

# **SDI Development and Law-based Special Recordings: The Case of Soil Pollution Sites in the Netherlands**

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## **SUMMARY**

In the development of SDI's we can consider the desirability (or even need) of a legal base for the spatial data infrastructure. However, this paper will look at it from the other side. We will look at the situation that existing legislation is prescribing that a certain (subset of) information on a particular policy field has to be recorded in some way. The question then becomes whether this legislation is actually hampering attempts to integrate this policy field into wider geo-information arrangements and ultimately the NSDI.

Attempts to improve the access to information on soil pollution sites in the Netherlands is used as an example. A report from the early 1990s that advised to geometrically index as much documents containing information on the soil quality as possible was largely ignored. Legislation was introduced that mandated that decisions by the provincial government with regard to 'serious cases' of pollution had to be recorded in the cadastral registration. No provisions for further integration of or access to information on soil quality was taken for years, and different provinces and municipalities took very different approaches in how they dealt with such information, the way it was geometrically indexed and how easy it was for citizens to request the information to be released.

Just after the turn of the century a SDI-like initiative was launched to coordinate at least between the provinces (and the larger municipalities). The responsible Ministry also undertook a review of the cadastral recording. However, it turned out that it was very hard to come up with an optimal solution where the data only needs to be entered once and all parties share the data in the context of a SDI.

Especially the fact that a small part does have a legal mandate became a stumbling block for an integrated approach to the whole information chain related to soil pollution sites.

It is postulated that this will hold in general. The development of a SDI is negatively impacted when only a few data sets have a legal base. Contrary to this it is assumed that the development of a SDI is positively influenced by the existence of generic legislation and policy on e.g. copyright, privacy and pricing, since such a legal framework will contribute to a level playing field for the involved institutions.