

Dominican Republic

Country: [Dominican Republic](#) [1]

EIA Law: Law 64-00 on the Environment and Natural Resources

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

EIA Regulations: Compendium of Regulations and Procedures for Environmental Authorizations in the Dominican Republic

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

Projects Requiring EIA: Government projects
Private Projects

Abridged Assessments: Yes

Assessment Detail: Category C and D projects result in minimum environmental impacts, and their assessment do not rise to the level of a full EIA. Upon receipt of the application, the Ministry will visit the project and will write a report establishing that the project meets either Category C or D criteria. EIA Compendium, Environmental Impact Assessment Procedures, Arts. 3.2.4 and 3.2.5.

Best Practices in Lieu of EIA: No

Who Conducts Screening: Government

Who Conducts Screening Detail: Any project, infrastructure, industry, or any other activity that may affect the environment and natural resources shall obtain an environmental permit from the Ministry of Environment and Natural Resources. Law 64-00, Art. 40; EIA Compendium, Environmental Assessment Process Regulations, Art. 21.

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

Proposed project or activity may cause significant environmental impact

Criteria for Screening Detail: Any project, infrastructure, industry, or any other activity that may affect the environment and natural resources shall obtain an environmental permit from the Ministry of Environment and Natural Resources. Law 64-00, Art. 40. See also Law 64-00, Art. 41 with a non-exhaustive list of projects that require an EIA process and EIA Compendium, Annex A with a list of projects and activities and their respective permit categories.

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

Who Prepares EIA Detail: EIA Compendium, Environmental Assessment Process Regulations, Art. 22.

Who Pays for EIA: Project Proponent

Who Pays for EIA Detail: All payments regarding the EIA process must be borne by the project proponent which will be non-refundable. Law 64-00, Art. 42. See also EIA Compendium, Environmental Assessment Process Regulations, Art. 44.

EIA Contractor Qualifications: Yes

EIA Contractor Qualification Detail: The Ministry of Environment and Natural Resources adopted regulations in 2005 to establish the requirements and qualifications for EIA contractors and environmental consultants. See <http://ambiente.gob.do/transparencia/base-legal-de-la-institucion/reglamentos/>

Conflict of Interest: No

Terms of Reference: Yes

Terms of Reference Detail: EIA Compendium, Environmental Impact Assessment Procedures, Art. 3.3.

Days for Decision Maker Review: 126-190 days

Automatic Approval: No

Written Decision: Yes

Written Decision Detail: The EIA process will culminate with the decision of the Ministry of Environment and Natural Resources which will be communicated in writing to the project proponent. EIA Compendium, Environmental Assessment Process Regulations, Art. 33.

Authority to Impose Conditions: Yes

Authority to Impose Conditions Details: The Ministry of Environment and Natural Resources, based on the nomenclature of the activity, work, or project, shall issue the technical standards, structure, content, provisions and methodological guidelines necessary for the duration of the validity of environmental permits and licenses, which will be established according to the magnitude of the environmental impacts. Law 64-00, Art. 42, para. I.

Expiry of Decision: 5 years

Expiry of Decision Detail: EIA Compendium, Environmental Assessment Process Regulations, Art. 8.

Financial Assurances or Bond: Yes

Financial Assurances Detail: The project proponent must provide an environmental bond equivalent to ten

percent (10 %) of the total costs and investments of the project. Law 64-00, Art. 47.

Interdisciplinary Team: Yes

Interdisciplinary Team Detail: EIA reports must be prepared by an interdisciplinary team of EIA contractors and environmental consultants. EIA Compendium, Environmental Assessment Process Regulations, Art. 26.

Range of Alternatives: No

No Action Alternative: No

Type(s) of Impact Analysis: Direct environmental impacts

Cumulative environmental impacts

Social impacts

Mitigation: No

Monitoring Plans: No

Public Notice of Draft EIA: No

Draft EIA Available: No

Draft EIA Available Detail: A draft EIA is not made available for public review.

Draft EIA Locations: Not available

Public Notice of Final EIA: Yes

Public Notice of Final EIA Detail: The project proponent must give public notice of the final EIA in a national newspaper. See EIA Compendium, Environmental Impact Assessment Procedures, Art. 4.6.

Final EIA Available: Yes

Final EIA Available Detail: The Department for Social Participation of the Ministry of Environment and Natural Resources will maintain a copy of the EIA report for consultation purposes. See EIA Compendium, Environmental Assessment Process Regulations, Art. 38.

Final EIA Locations: Agency or ministry office

Fee to View EIA Documents: No

Fee to Obtain EIA Documents: Yes

Availability of Reference Studies: No

Availability of Reference Studies Detail: The EIA law and regulations do not require reference studies to be made available for public inspection.

Public Notice of Final Decision: Yes

Public Notice of Final Decision Detail: Environmental permits and licenses granted by the Ministry of Environment and Natural Resources shall be available to the public. Law 64-00, Art. 48.

Public Scoping: Yes

Public Scoping Detail: EIA Compendium, Environmental Impact Assessment Procedures, Art. 4.

Public Review of TOR: No

Public Review of TOR Detail: Members of the public are not permitted to review the terms of reference before it is finalized.

Public Participation Opportunities: Scoping

Public Meetings and/or public hearings

Review of final EIA

Public Meetings: Yes

Public Meetings Detail:: Category A and B projects require public meetings. See EIA Compendium, Environmental Impact Assessment Procedures, Art. 4.1 and 4.2.

Public Input at Meeting: Yes

Public Input at Meeting Detail: Members of the public are permitted to speak at the public meeting. The results of the discussions must be documented through pictures, videos, transcripts of discussion, participants registry, among others. See Environmental Impact Assessment Procedures, Art. 4.2.

Criteria to Hold Public Meeting: Public meeting and/or hearing is automatically required

Days for Public to Review Final EIA: 15 days

Public Comments on Draft EIA: No

Public Comments on Final EIA: Yes

Public Comments on Final EIA Detail: Any interested party, and the public in general, will have fifteen working days, after the EIA is published in a national newspaper, to provide comments that will be taken into consideration in the EIA process. See EIA Compendium, Environmental Assessment Process Regulations, Art. 38.

Response to Public Comments: Yes

Response to Public Comments Detail: Comments and observations received in the public consultation process will be part of the information to be considered by the Ministry to make a final the decision. EIA Compendium, Environmental Assessment Process Regulations, Art. 40.

Facilitation of Public Participation: No

Citizen Administrative Review: Yes

Citizen Administrative Review Detail: Citizens and the public in general may obtain administrative or internal ministry review through ordinary administrative remedies. Law No. 13-07 on the Administrative Superior Court, Art. 4.

Citizen Judicial Review: Yes

Citizen Judicial Review Detail: Citizens can seek judicial review from administrative decisions in the Courts of First Instance. See generally Law No. 821 of Judicial Organization.

Project Monitoring: Yes

Project Monitoring Detail: The project proponent must submit environmental compliance reports periodically to the Ministry for review. The Ministry of Environment and Natural Resources must also conduct environmental inspections for monitoring and control purposes. EIA Compendium, Environmental Assessment Process Regulations, Arts. 41 and 42.

Enforceability of EIA: Yes

Enforceability of EIA Detail: Citizens may file complaints before the Ministry of Environment and Natural Resources to enforce the EIA, especially when there is environmental damage or degradation. Law 64-00, Art. 176, para.

Enforceability of Permit: Yes

Enforceability of Permit Detail: Citizens may file complaints before the Ministry of Environment and Natural Resources to enforce the terms and conditions included in the permit or license, especially when there is environmental damage or degradation. Law 64-00, Art. 176.

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Source URL: <https://elaw.org/dominican-republic>

Links

[1] <https://elaw.org/countries-and-regions/dominican-republic>

[2] <http://ambiente.gob.do/wp-content/uploads/2016/09/Ley-No-64-00.pdf>

[3] <http://ambiente.gob.do/files/REG-03.pdf>