SOIL PROTECTION LAWS AND RELATED LEGISLATION IN HUNGARY

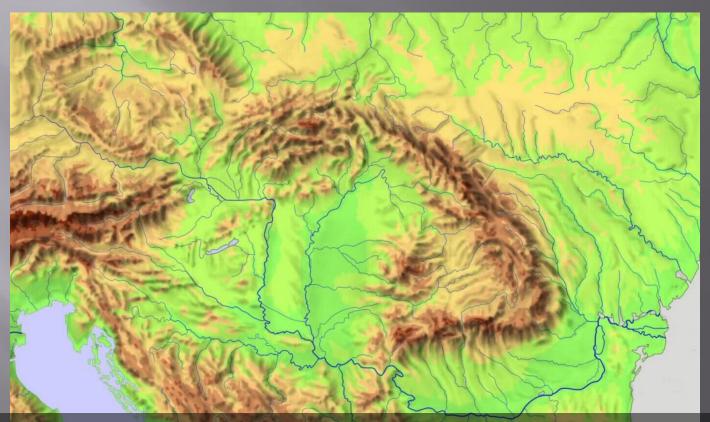
17th Experts Meeting of the Ecology Working Group Focussing on Soil Conservation of Danube Countries Working Community March 17-18, 2010 St. Pölten, Austria

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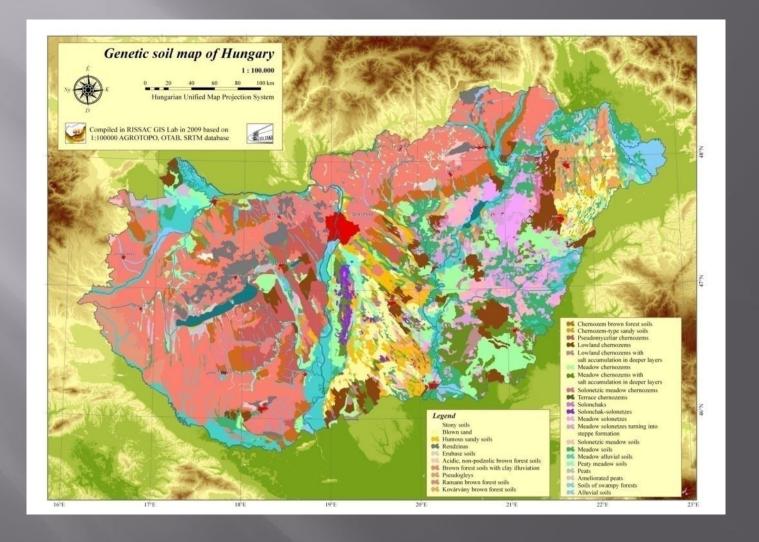
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**Plant and Soil Protection Directorate of Pest County

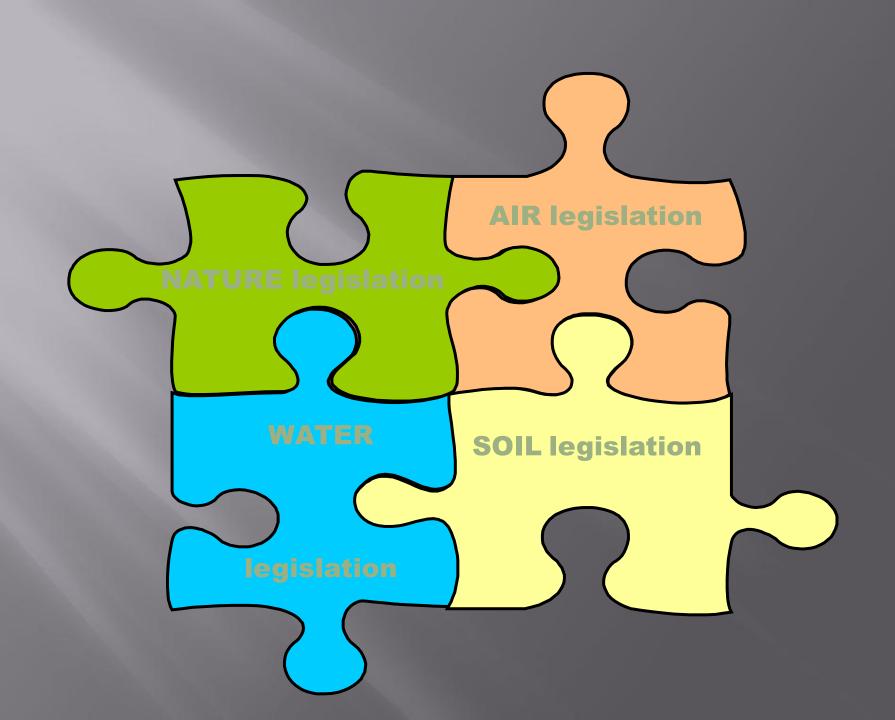
http://www.mta-taki.hu

Hungary is situated within the Danube basin, in the lowest



95% of the surface water resources of the country originate abroad





Protection of Soil: the preservation of SOIL FUNCTIONS

biomass production, incl. agriculture & forestry;

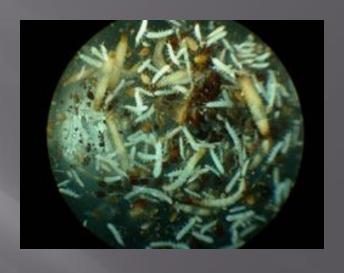
 storing, filtering, transforming nutrients, substances, water;





Protection of Soil: the preservation of SOIL FUNCTIONS

- biodiversity pool, habitats, species and genes
- physical and cultural environment for humansand human activities





Protection of Soil: the preservation of SOIL FUNCTIONS

- source of raw materials;
- acting as carbon pool;
- archive of geological and archaeological heritage
- Measures for the prevention and restoration of degraded soils





Institutes involved in soil protection: MoEW

Ministry of Environment and Water (MoEW)
(Implementation: Inspectorates for Environment, Nature and Water)

Act LIII /1995. § 14

- (1) The protection of land includes the protection of the surface and underground layers, the soil, rocks and minerals, their natural and transient forms and processes.
- (2) The protection of land includes the protection of soil's fertility, structure, air, water and living resources.

Institutes involved in soil protection: MARD

Ministry of Agriculture and Rural Developement (MARD)

(Implementation:

Land Registry Offices (Földhivatalok), Central Agricultural Office (MGSZH)

Land protection Act CXXIX/2007

Second chapter (implementation: Land Registry Office)

- Quantitative protection
- Not defined by law

Soil protection Act CXXIX/2007

Third chapter (implementation : Agricultural Office

- Quality protection
- Definition: conservation and improvement of the fertility and quality of soil and the prevention of its physical, chemical and biological degradation.

Legislation

Land protection:

Act CXXIX/2007

Soil protection:

Act CXXIX/2007 90/2008. (VII. 18.) MARD decree 50/2001 (IV. 3.) government decree 36/2006. (V. 18.) MARD decree 27/2006. (II. 7.) government decree 59/2008. (IV. 29.) MARD decree Act XXXVII /2009

HMGY

Protection of geological formations:

ns: Act LIII1995 219/2004. (VII. 21.) government decree; 314/2005. (XII. 25.) government decree;

6/2009. (IV. 14.) MEW(KvVM)- MH(EüM)-

MARD(FVM) decree;

Agricultural subsidy:

4/2004 (I. 13.) MARD decree 50/2008. (IV. 24.) MARD decree; HGGY HMKÁ

Similar terms

Term	Regulation	Relevant for	Main requirements
HMKÁ Good Agricultural and Environmental Condition	50/2008 (IV. 24.) MARD decree	farmers receiving subsidies (100 % of producers)	easily feasible requirements regarding erosion control, crop rotation, and preservation of cultivation
HMGY Good Agricultural Practice	59/2008 (IV. 29.) MARD decree	farmers in nitrate vulnerable zones (50 % of producers)	requirements regarding only fertiliser application and storage
HGGY Good Farming Practice	4/2004 (I. 13.) MARD decree	recipients of agrienvironmental aid of 2004-2009 (20% of producers)	Complex requirements regarding crop rotation, nutrient management, crop protection, livestock husbandry, animal welfare

LAND protection and land use

Act CXXIX /2007:

- Obligation to utilise arable land
- Change of cultivation branch
- Withdrawal from agricultural use
 - Temporary
 - Permanent
- Recycling, recultivation

SOIL Protection*

OBLIGATIONS OF THE LAND USER:

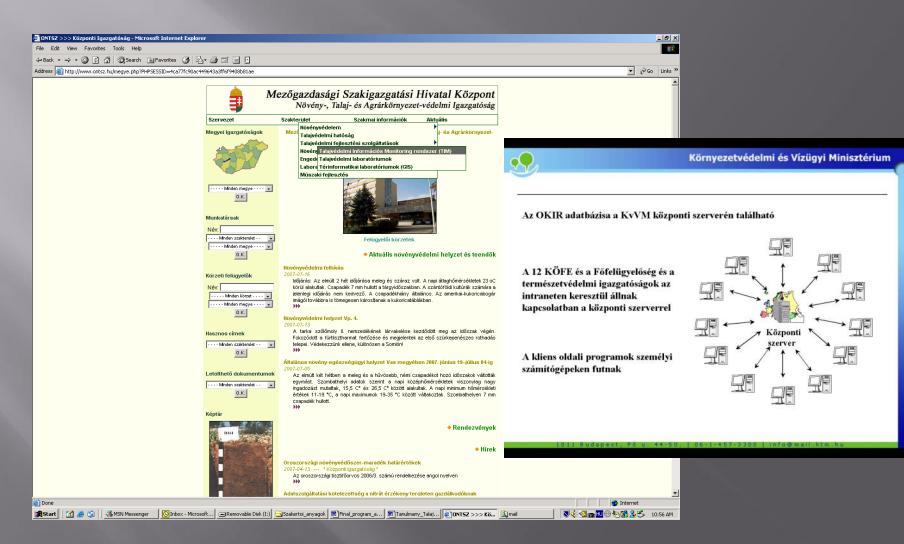
- to make efforts to prevent water and wind erosion in vulnerable areas
- to prevent further acidification of acidic or susceptible soils
- on alkaline soils, not to continue farming that deteriorates soil quality further
- to use irrigation water that does not cause secondary salinization
- to prevent or eliminate soil compaction in order to reduce the risk of inland inundation
- to protect the land from pollutants that deteriorate soil quality
- to practice an environmentally sound nutrient management that takes the soil's nutrient supply and the crops' nutrient demand into account.

SOIL Protection**

OBLIGATIONS OF THE STATE:

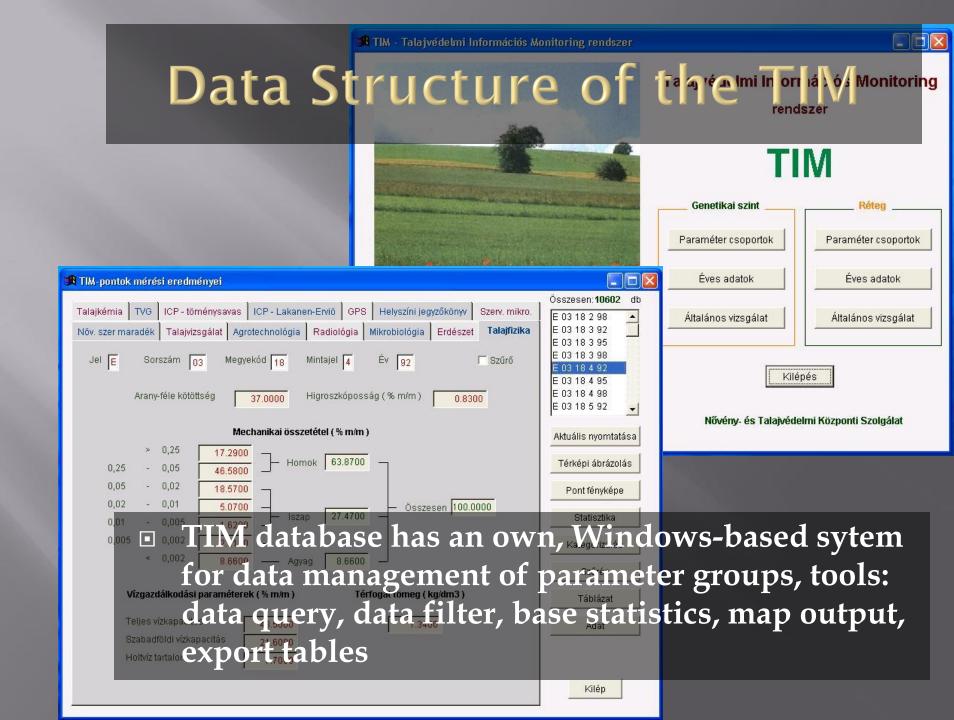
- 32. § (2) To develop and manage a soil database for soil science and for soil protection authorities.
- 33. § (1) To manage the national Soil Information and Monitoring System (TIM) in order to monitor the environmental status and quality of soils.
- (6) TIM data is classified as public.

Hungarian Soil Monitoring Network (TIM)



Data Quality of the TIM

- Strengths
- Representative sites
- Georeferenced sites
- Precise sampling strategy
- Repeted measurements, sampling in the same season of the year (Sept. 15- Oct.15.)
- Weakness
- The same season does not mean the same moisture condition, which influences the salt profile
- Standard sampling strategy cannot specify the spatial (horizontal and vertical) variability and time dynamism in threatened areas



Obligations of Soil Protection Authorities

...as a competent authority:

- Authorization (Land Act. 49. §)
 - interventions and facilities for soil protection (banks, terraces, swales, etc)
 - landscaping (levelling, removal of landmarks)
 - soil improvement (acidic, alkaline, sand)
 - deep ploughing
 - deposition of sewage sludge and other non-hazardous waste
 - deposition of liquid manure

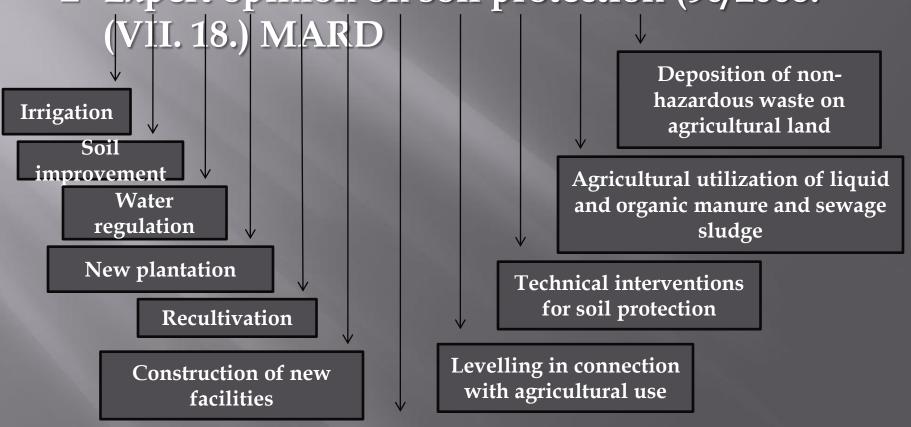
Obligations of Soil Protection Authorities

...cooperation in the administrative procedures of other authorities:

- environmental protection (risk assessment, re-examination, performance assessment, account of facts)
- water sector (authorisation of investments)
- mining (research, mine construction, closure, etc.)
- transportation (authorisation of investments)
- construction (authorisation of investments, resettlement)
- cadastrial (authorisation of withdrawal from agricultural use recycling, recultivation)
- communications services (authorisation of investments)
- forestry (conversion of a forest into arable land), etc.

Documentation required by the authorities for decision making

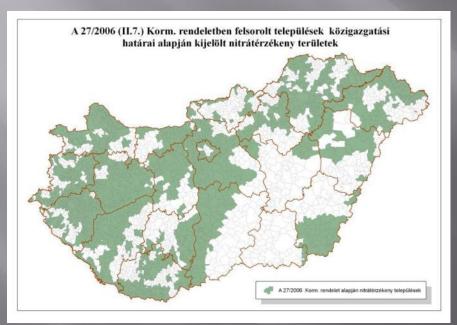
■ Expert opinion on soil protection (90/2008.



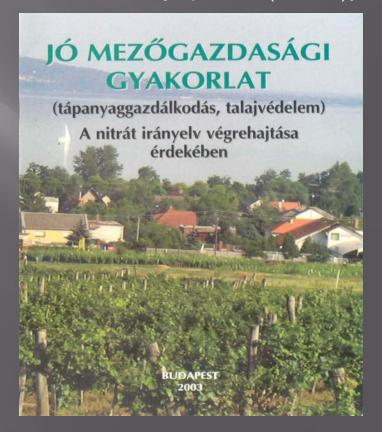
Any investments or activities in connection with arable land

Protection from Nitrate Pollution

Designation of NitrateVulnerable Zones{27/2006. (II. 7.)}



■ Good Agricultural Practice {59/2008. (IV. 29.)}



Forest law

(Act XXXVII/2009 on the protection of woodlands)

- The manager of the woodland is responsible for soil protection in the forest
- The elimination of consequences of the harmful effects from areas adjacent to the woodland is the responsibility of the person who caused the harmful effect;
- Deposition of wastewater, sewage sludge, liquid manure and soil pollutants is prohibited in forests;
- Special rules to protect forest soil: collection and disposal of the topsoil is prohibited;
- © Considering that soil is an integral part of the forest ecosystem, the power of soil protection authority is exercised by the forestry authority

PROTECTION OF SOIL AS A GEOLOGICAL MEDIUM

- 219/2004. (VII. 21.) Gov. Decree on the protection of groundwater
- 6/2009. (IV. 14.) MEW-HM-MARD decree on limiting values

groundwater, geological medium, pollutants



activities that affect the state of groundwater and geological medium



REHABILITATION



other parts of legislation are taken into account (314/2005. (XII. 25.) Gov. Decree)

http://www.kvvm.hu/szakmai/karmentes/ kiadvanyok/index.htm







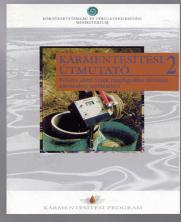


1998

1998.

2001.

2001.







2002.

Thank you for your attention!