

Current soil quality legislation and policy (International and European)

Legislation	Main requirements	How it may affect the consideration of soil in plan-making and SEA
<p>2008 - Directive 2008/98/EC of the European Parliament and of the Council of the 19 November 2008 on waste and repealing certain Directives (Text with EEA relevance)</p>	<ul style="list-style-type: none"> This Directive lays down measures to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use. It replaces: Directive establishing the framework for the handling of waste in the Community, Directive on hazardous waste and Directive on the disposal of waste oils. <p>Member States must take measures to encourage the options that deliver the best overall environmental outcome.</p> <p>Member States will take the necessary measures designed to achieve the following targets:</p> <ul style="list-style-type: none"> By 2020, the preparing for re-use and the recycling of waste materials such as paper, metal, plastic and glass from households and other origins shall be increased to a minimum of overall 50 % by weight. By 2020, using waste to substitute other materials shall be increased to a minimum of 70 % by weight. 	<p>Consideration should be given as to how the plan will contribute to the targets set by the Directive. Impacts on soils as a result of waste management activities proposed to meet the targets should be considered in the SEA.</p>
<p>2000 – The Water Framework Directive 2000/60/EC</p>	<ul style="list-style-type: none"> To enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands. To promote the sustainable use of water. To reduce pollution of water. To ensure the progressive reduction of groundwater pollution. 	<p>Consideration should be given to Plans including issues related to river basin management, and possible soil issues, e.g. increased siltation in waterways, water contamination.</p>
<p>1999 – Landfill Directive 99/31/EC</p>	<ul style="list-style-type: none"> To prevent or reduce as far as possible negative effects on the environment (particularly water, soil, air and human health) from the landfilling of waste, by introducing stringent technical requirements for waste and landfills. 	<p>Consideration should be given to how the Plan will harmonise measures on waste disposal/ landfilling throughout the community.</p>

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1992 – The Habitats Directive 92/43/EEC	<ul style="list-style-type: none"> To adopt a range of measures to protect species and habitats listed in the Annex (including peat). 	Consideration should be given to the effect the Plan may have on designated sites and protected species and habitats e.g. peat bogs.
1986 – The Sewage Sludge Directive 86/278/EEC	<ul style="list-style-type: none"> To regulate the use of sewage sludge in agriculture to protect human beings, animals, plants and the environment. 	Consideration should be given to Plans with activities involving sewage sludge or areas, where sewage sludge is being spread on agricultural land.
1979 – UNECE Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Further Reduction of Sulphur Emissions	<ul style="list-style-type: none"> To reduce widespread damage to natural resources such as forests, soils and waters that is caused by sulphur emissions. Parties to the Protocol are required to take cost-effective measures to control and reduce sulphur emissions in line with critical loads for sulphur emissions established in the Protocol. 	Consideration should be given to the effect the Plan may have on emissions of sulphur and the potential implications of this for soils through acid deposition including in a transboundary context.
EU Common Agricultural Policy	<ul style="list-style-type: none"> Common Agriculture Policy reform in 2005 resulted in requirements for cross-compliance and the need for farmers to keep their land in Good Agricultural and Environmental Condition (GAEC). In total, 14 specific measures have been agreed in relation to soil erosion, soil organic matter, soil structure and minimum level of maintenance. Where such measures are developed and adequately implemented and enforced, environmental benefits to the soil can potentially be achieved. 	Consideration should be given to the effect the Plan may have on agricultural soils, for each of the relevant soil sub-topics, with reference to the specific measures.