

Mexico

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EIA Law: Ley General del Equilibrio Ecológico y Protección al Ambiente (LGEEPA)

Law Link: [Link](#) [2]

EIA Regulations: Reglamento de la Ley General del Equilibrio Ecológico y Protección al Ambiente en Materia de Impacto Ambiental

Regulations Link: [Link](#) [3]

Projects Requiring EIA: Government projects
Private Projects

Abridged Assessments: Yes

Best Practices in Lieu of EIA: No

Who Conducts Screening: Government

Who Conducts Screening Detail: See Reglamento, Arts. 27, 28

Criteria for Screening: List or appendix of project or activity types

Proposed project or activity may cause significant environmental impact

Possible impact to, or adjacent to, a protected area

Criteria for Screening Detail: LGEEPA, Art. 28

Who Prepares EIA: Project Proponent (with or without contractor)

Who Pays for EIA: Project Proponent

Who Pays for EIA Detail: Reglamento, Art. 9(1)

EIA Contractor Qualifications: No

Conflict of Interest: No

Conflict of Interest Detail: Conflicts of interest are not regulated in Mexico's EIA laws.

Terms of Reference: No

Days for Decision Maker Review: 60 days (may be extended by 60 days)

Automatic Approval: No

Written Decision: Yes

Authority to Impose Conditions: Yes

Financial Assurances or Bond: Sometimes

Financial Assurances Detail: The authority can require these these financial assurances when there is a danger that the project can heavily impact the environment. The law considers that this can happen when: the project may release toxic, persistent or bio-accumulative substances into the environment; the project is carried out in areas with protected or endangered wildlife; when the project is carried out in protected areas. Reglamento, Article 51

Interdisciplinary Team: Yes

Interdisciplinary Team Detail: It is not a formal requirement of the law, but EIAs are usually prepared by interdisciplinary teams.

Range of Alternatives: No

Range of Alternatives Detail: There is only one case where alternatives should be presented. According to article 13.IV of the Regulations on EIAs of Mexico's Environmental Law, "regional" EIAs must present alternatives on the expected outcomes. (A regional EIA is presented for complicated issues set out in the law)

No Action Alternative: No

No Action Alternative Detail: There is no specific legal provision addressing this requirement.

Type(s) of Impact Analysis: Direct environmental impacts

Cumulative environmental impacts

Social impacts

Economic impacts

Other

Mitigation: Yes

Mitigation Detail: Article 12 and 13 of the Regulations of the General Environmental Law concerning EIA establish that an EIA must describe mitigation measures.

Monitoring Plans: No

Public Notice of Final EIA: Yes

Public Notice of Final EIA Detail: Notice is published in the official newspaper of the Ministry for the Environment.

Final EIA Available: Yes

Final EIA Locations: Agency or ministry office

Public Notice of Final Decision: Yes

Public Scoping: No

Public Participation Opportunities: Public Meetings and/or public hearings

Review of final EIA

Public Meetings: Sometimes

Public Input at Meeting: Yes

Criteria to Hold Public Meeting: Members of the public must request a meeting and/or hearing

Ministry or agency has discretion to decide whether to hold a meeting and/or hearing

Days for Public to Review Final EIA: 20 days (plus 10 days to view abstract)

Public Comments on Final EIA: Yes

Public Comments on Final EIA Detail: An abstract is public and it is made available to the public during 10 days, then there are 20 days to make comments. EIA Regulations, Article 31; Art. 34.IV (LGEEPA)

Response to Public Comments: No

Response to Public Comments Detail: Authorities are not required to address public comments or take them into account. According to article 44 of the Regulations to the General Law on the Environment for EIAs, the authority may take public comments into account when setting out preventive and mitigation measures. See also LGEEPA, Art. 34.V

Facilitation of Public Participation: No

Citizen Administrative Review: Yes

Citizen Administrative Review Detail: LGEEPA, Arts. 176, 179 & 180; see also Arts. 83 y ss. (Ley Federal de Procedimiento Administrativo)

Citizen Judicial Review: Yes

Citizen Judicial Review Detail: LGEEPA, Arts. 176(1), 180; recurso ante el Tribunal Federal de Justicia Fiscal y Administrativa; Ley Federal de Procedimiento Contencioso-Administrativo (publicada en el D.O.F. de 1 de diciembre 2005)

Project Monitoring: Yes

Project Monitoring Detail: Reglamento, Arts. 55, 59 y ss.

Enforceability of EIA: Yes

Enforceability of EIA Detail: Citizens and NGOs can file complaints before the PROFEPA (The Attorney General for the Protection of the Environment) if the terms and conditions of the EIA are not being fulfilled.

Enforceability of Permit: Yes

Enforceability of Permit Detail: Citizens and NGOs can file complaints before the PROFEPA (The Attorney General for the Protection of the Environment) if the terms and conditions of the EIA are not being fulfilled.

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