

FERRAIUOLI LLC

ENVIRONMENTAL LAW, ENERGY & LAND USE PRACTICE GROUP

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NOTICE TO CLIENTS AND FRIENDS

P.R. Developments: Revision of the Joint Regulation of Permits for Construction Works and Land Use

The Joint Regulation of Permits for Construction Works and Land Use (the “Joint Regulation”)¹ is a compilation of existing regulations with certain modifications and new regulatory requirements for all construction works and land use, as well as, the administrative procedures for the Puerto Rico Planning Board (“PRPB”) and the Office of Permitting Management (OGPe, for its Spanish acronym).

Recently, the Puerto Rico Chamber of Commerce celebrated a conference on the recent amendments to the *Act for the Reform of the Permitting Process in Puerto Rico* (Act 161-2009 as amended by Act 151-2013) During the conference, Alberto Lastra Power, the Executive Director of OGPe, announced that OGPe has begun revising the Joint Regulation and presented a timeline for the commencement of the regulatory process. Some of the volumes and chapters under review include: Chapter 14 on the Evaluation of Environmental Compliance; Volume IV on Uses, Building Standards and Construction², Volume V on Special Planning Provisions; Volume VII on Infrastructure; Volume VIII on Environmental Quality and Natural Resources³; Chapter 59 on Solid Waste; Chapter 53 on Fire Prevention; Volume XI – Archeology and Historic Conservation; Volume XII on Energy Affairs; and Volume XIII PR Planning Board Procedures.

As per OGPe’s Executive Director, the agency’s review of the Joint Regulation will extend until May 2014. During said month, OGPe will request comments and input from multiple nonprofit organizations and professional or private associations. Upon receiving the aforementioned comments, OGPe will finalize the proposed amendments and will make the draft available to the public for comments. OGPe will be holding public hearing to discuss the draft on August 2014.

Given the significant scope and potential impact of the proposed amendments we believe that this development may interest you. To further discuss or obtain additional information on how this development may impact you or to participate in the regulatory process, please feel free to contact us at your convenience.

¹ Regulation No. 7951 of November 30, 2010.

² This volume includes the following chapters: Chapter 19 - Zoned Areas; Chapter 25 - Gas Stations; Chapter 26 - Exceptions; and Chapter 27 - Areas without zoning (*Áreas no Calificadas*).

³ This volume includes the following Chapters: Chapter 45 – General Permits; Chapter 46 – Extraction, Excavation, Removal and Dredging of earth’s crust materials; Chapter 47 - Cut, Pruning and Reforestation; and Chapter 48 - Habitat.

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