessments are performed at least every **10** years and that the first soil health assessment is performed by ... (OP: please insert the date = **10** years after date of entry into force of the Directive).

**Amendment 81**  
**Proposal for a directive**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. A soil is considered healthy in accordance with this Directive where the following cumulative conditions are fulfilled:**

*deleted*

**(a) the values for all soil descriptors listed in part A of Annex I meet the criteria laid down therein and, where applicable, adapted in accordance with Article 7;**

**(b) the values for all soil descriptors listed in part B of Annex I meet the criteria set in accordance with Article 7 ('healthy soil').**

**By way of derogation from the first subparagraph the assessment of soils within a land area listed in the fourth column of Annex I, shall not take into account the values set out in the third column for that land area.**

**Soil is unhealthy where at least one of the criteria referred to in subparagraph 1 is not met ('unhealthy soil').**

**Amendment 82**  
**Proposal for a directive**  
**Article 9 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

Member States shall analyse the values for

Member States shall analyse the values for

the soil descriptors listed in part C of Annex I and assess whether there is a critical loss of ecosystem services, taking into account the relevant data and available scientific knowledge.

Member States shall analyse the values of land take and soil sealing indicators listed in part D of Annex I and assess their impact on the loss of ecosystem services **and on the objectives and targets established under Regulation (EU) 2018/841.**

**Amendment 83**  
**Proposal for a directive**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. Based on the assessment of soil health carried out in accordance with this Article, the competent authority shall, where relevant in coordination with local, regional, national authorities, identify, **in each soil district**, the areas which present unhealthy soils and inform **the public in accordance with Article 19.**

**Amendment 84**  
**Proposal for a directive**  
**Article 9 – paragraph 5**

*Text proposed by the Commission*

5. **Member States shall set up a mechanism for a voluntary soil health certification for land owners and managers pursuant to the conditions in paragraph 2 of this Article.**

**The Commission may adopt implementing acts to harmonise the format of soil health certification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in**

the soil descriptors listed in part C of Annex I and assess whether there is a critical loss of ecosystem services **relating to the intended function of the soil**, taking into account the relevant data and available scientific knowledge.

Member States shall analyse the values of land take and soil sealing indicators listed in part D of Annex I and assess their impact on the loss of ecosystem services **relating to the intended function of the soil.**

*Amendment*

4. Based on the assessment of soil health carried out in accordance with this Article, the competent authority shall, where relevant in coordination with local, regional, national authorities, identify, the areas which present unhealthy soils, **in relation to the intended function of their soils**, and inform **directly the land owners and land managers.**

**deleted**

*Amendment*

*Article 21.*

**Amendment 85**  
**Proposal for a directive**  
**Article 9 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall communicate soil health data and assessment referred to in Articles 6 to 9 to the relevant land owners and land managers ***upon their request***, in particular to support the development of the advice referred to in Article 10(3).

*Amendment*

6. Member States shall communicate ***automatically*** soil health data and assessment referred to in Articles 6 to 9 to the relevant land owners and land managers ***within relevant timeframe***, in particular to support the development of the advice referred to in Article 10(3).

**Amendment 86**  
**Proposal for a directive**  
**Article 10 – paragraph 1**

*Text proposed by the Commission*

1. ***From (OP: please insert the date = 4 years after date of entry into force of the Directive), Member States shall take at least the following measures, taking into account the type, use and condition of soil:***

***(a) defining sustainable soil management practices respecting the sustainable soil management principles listed in Annex III to be gradually implemented on all managed soils and, on the basis of the outcome of the soil assessments carried out in accordance with Article 9, regeneration practices to be gradually implemented on the unhealthy soils in the Member States;***

***(b) defining soil management practices and other practices affecting negatively the soil health to be avoided by soil managers.***

***When defining the practices and measures referred to in this paragraph, Member States shall take into account the***

*Amendment*

***deleted***

*programmes, plans, targets and measures listed in Annex IV as well as the latest existing scientific knowledge including results coming out of the Horizon Europe Mission a Soil Deal for Europe.*

*Member States shall identify synergies with the programmes, plans and measures set out in Annex IV. The soil health monitoring data, the results of the soil health assessments, the analysis referred to in Article 9 and the sustainable soil management measures shall inform the development of the programmes, plans and measures set out in Annex IV.*

*Member States shall ensure that the process of elaboration of the practices referred to in the first subparagraph is open, inclusive and effective and that the public concerned, in particular landowners and managers, are involved and are given early and effective opportunities to participate in their elaboration.*

#### **Amendment 87**

##### **Proposal for a directive**

##### **Article 10 – paragraph 2 – subparagraph 1**

###### *Text proposed by the Commission*

Member States shall ensure easy access to impartial and independent advice on sustainable soil management, training activities and capacity building for soil managers, landowners and relevant authorities.

###### *Amendment*

Member States shall ensure easy access to impartial and independent advice on sustainable soil management, training activities and capacity building for soil managers, landowners, **land managers** and relevant authorities.

#### **Amendment 88**

##### **Proposal for a directive**

##### **Article 10 – paragraph 2 – subparagraph 2 – point b**

###### *Text proposed by the Commission*

(b) promoting research and implementation of **holistic** soil

###### *Amendment*

(b) promoting research, **innovation** and implementation of **sustainable** soil

management concepts;

management concepts;

**Amendment 89**  
**Proposal for a directive**  
**Article 10 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. Member States shall regularly assess the effectiveness of the measures taken in accordance with this Article and, where relevant, review and revise those measures, taking into account the soil health monitoring and assessment referred to in Articles 6 to 9.**

*deleted*

**Amendment 90**  
**Proposal for a directive**  
**Article 10 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex III in order to adapt the sustainable soil management principles to take into account scientific and technical progress.**

*deleted*

**Amendment 91**  
**Proposal for a directive**  
**Article 11 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Member States *shall ensure that* the following *principles are respected* in case of land take:

Member States *are encouraged to considere* the following *aspects* in case of land take, *while taking into account local specificities*:

**Amendment 92**  
**Proposal for a directive**  
**Article 11 – paragraph 1 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) avoid or reduce as much as technically **and** economically possible the loss of the capacity of the soil to provide multiple ecosystem services, including food production, by:

(a) avoid or reduce as much as technically, **socially** economically possible the loss of the capacity of the soil to provide multiple ecosystem services, including **agriculture**, food production **and sustainable forest management** by:

#### **Amendment 93**

##### **Proposal for a directive**

##### **Article 11 – paragraph 1 – point a – point i**

*Text proposed by the Commission*

*Amendment*

(i) reducing the area affected by the land take **to the extent** possible and

(i) reducing the area affected by the land take **where** possible and

#### **Amendment 94**

##### **Proposal for a directive**

##### **Article 11 – paragraph 1 – point a – point ii**

*Text proposed by the Commission*

*Amendment*

(ii) selecting areas where the loss of ecosystem services would be minimized and

(ii) selecting areas where the loss of ecosystem services would be minimized, **taking into account the socio-economic balance of the territory concerned**, and

#### **Amendment 95**

##### **Proposal for a directive**

##### **Article 11 – paragraph 1 – point a – point iii**

*Text proposed by the Commission*

*Amendment*

**(iii) performing the land take in a way that minimizes the negative impact on soil;**

**deleted**

#### **Amendment 96**

##### **Proposal for a directive**

##### **Article 11 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*



(b) compensate *as much as possible* the loss of soil capacity to provide multiple ecosystem services.

(b) compensate *landowners for* the loss of soil capacity to provide multiple ecosystem services *and/or food production*.

**Amendment 97**  
**Proposal for a directive**  
**Article 12 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall manage the risks for human health and the environment of potentially contaminated sites and contaminated sites, and keep them to acceptable levels, taking account of the environmental, social and economic impacts of the soil contamination and of the risk reduction measures taken pursuant to Article 15 paragraph 4.

*Amendment*

1. Member States shall manage the risks for human health and the environment of potentially contaminated sites and contaminated sites, and keep them to acceptable levels, taking account of the environmental, social and economic impacts of the soil contamination and of the risk reduction measures taken pursuant to Article 15 paragraph 4. ***Human health risk assessments should always be based on type of land use.***

**Amendment 98**  
**Proposal for a directive**  
**Article 12 – paragraph 4 – point c**

*Text proposed by the Commission*

***(c) to request correction of information contained in the register for contaminated sites and potentially contaminated sites in accordance with Article 16.***

*Amendment*

***deleted***

**Amendment 99**  
**Proposal for a directive**  
**Article 12 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4 a. On the potentially contaminated soils, land owners and land managers must be given opportunity to provide relevant information and justifications in***

*accordance with the Article 14.*

**Amendment 100**  
**Proposal for a directive**  
**Article 13 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall systematically and actively identify all sites where a soil contamination is suspected based on evidence collected through ***all available*** means ('potentially contaminated sites').

*Amendment*

1. Member States shall, ***in conjunction with their regional or local authorities, where applicable,*** systematically and actively identify all sites where a soil contamination is suspected based on evidence collected through ***appropriate*** means ***and set procedures*** ('potentially contaminated sites').

**Amendment 101**  
**Proposal for a directive**  
**Article 13 – paragraph 3**

*Text proposed by the Commission*

3. Member States shall ensure that all potentially contaminated sites are identified by (OP: please insert date = 7 years after date of entry into force of the Directive) and are duly recorded in the register referred to in Article 16 by that date.

*Amendment*

3. Member States shall ensure, ***with conjunction with their regional or local authorities, where applicable,*** that all potentially contaminated sites are identified by (OP: please insert date = 7 years after date of entry into force of the Directive) and are duly recorded in the register referred to in Article 16 by that date.

**Amendment 102**  
**Proposal for a directive**  
**Article 14 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that all potentially contaminated sites identified in accordance with Article 13 are subject to soil investigation.

*Amendment*

1. Member States shall ensure that all potentially contaminated sites identified in accordance with Article 13 are subject to soil investigation, ***where appropriate and in order of priorities.***

**Amendment 103**  
**Proposal for a directive**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

Member States shall lay down the rules concerning the deadline, content, form and the prioritisation of the soil investigations. Those rules shall be established in accordance with the risk-based approach referred to in Article 12 and the list of potentially contaminating risk activities referred to in Article 13(2), second subparagraph.

Member States may consider baseline reports and monitoring measures implemented in accordance with the Directive 2010/75/EU as soil investigation where appropriate.

**Amendment 104**  
**Proposal for a directive**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. For each contaminated site identified pursuant to Article 14 or by any other means, the responsible competent authority shall carry out a site-specific assessment for the current and planned land uses to determine whether the contaminated site poses unacceptable risks for human health or the environment.

**Amendment 105**  
**Proposal for a directive**  
**Article 15 – paragraph 5**

*Amendment*

Member States shall lay down the rules concerning the deadline, content, form and the prioritisation of the soil investigations, ***taking duly into account environmental economic and social effects***. Those rules shall be established in accordance with the risk-based approach referred to in Article 12 and the list of potentially contaminating risk activities referred to in Article 13(2), second subparagraph.

Member States may consider baseline reports and monitoring measures implemented in accordance with the Directive 2010/75/EU as soil investigation where appropriate.

*Amendment*

3. For each contaminated site identified pursuant to Article 14 or by any other means, the responsible competent authority shall carry out a site-specific assessment for the current and planned land uses to determine whether the contaminated site poses unacceptable risks for human health or the environment. ***Member States may, where appropriate, consider assessments carried out in accordance with Directive 2011/92/EU and/or Directive 2010/75/EU and/or Directive 2012/18/EU sufficient.***

*Text proposed by the Commission*

5. The risk reduction measures may consist of the measures referred to in Annex V. When deciding on the appropriate risk reduction measures, the competent authority shall take into consideration the costs, benefits, effectiveness, durability, and technical feasibility of available risk reduction measures.

*Amendment*

5. The risk reduction measures may consist of the measures referred to in Annex V. When deciding on the appropriate risk reduction measures ***and timing of the enforcement***, the competent authority shall take into consideration the ***current and planned land use***, costs, benefits, effectiveness, durability, and technical feasibility of available risk reduction measures. ***The competent authority shall also take into account the measures already implemented or planned under Directive 2012/18/EU and/or Directive 2010/75/EU.***

**Amendment 106**  
**Proposal for a directive**  
**Article 15 – paragraph 6**

*Text proposed by the Commission*

***6. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annexes V and VI to adapt the list of risk reduction measures and the requirements for site-specific risk assessment to scientific and technical progress.***

*Amendment*

***deleted***

**Amendment 107**  
**Proposal for a directive**  
**Article 16 – paragraph 1**

*Text proposed by the Commission*

1. By ... (OP : please insert date = 4 years after entry into force of the Directive), Member States shall, in accordance with paragraph 2, draw up a register of contaminated sites ***and potentially contaminated sites.***

*Amendment*

1. By ... (OP : please insert date = 4 years after entry into force of the Directive), Member States shall, in accordance with paragraph 2, draw up a register of contaminated sites.

**Amendment 108**

**Proposal for a directive**  
**Article 16 – paragraph 4**

*Text proposed by the Commission*

Member States shall make public the register and information referred to in paragraphs 1 and 2. Disclosure of any information may be refused or restricted by the competent authority where the conditions laid down in Article 4 of Directive 2003/4/EC of the European Parliament and of the Council<sup>79</sup> are fulfilled.

The register shall be made available in an online georeferenced spatial database.

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<sup>79</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

**Amendment 109**  
**Proposal for a directive**  
**Article 17 – paragraph 1**

*Text proposed by the Commission*

Given the priority inherently attached to the establishment of soil monitoring and sustainable management and regeneration of soils, the implementation of this Directive ***shall be supported by existing Union financial programmes in accordance with their applicable rules and conditions.***

*Amendment*

Member States shall make public, ***where relevant*** the register and information referred to in paragraphs 1 and 2. Disclosure of any information may be refused or restricted by the competent authority where the conditions laid down in Article 4 of Directive 2003/4/EC of the European Parliament and of the Council<sup>79</sup> are fulfilled.

The register shall be made available in an online georeferenced spatial database.

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<sup>79</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

*Amendment*

Given the priority inherently attached to the establishment of soil monitoring and sustainable management and regeneration of soils, ***by ... [OP : please insert date = 12 months from the entry into force of the Directive], the Commission shall submit a report to the European Parliament and to the Council setting out the financial resources available at Union level for the implementation of this Directive. An additional financial resources shall be put in place for the post-2027 period in order to promote the continued sustainable management of soils, as well as their permanent regeneration.***

**Amendment 110**  
**Proposal for a directive**  
**Article 18 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Member States shall electronically report the following data and information to the Commission and to the EEA every 5 years:

Member States shall electronically report the following data and information to the Commission and to the EEA every **5 or 10** years, ***depending on the sufficient timeframe or in the corresponding the sampling interval:***

**Amendment 111**  
**Proposal for a directive**  
**Article 18 – paragraph 1 – subparagraph 1 – point c – introductory part**

*Text proposed by the Commission*

*Amendment*

(c) a summary of the progress on:

(c) a ***general*** summary of the progress on:

**Amendment 112**  
**Proposal for a directive**  
**Article 18 – paragraph 1 – subparagraph 1 – point c – point i**

*Text proposed by the Commission*

*Amendment*

(i) ***implementing sustainable soil management principles in accordance with Article 10;***

***deleted***

**Amendment 113**  
**Proposal for a directive**  
**Article 18 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The first reports shall be submitted by ... (OP: please insert date = **5** years and 6 months after entry into force of the Directive).

The first reports shall be submitted by ... (OP: please insert date = **10** years and 6 months after entry into force of the Directive).

**Amendment 114**  
**Proposal for a directive**

## Article 19 – paragraph 1

### *Text proposed by the Commission*

1. Member States shall make public the data generated by the monitoring carried out under Article 8 and the assessment carried out under Article 9 of this Directive accessible to the public, in accordance with the provisions under Article 11 of Directive 2007/2/EC of the European Parliament and of the Council<sup>80</sup> for geographically explicit data and Article 5 of Directive (EU) 2019/1024 for other data.

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<sup>80</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

### *Amendment*

1. Member States shall make public the **relevant** data generated by the monitoring carried out under Article 8 and the assessment carried out under Article 9 of this Directive accessible to the public, **with the express permission by landowner and land manager, in an aggregated and in the anonymized form and in full compliance with Union law on the protection of personal data** and in accordance with the provisions under Article 11 of Directive 2007/2/EC of the European Parliament and of the Council<sup>80</sup> for geographically explicit data and Article 5 of Directive (EU) 2019/1024 for other data.

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<sup>80</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

## **Amendment 115** **Proposal for a directive** **Article 19 – paragraph 2**

### *Text proposed by the Commission*

2. The Commission shall ensure that soil health data made accessible through the digital soil health data portal referred to in Article 6 is available to the public in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>81</sup> and Regulation (EC) No 1367/2006 of the European Parliament and of the Council<sup>82</sup>.

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<sup>81</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

<sup>82</sup> Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (OJ L 264, 25.9.2006, p. 13).

### **Amendment 116**

#### **Proposal for a directive**

#### **Article 19 – paragraph 3**

##### *Text proposed by the Commission*

3. Member States shall ensure that the information referred to in Article 18 of this Directive is available and accessible to the public in accordance with Directive 2003/4/EC, Directive 2007/2/EC and Directive (EU) 2019/1024 of the Parliament and of the Council<sup>83</sup>.

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<sup>83</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).

### **Amendment 117**

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<sup>81</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

<sup>82</sup> Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (OJ L 264, 25.9.2006, p. 13).

##### *Amendment*

3. Member States shall ensure that the **relevant** information referred to in Article 18 of this Directive is available and accessible to the public **only with the express permission of the landowner and land manager, in an aggregated and anonymized form**, in accordance with Directive 2003/4/EC, Directive 2007/2/EC and Directive (EU) 2019/1024 of the Parliament and of the Council<sup>83</sup>.

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<sup>83</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).



**Proposal for a directive**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in **Articles 8, 10, 15 and 16** shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Directive.

*Amendment*

2. The power to adopt delegated acts referred to in **Article 16** shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Directive.

**Amendment 118**  
**Proposal for a directive**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

3. The delegation of power referred to in **Articles 8, 10, 15 and 16** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Amendment*

3. The delegation of power referred to in **Article 16** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

**Amendment 119**  
**Proposal for a directive**  
**Article 20 – paragraph 4**

*Text proposed by the Commission*

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

*Amendment*

4. Before adopting a delegated act, the Commission shall consult experts, **with expertise in various land uses such as agriculture, forestry and urban soils** designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

**Amendment 120**

**Proposal for a directive**  
**Article 20 – paragraph 6**

*Text proposed by the Commission*

6. A delegated act adopted pursuant to **Articles 8, 10, 15 and 16** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Amendment*

6. A delegated act adopted pursuant to **Article 16** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

**Amendment 121**  
**Proposal for a directive**  
**Article 22**

*Text proposed by the Commission*

**Article 22**

***Access to justice***

***Member States shall ensure that members of the public, in accordance with national law, that have a sufficient interest or that maintain the impairment of a right, have access to a review procedure before a court of law, or an independent and impartial body established by law, to challenge the substantive or procedural legality of the assessment of soil health, the measures taken pursuant to this Directive and any failures to act of the competent authorities.***

***Member States shall determine what constitutes a sufficient interest and impairment of a right, consistently with the objective of providing the public with wide access to justice. For the purposes of paragraph 1, any non-governmental organisation promoting environmental protection and meeting any requirements***

*Amendment*

***deleted***

*under national law shall be deemed to have rights capable of being impaired and their interest shall be deemed sufficient.*

*Review procedures referred to in paragraph 1 shall be fair, equitable, timely and free of charge or not prohibitively expensive, and shall provide adequate and effective remedies, including injunctive relief where necessary.*

*Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.*

**Amendment 122**  
**Proposal for a directive**  
**Article 23**

*Text proposed by the Commission*

*Amendment*

*Article 23*

*deleted*

*Penalties*

*1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council, Member States shall lay down the rules on penalties applicable to violations by natural and legal persons, of the national provisions adopted pursuant to this Directive and shall ensure that those rules are implemented. The penalties provided for shall be effective, proportionate and dissuasive.*

*2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the violation. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the violation of the economic benefits derived from that violation. In the case of a violation*

*committed by a legal person, such fines shall be proportionate to the legal person's annual turnover in the Member State concerned, taking account, inter alia, the specificities of small and medium-sized enterprises (SMEs).*

*3. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:*

*(a) the nature, gravity, and extent of the violation;*

*(b) the intentional or negligent character of the violation;*

*(c) the population or the environment affected by the violation, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.*

*4. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.*

## **Amendment 123**

### **Proposal for a directive**

#### **Article 24 – paragraph 1 – introductory part**

##### *Text proposed by the Commission*

1. By (OP :please insert the date = 6 years after the date of entry into force of the Directive), the Commission shall carry out an evaluation of this Directive to assess the progress towards its objectives ***and the need to amend its provisions in order to set more specific requirements to ensure that unhealthy soils are regenerated and that all soils will be healthy by 2050.*** This evaluation shall take into account, inter alia, the following elements:

##### *Amendment*

1. By (OP :please insert the date = 15 years after the date of entry into force of the Directive), the Commission shall carry out an evaluation of this Directive to assess the progress towards its objectives. This evaluation shall take into account, inter alia, the following elements:

**Amendment 124**  
**Proposal for a directive**  
**Article 24 – paragraph 1 – point d**

*Text proposed by the Commission*

**(d) an analysis of the gap towards achieving healthy soils by 2050;**

*Amendment*

**deleted**

**Amendment 125**  
**Proposal for a directive**  
**Article 25 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... [OP please insert date = 2 years after date of entry into force of the Directive]. They shall forthwith communicate to the Commission the text of those provisions.

*Amendment*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... [OP please insert date = 5 years after date of entry into force of the Directive]. They shall forthwith communicate to the Commission the text of those provisions.

**Amendment 126**  
**Proposal for a directive**  
**Annex I – paragraph 1 – point 2**

*Text proposed by the Commission*

(2) ‘net land take’ means the result of land take minus reverse land take.

*Amendment*

(2) ‘net land take’ means the result of land take minus reverse land take.

***Member States may exclude the soil descriptors relating to the nutrient content in soils from Part B and Part C from this annex, considering that Directive 2000/60/EC and Directive 91/676/EEC are already targeted at the sustainable management of nutrients.***

**Amendment 127**  
**Proposal for a directive**

## Annex I – Part A

*Text proposed by the Commission*

Aspect of soil degradation	Soil descriptor	Criteria for healthy soil condition	Land areas that shall be excluded from achieving the related criterion
Part A: soil descriptors with criteria for healthy soil condition established at <b>Union level</b>			
Salinization	Electrical Conductivity (deci-Siemens per meter)	< 4 dS m <sup>-1</sup> when using saturated soil paste extract (eEC) measurement method, or equivalent criterion if using another measurement method	Naturally saline land areas; Land areas directly affected by sea level rise
Soil erosion	Soil erosion rate (tonnes per hectare per year)	≤ 2 t ha <sup>-1</sup> y <sup>-1</sup>	Badlands and other unmanaged natural land areas, except if they represent a significant disaster risk
<b>Loss of soil organic carbon</b>	<b>Soil Organic Carbon (SOC) concentration (g per kg)</b>	<ul style="list-style-type: none"> <li>- <b>For organic soils: respect targets set for such soils at national level in accordance with Article 4.1, 4.2, 9.4 of Regulation (EU) .../...<sup>+</sup></b></li> <li>- <b>For mineral soils: SOC/Clay ratio &gt; 1/13;</b></li> </ul> <p><b>Member States may apply a corrective factor where specific soil types or climatic conditions justify it, taking into account the actual SOC content in permanent grasslands.</b></p>	<p><b>No exclusion</b></p> <p><b>Non-managed soils in natural land areas</b></p>
Subsoil compaction	Bulk density in subsoil (upper part of B or E horizon <sup>1</sup> ); Member States may replace this descriptor with an equivalent parameter (g	Soil texture <sup>2</sup> range sand, loamy sand, sandy loam, loam Sandy clay loam, loam, clay loam, silt, silt loam silt loam, silty clay loam	<1.80 <1.75 <1.65 Non-managed soils in natural land areas

per cm<sup>3</sup>) Sandy clay, silty clay, clay loam with 35-45% clay <1.58

Clay <1.47

In case a Member State replaces the soil descriptor “bulk density in subsoil” with an equivalent parameter, it shall adopt a criterion for healthy soil condition for the chosen soil descriptor that is equivalent to the criterion set for “bulk density in subsoil”.

<sup>+</sup> OP : please insert in the text the number of Regulation on nature restoration contained in document COM(2022) 304

<sup>1</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

<sup>2</sup> As defined in Arshad, M.A., B. Lowery, and B. Grossman. 1996. Physical tests for monitoring soil quality. p.123- 142. In: J.W. Doran and A.J. Jones (eds.) Methods for assessing soil quality. Soil Sci. Soc. Am. Spec. Publ. 49. SSSA, Madison, WI.

<i>Amendment</i>			
Aspect of soil degradation	Soil descriptor	Criteria for healthy soil condition	Land areas that shall be excluded from achieving the related criterion
<b>Part A: soil descriptors with criteria for healthy soil condition established at <i>Member State level</i></b>			
Salinization	Electrical Conductivity (deci-Siemens per meter)	< 4 dS m <sup>-1</sup> when using saturated soil paste extract (eEC) measurement method, or equivalent criterion if using another measurement method	Naturally saline land areas; Land areas directly affected by sea level rise
Soil erosion	Soil erosion rate (tonnes per hectare per year)	≤ 2 t ha <sup>-1</sup> y <sup>-1</sup>	Badlands and other unmanaged natural land areas, except if they represent a significant disaster risk

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		<i>deleted</i>		
Subsoil compaction	Bulk density in subsoil (upper part of B or E horizon <sup>1</sup> ); Member States may replace this descriptor with an equivalent parameter (g per cm <sup>3</sup> )	Soil texture <sup>2</sup> sand, loamy sand, sandy loam, loam Sandy clay loam, loam, clay loam, silt, silt loam silt loam, silty clay loam Sandy clay, silty clay, clay loam with 35-45% clay Clay	range <1.80  <1.75  <1.65  <1.58  <1.47	Non-managed soils in natural land areas
		In case a Member State replaces the soil descriptor “bulk density in subsoil” with an equivalent parameter, it shall adopt a criterion for healthy soil condition for the chosen soil descriptor that is equivalent to the criterion set for “bulk density in subsoil”.		

+ OP : please insert in the text the number of Regulation on nature restoration contained in document COM(2022) 304

<sup>1</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

<sup>2</sup> As defined in Arshad, M.A., B. Lowery, and B. Grossman. 1996. Physical tests for monitoring soil quality. p.123- 142. In: J.W. Doran and A.J. Jones (eds.) Methods for assessing soil quality. Soil Sci. Soc. Am. Spec. Publ. 49. SSSA, Madison, WI.



### *Justification*

*In many contexts, a SOC/clay ratio does not sufficiently give info on the carbon content in all soils. This linear relationship is not true for all soils. Over a certain clay content, the carbon content can be on a good level even though the SOC/clay ration is not fulfilled.*

#### **Amendment 128 Proposal for a directive Annex I – Part B**

*Text proposed by the Commission*

Part B: soil descriptors with criteria for healthy soil condition established at Member States level

<i>Excess nutrient content in soil</i>	<i>Extractable phosphorus (mg per kg)</i>	<i>&lt; “maximum value”;The “maximum value” shall be laid down by the Member State within the range 30-50 mg kg<sup>-1</sup></i>	<i>No exclusion</i>
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Soil contamination	- concentration of heavy metals in soil: As, Sb, Cd, Co, Cr (total), Cr (VI), Cu, Hg, Pb, Ni, Tl, V, Zn (µg per kg)	Reasonable assurance, obtained from soil point sampling, identification and investigation of contaminated sites and any other relevant information, that no unacceptable risk for human health and the environment from soil contamination exists. Habitats with naturally high concentration of heavy metals that are included in Annex I of Council Directive 92/43/EEC <sup>1</sup> shall remain protected.	No exclusion
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- concentration of a selection of organic contaminants established by Member States and taking into account existing concentration limits e.g. for water quality and air emissions in Union legislation

Reduction of soil capacity to retain water	Soil water holding capacity of the soil sample (% of volume of water / volume of saturated soil)	The estimated value for the total water holding capacity of a soil district by river basin or subbasin is above the minimal threshold. The minimal threshold shall be set (in tonnes) by the Member State at soil district and river basin or subbasin level at such a value that the impacts of floodings following intense rain events or of periods of low soil moisture due to drought events are mitigated.	No exclusion
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<sup>1</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

*Amendment*

Part B: soil descriptors with criteria for healthy soil condition established at Member States level

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Soil contamination	<ul style="list-style-type: none"> <li>- concentration of heavy metals in soil: As, Sb, Cd, Co, Cr (total), Cr (VI), Cu, Hg, Pb, Ni, Tl, V, Zn (<math>\mu\text{g}</math> per kg)</li> <li>- concentration of a selection of organic contaminants established by Member States and taking into account existing concentration limits e.g. for water quality and air emissions in Union legislation</li> </ul>	<p>Reasonable assurance, obtained from soil point sampling, identification and investigation of contaminated sites and any other relevant information, that no unacceptable risk for human health and the environment from soil contamination exists.</p> <p>Habitats with naturally high concentration of heavy metals that are included in Annex I of Council Directive 92/43/EEC<sup>1</sup> shall remain protected.</p>	No exclusion
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Reduction of soil capacity to retain water	Soil water holding capacity of the soil sample (% of volume of water / volume of saturated soil)	The estimated value for the total water holding capacity of a soil district by river basin or subbasin is above the minimal threshold. The minimal threshold shall be set (in tonnes) by the Member State at soil district and river basin or subbasin level at such a value that the impacts of floodings following intense rain events or of periods of low soil moisture due to drought events are mitigated.	No exclusion
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<sup>1</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

## Amendment 129

### Proposal for a directive Annex I – Part C

*Text proposed by the Commission*

Part C: soil descriptors without criteria

Aspect of soil degradation	Soil descriptor
<b><i>Excess nutrient content in soil</i></b>	<b><i>Nitrogen in soil (mg g<sup>-1</sup>)</i></b>
Acidification	Soil acidity (pH)
Topsoil compaction	Bulk density in topsoil (A-horizon <sup>1</sup> ) (g cm <sup>-3</sup> )
Loss of soil biodiversity	Soil basal respiration (mm <sup>3</sup> O <sub>2</sub> g <sup>-1</sup> hr <sup>-1</sup> ) in dry soil

Member States may also select other optional soil descriptors for biodiversity such as:

- metabarcoding of bacteria, fungi, protists and animals;
- abundance and diversity of nematodes;
- microbial biomass;
- abundance and diversity of earthworms (in cropland);
- invasive alien species and plant pests

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<sup>1</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

*Amendment*

Part C: soil descriptors without criteria

Aspect of soil degradation	Soil descriptor
<b><i>deleted</i></b>	<b><i>deleted</i></b>
Acidification	Soil acidity (pH)
Topsoil compaction	Bulk density in topsoil (A-horizon <sup>1</sup> ) (g cm <sup>-3</sup> )

Loss of soil biodiversity

Soil basal respiration ( $\text{mm}^3 \text{O}_2 \text{g}^{-1} \text{hr}^{-1}$ ) in dry soil

Member States may also select other optional soil descriptors for biodiversity such as:

- metabarcoding of bacteria, fungi, protists and animals;
- abundance and diversity of nematodes;
- microbial biomass;
- abundance and diversity of earthworms (in cropland);
- invasive alien species and plant pests

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<sup>1</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

## **Amendment 130**

### **Proposal for a directive Annex II – Part A**

*Text proposed by the Commission*

Part A: Methodology for determining sampling points

Activity

Minimum criteria for methodology

Determination of soil sampling points (sample survey)

The sample survey shall be designed from a complete sample frame containing the best available information on the soil properties distribution, including but not limited to information resulting from previous national measurements and measurements under the LUCAS programme.

The sampling scheme shall be a stratified random sampling optimized on the soil health descriptors.

The size of the national sample shall meet the requirement of a maximum percent error (or Coefficient of Variation) of 5% for the estimation of the area having healthy soils.

The Commission sample for the survey set under Art 6(4) may contribute to a maximum of 20 % of the size of national samples.

The allocation and size of the sample shall be determined by applying the Bethel algorithm (Bethel, 1989)<sup>5</sup> accounting for the required maximum estimation error.

<sup>5</sup> Bethel, J. 1989. "Sample Allocation in Multivariate Surveys." Survey Methodology 15: 47–57.

*Amendment*

Part A: Methodology for determining sampling points

Activity	Minimum criteria for methodology
Determination of soil sampling points <i>and layers</i> (sample survey)	<p>The sample survey shall be designed from a complete sample frame containing the best available information on the soil properties distribution, including but not limited to information resulting from previous national measurements and measurements under the LUCAS programme.</p> <p>The sampling scheme shall be <i>designed with an unbiased and probabilistic manner and</i> a stratified random sampling optimized on the soil health descriptors.</p> <p>The size of the national sample shall meet the requirement of a maximum percent error (or Coefficient of Variation) of 5% for the estimation of the area having healthy soils.</p> <p>The Commission sample for the survey set under Art 6(4) may contribute to a maximum of 20 % of the size of national samples.</p> <p>The allocation and size of the sample shall be determined by applying the Bethel algorithm (Bethel, 1989)<sup>5</sup> accounting for the required maximum estimation error.</p>

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<sup>5</sup> Bethel, J. 1989. "Sample Allocation in Multivariate Surveys." Survey Methodology 15: 47–57.

**Amendment 131**

**Proposal for a directive  
Annex II – Part B**

*Text proposed by the Commission*

Part B: Methodology for determining or estimating the values of soil descriptors

Soil descriptor	Reference methodology	Minimum methodological criteria	Validated transfer function required (if using a methodology)

		different from the reference methodology <sup>6</sup> )?
Soil texture (clay, silt and sand content – needed for the determination of other descriptors and related ranges)	Preferred method: ISO 11277:1998 Determination of particle size distribution in mineral soil material – Method by sieving and sedimentation  Alternative method: ISO13320:2009 Particle size analysis – Laser diffraction methods	YES
Electrical Conductivity	Option 1: saturated soil paste extract (eEC) measurement method (FAO SOP: GLOSOLAN-SOP-08 <sup>7</sup> )  Option 2: ISO 11265:1994 Determination of The Specific Electrical Conductivity;	YES
Soil erosion rate		N/A
	Soil erosion rate estimation shall take into account all actions taken to mitigate or compensate the erosion risk, including post-fire mitigation measures.  Soil erosion rate estimation shall include all relevant erosion processes such as erosion by water, wind, harvest and tillage.  Soil erosion by water shall be assessed by considering the following factors:  - soil characteristics (e.g. erodibility, soil crusting, soil roughness),	

- climate (e.g. rainfall erosivity – intensity and duration, considering relevant climate change projections for a given area),
- topography (e.g. slope steepness and length),
- vegetation cover, crop type, land use and management practices to control or reduce erosion,
- management practices (e.g. cover crops, reduced tillage, mulching, etc.),
- burned areas.

Soil erosion by wind shall be assessed by considering the following factors:

- soil characteristics (e.g. erodibility),
- climate (e.g. soil moisture, wind speed, evaporation),
- vegetation (e.g. crop type),
- management practices to control or reduce erosion (e.g. wind breaks).

Soil Organic Carbon (SOC)	ISO 10694:1995 Determination of organic and total carbon after dry combustion	YES
Bulk density in subsoil (B horizon <sup>8</sup> ) or equivalent <sup>9</sup> parameter chosen by Member States	ISO 11272:2017 for determination of dry bulk density	YES



	In case an equivalent parameter is chosen, the methodology shall be either a European or International standard when available; if such standard is not available, the methodology chosen shall either be available in the scientific literature or publicly available.		
Extractable phosphorus	ISO 11263:1994 for spectrometric determination of phosphorus soluble in sodium hydrogen carbonate solution (P-Olsen)		YES
- Concentration of heavy metals in soil: As, Sb, Cd, Co, Cr (total), Cr (VI), Cu, Hg, Pb, Ni, Tl, V, Zn	Potential environmental available content of heavy metals in soils based on ISO 17586:2016 using dilute nitric acid.		YES
- Concentration of a selection of organic contaminants defined by Member States and taking into account existing EU legislation (e.g. on water quality or pesticides)		Use European or International standards when available; if such standard is not available, the methodology chosen shall either be available in the scientific literature or publicly available	N/A
Soil water holding capacity	Methodology to determine the value for one sample point:  Option 1: LABORATORY: ISO 11274:2019 for determination of the water-retention characteristic.	Minimum criteria for estimating the total soil water holding capacity of a soil district on a river basin or sub-basin scale:  - for the area of land not taken estimate the total value of soil water holding capacity	YES (for point value)

	Option 2: ESTIMATION: apply methodology described in the scientific article “New generation of hydraulic pedotransfer functions for Europe” <sup>10</sup> based on texture (or particle size distribution) and soil organic carbon.	- for the area of land taken, consider setting the water holding capacity of impervious areas to zero, attributing proportionately intermediate values to semi-impervious and other artificial areas.	
Nitrogen in soil	ISO 11261:1995 for determination of total soil nitrogen using a modified Kjeldahl method		YES
Soil acidity	ISO 10390:2005 for determination of pH in H <sub>2</sub> O and CaCl <sub>2</sub> extract (pH-H <sub>2</sub> O and pH-CaCl <sub>2</sub> )		YES
Bulk density in “topsoil” (A-horizon <sup>11</sup> )	ISO 11272:2017 for determination of dry bulk density		YES
Soil basal respiration	Follow indications described in the scientific article “Microbial biomass and activities in soil as affected by frozen and cold storage” <sup>13</sup>		YES
Member States may also select optional soil biodiversity descriptors such as:			
- Metabarcoding <sup>12</sup> of bacteria, fungi, protists and animals;			For other soil biodiversity descriptors: N/A
- Abundance and diversity of nematodes;		Use European or international standards when available; if such standard is not available, the methodology chosen shall either be available in the scientific literature or	

publicly available.

- Microbial biomass;
- Abundance and diversity of earthworms (in cropland)

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<sup>5</sup> Bethel, J. 1989. "Sample Allocation in Multivariate Surveys." Survey Methodology 15: 47–57.

<sup>6</sup> The methodologies different from the reference methodology shall either be available in the scientific literature or publicly available.

<sup>7</sup> <https://www.fao.org/3/cb3355en/cb3355en.pdf>

<sup>8</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

<sup>9</sup> Equivalent according to the EEA report: [Soil monitoring in Europe – Indicators and thresholds for soil health assessments — European Environment Agency \(europa.eu\)](https://www.eea.europa.eu/soil-monitoring)

<sup>10</sup>

<sup>11</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

<sup>12</sup> Sequencing of DNA barcodes for measuring taxonomical and functional diversity of archaea, bacteria, fungi and other eukaryotes as was done for LUCAS Soil Biodiversity based on <https://doi.org/10.1111/ejss.13299>

<sup>13</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0038071797001259>

#### *Amendment*

#### Part B: Methodology for determining or estimating the values of soil descriptors

Soil descriptor	Reference methodology	Minimum methodological criteria	Validated transfer function required (if using a methodology different from the reference methodology <sup>6</sup> )?
Soil texture (clay, silt and sand content – needed for the determination of other descriptors and related	Preferred method: ISO 11277:1998 Determination of particle size distribution in mineral		YES

ranges)	<p>soil material – Method by sieving and sedimentation</p> <p>Alternative method: ISO13320:2009 Particle size analysis – Laser diffraction methods</p>	YES
Electrical Conductivity	<p>Option 1: saturated soil paste extract (eEC) measurement method (FAO SOP: GLOSOLAN-SOP-087)</p> <p>Option 2: ISO 11265:1994 Determination of The Specific Electrical Conductivity;</p>	YES
Soil erosion rate	<p>Soil erosion rate estimation shall take into account all actions taken to mitigate or compensate the erosion risk, including post-fire mitigation measures.</p> <p>Soil erosion rate estimation shall include all relevant erosion processes such as erosion by water, wind, harvest and tillage. <b>For example RUSLE soil erosion model can be used.</b></p> <p>Soil erosion by water shall be assessed by considering the following factors:</p> <ul style="list-style-type: none"> <li>- soil characteristics (e.g. erodibility, soil crusting, soil roughness),</li> <li>- climate (e.g. rainfall erosivity – intensity and duration, considering relevant climate change projections for a given</li> </ul>	N/A

area),

- topography (e.g. slope steepness and length),
- vegetation cover, crop type, land use and management practices to control or reduce erosion,
- management practices (e.g. cover crops, reduced tillage, mulching, etc.),
- burned areas.

Soil erosion by wind shall be assessed by considering the following factors:

- soil characteristics (e.g. erodibility),
- climate (e.g. soil moisture, wind speed, evaporation),
- vegetation (e.g. crop type),
- management practices to control or reduce erosion (e.g. wind breaks).

Soil Organic Carbon (SOC)	ISO 10694:1995 Determination of organic and total carbon after dry combustion	YES
Bulk density in subsoil (B horizon <sup>8</sup> ) or equivalent <sup>9</sup> parameter chosen by Member States	ISO 11272:2017 for determination of dry bulk density  In case an equivalent parameter is chosen, the methodology shall be either a European or International standard	YES

	when available; if such standard is not available, the methodology chosen shall either be available in the scientific literature or publicly available.		
Extractable phosphorus	ISO 11263:1994 for spectrometric determination of phosphorus soluble in sodium hydrogen carbonate solution (P-Olsen) <i>or using acidic ammonium acetate solution</i>		YES
- Concentration of heavy metals in soil: As, Sb, Cd, Co, Cr (total), Cr (VI), Cu, Hg, Pb, Ni, Tl, V, Zn	Potential environmental available content of heavy metals in soils based on ISO 17586:2016 using dilute nitric acid.		YES
- Concentration of a selection of organic contaminants defined by Member States and taking into account existing EU legislation (e.g. on water quality or pesticides)		Use European or International standards when available; if such standard is not available, the methodology chosen shall either be available in the scientific literature or publicly available	N/A
Soil water holding capacity	Methodology to determine the value for one sample point:  Option 1: LABORATORY: ISO 11274:2019 for determination of the water-retention	Minimum criteria for estimating the total soil water holding capacity of a soil district on a river basin or sub-basin scale:  - for the area of land not taken estimate the total value of soil water holding capacity	YES (for point value)

	characteristic.		
	Option 2: ESTIMATION: apply methodology described in the scientific article “New generation of hydraulic pedotransfer functions for Europe” <sup>10</sup> based on texture (or particle size distribution) and soil organic carbon.	-	for the area of land taken, consider setting the water holding capacity of impervious areas to zero, attributing proportionately intermediate values to semi-impervious and other artificial areas.
Nitrogen in soil	ISO 11261:1995 for determination of total soil nitrogen using a modified Kjeldahl method		YES
Soil acidity	ISO 10390:2005 for determination of pH in H <sub>2</sub> O and CaCl <sub>2</sub> extract (pH-H <sub>2</sub> O and pH-CaCl <sub>2</sub> )		YES
Bulk density in “topsoil” (A-horizon <sup>11</sup> )	ISO 11272:2017 for determination of dry bulk density		YES
Soil basal respiration	Follow indications described in the scientific article “Microbial biomass and activities in soil as affected by frozen and cold storage” <sup>13</sup>		YES
Member States may also select optional soil biodiversity descriptors such as:			
- Metabarcoding <sup>12</sup> of bacteria, fungi, protists and animals;			For other soil biodiversity descriptors: N/A
- Abundance and diversity of nematodes;		Use European or international standards when available; if such standard is not available, the methodology chosen	

shall either be available in the scientific literature or publicly available.

- Microbial biomass;
- Abundance and diversity of earthworms (in cropland)

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<sup>5</sup> Bethel, J. 1989. "Sample Allocation in Multivariate Surveys." Survey Methodology 15: 47–57.

<sup>6</sup> The methodologies different from the reference methodology shall either be available in the scientific literature or publicly available.

<sup>7</sup> <https://www.fao.org/3/cb3355en/cb3355en.pdf>

<sup>8</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

<sup>9</sup> Equivalent according to the EEA report: [Soil monitoring in Europe – Indicators and thresholds for soil health assessments — European Environment Agency \(europa.eu\)](http://www.eea.europa.eu/soil-monitoring)

10

<sup>11</sup> As defined in the FAO Guidelines for Soil Description, Chapter 5 (<https://www.fao.org/3/a0541e/a0541e.pdf>)

<sup>12</sup> Sequencing of DNA barcodes for measuring taxonomical and functional diversity of archaea, bacteria, fungi and other eukaryotes as was done for LUCAS Soil Biodiversity based on <https://doi.org/10.1111/ejss.13299>

<sup>13</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0038071797001259>

### *Justification*

*Already existing and used method should be recognize. In the Member States, where soils is naturally more acidic, acidic ammonium acetate gives more accurate results.*

## **Amendment 132 Proposal for a directive Annex III**

*Text proposed by the Commission*

*Amendment*

**SUSTAINABLE SOIL MANAGEMENT  
PRINCIPLES**

*deleted*

***The following principles shall apply:***

***(a) avoid leaving soil bare by establishing and maintaining vegetative soil cover,***



*especially during environmentally sensitive periods;*

*(b) minimise physical soil disturbance;*

*(c) avoid inputs or release of substances into soil that may harm human health or the environment, or degrade soil health;*

*(d) ensure that machinery use is adapted to the strength of the soil, and that the number and frequency of operations on soils are limited so that they do not compromise soil health;*

*(e) when fertilization is applied, ensure adaptation to the needs of the plant and trees at the given location and in the given period, and to the condition of soil and prioritize circular solutions that enrich the organic content;*

*(f) in case of irrigation, maximise efficiency of irrigation systems and irrigation management and ensure that when recycled wastewater is used, the water quality meets the requirements set out in Annex I of Regulation (EU) 2020/741 of the European Parliament and of the Council<sup>108</sup> and when water from other sources is used, it does not degrade soil health;*

*(g) ensure soil protection by the creation and maintenance of adequate landscape features at the landscape level;<sup>109</sup>*

*(h) use site-adapted species in the cultivation of crops, plants or trees where this can prevent soil degradation or contribute to improving soil health, also taking into consideration the adaptation to climate change;*

*(i) ensure optimised water levels in organic soils so that the structure and composition of such soils are not negatively affected;<sup>110</sup>*

*(j) in the case of crop cultivation, ensure crop rotation and crop diversity, taking into consideration different crop families, root systems, water and nutrient needs,*

*and integrated pest management;*

*(k) adapt livestock movement and grazing time, taking into consideration animal types and stocking density, so that soil health is not compromised and the soil's capacity to provide forage is not reduced;*

*(l) in case of known disproportionate loss of one or several functions that substantially reduce the soils capacity to provide ecosystem services, apply targeted measures to regenerate those soil functions.*

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<sup>108</sup> *Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse (OJ L 177, 5.6.2020, p. 32).*

<sup>109</sup> *This principle does not apply to forest soils*

<sup>110</sup> *This principle does not apply to urban soils*

**Amendment 133**  
**Proposal for a directive**  
**Annex IV**

*Text proposed by the Commission*

*Amendment*

**PROGRAMMES, PLANS, TARGETS  
AND MEASURES REFERRED TO IN  
ARTICLE 10**

*deleted*

*(1) The national restoration plans prepared in accordance with Regulation .../...<sup>111</sup> +.*

*(2) The strategic plans to be drawn up by Member States under the Common Agricultural Policy in accordance with Regulation (EU) 2021/2115.*

*(3) The Code of Good Agricultural Practice and the action programmes for designated vulnerable zones adopted in accordance with Directive 91/676/EEC.*

- (4) The conservation measures and prioritized action framework established for Natura 2000 sites in accordance with Directive 92/43/EEC.***
- (5) The measures for achieving good ecological and chemical status of surface water bodies and good chemical and quantitative status of groundwater bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC.***
- (6) The flood risk management measures included in the flood risk management plans prepared in accordance with Directive 2007/60/EC.***
- (7) The drought management plans referred to in the Union Strategy on Adaptation to Climate Change.***
- (8) The national action programmes established in accordance with the United Nations Convention to Combat Desertification.***
- (9) The targets set out under Regulation (EU) 2018/841.***
- (10) The targets set out under Regulation (EU) 2018/842.***
- (11) The national air pollution control programmes prepared under Directive (EU) 2016/2284 and the monitoring data about air pollution impacts on ecosystems reported under that Directive.***
- (12) The integrated national energy and climate plan established in accordance with Regulation (EU) 2018/1999.***
- (13) The risk assessments and disaster risk management planning in accordance with Decision No 1313/2013/EU.***
- (14) The national actions plans adopted in accordance with Article 8 of Regulation .../...<sup>112</sup> +.***

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***<sup>111</sup> + OP : please insert in the text the number of Regulation on nature***

*restoration contained in document  
COM(2022) 304*

*<sup>112</sup> + OP : please insert in the text the  
number of Regulation of the European  
Parliament and of the Council the  
sustainable use of plant protection  
products and amending Regulation (EU)  
2021/2115 contained in document  
COM(2022)305*

## **Amendment 134**

### **Proposal for a directive Annex VII – paragraph 1 – introductory part**

#### *Text proposed by the Commission*

The design and presentation of the data in the register shall enable the public to track progress in the management of potentially contaminated sites and contaminated sites. The register shall contain and present the following information at site level for the known potentially contaminated sites, contaminated sites, contaminated sites requiring further action, and contaminated sites where action was taken or is being taken:

#### *Amendment*

The design and presentation of the ***anonymized*** data in the register shall enable the public, ***when relevant***, to track progress in the management of potentially contaminated sites and contaminated sites, ***while respecting the property right***. The register shall contain and present the following information at site level for the known potentially contaminated sites, contaminated sites, contaminated sites requiring further action, and contaminated sites where action was taken or is being taken:

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Soil Monitoring and Resilience (Soil Monitoring Law)	
<b>References</b>	COM(2023)0416 – C9-0234/2023 – 2023/0232(COD)	
<b>Committee responsible</b> Date announced in plenary	ENVI 16.10.2023	
<b>Opinion by</b> Date announced in plenary	AGRI 16.10.2023	
<b>Associated committees - date announced in plenary</b>	16.10.2023	
<b>Rapporteur for the opinion</b> Date appointed	Maria Noichl 12.9.2023	
<b>Discussed in committee</b>	26.10.2023	28.11.2023
<b>Date adopted</b>	13.2.2024	
<b>Result of final vote</b>	+: 19	–: 16
	0: 4	
<b>Members present for the final vote</b>	Clara Aguilera, Atidzhe Alieva-Veli, Attila Ara-Kovács, Benoît Biteau, Franc Bogovič, Daniel Buda, Isabel Carvalhais, Ivan David, Paolo De Castro, Jérémy Decerle, Herbert Dorfmann, José Manuel Fernandes, Luke Ming Flanagan, Paola Ghidoni, Dino Giarrusso, Francisco Guerreiro, Martin Häusling, Krzysztof Jurgiel, Jarosław Kalinowski, Elsi Katainen, Norbert Lins, Maria Noichl, Juozas Olekas, Bronis Ropė, Katarína Roth Nevedálová, Bert-Jan Ruissen, Anne Sander, Veronika Vrecionová, Sarah Wiener, Juan Ignacio Zoido Álvarez	
<b>Substitutes present for the final vote</b>	Rosanna Conte, Jan Huitema, Peter Jahr, Benoît Lutgen, Cristina Maestre Martín De Almagro, Michaela Šojdrová, Achille Variati, Emma Wiesner	
<b>Substitutes under Rule 209(7) present for the final vote</b>	Stefania Zambelli	

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

19	+
ECR	Bert-Jan Ruissen, Veronika Vrecionová
NI	Katarína Roth Nevedálová
PPE	Franc Bogovič, Daniel Buda, Herbert Dorfmann, José Manuel Fernandes, Peter Jahr, Jarosław Kalinowski, Norbert Lins, Benoît Lutgen, Anne Sander, Michaela Šojdrová, Stefania Zambelli, Juan Ignacio Zoido Álvarez
Renew	Atidzhe Alieva-Veli, Jan Huitema, Elsi Katainen, Emma Wiesner

16	-
ID	Rosanna Conte, Ivan David, Paola Ghidoni
NI	Dino Giarrusso
S&D	Clara Aguilera, Attila Ara-Kovács, Isabel Carvalhais, Cristina Maestre Martín De Almagro, Maria Noichl, Juozas Olekas, Achille Variati
The Left	Luke Ming Flanagan
Verts/ALE	Benoît Biteau, Francisco Guerreiro, Martin Häusling, Sarah Wiener

4	0
ECR	Krzysztof Jurgiel
Renew	Jérémy Decerle
S&D	Paolo De Castro
Verts/ALE	Bronis Ropé

**Key to symbols:**

+ : in favour

- : against

0 : abstention