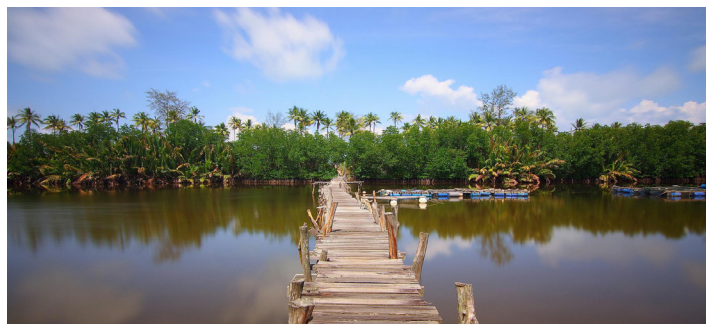


## THE DEPARTMENT OF NATURAL AND ENVIRONMENTAL RESOURCES UPDATES LIST OF CATEGORICAL EXCLUSIONS

**T**he Department of Natural and Environmental Resources approved on December 4, 2025, a revised list of Categorical Exclusions through Administrative Order 2025-10: To approve the list of categorical exclusions and their applicable requirements and to repeal Administrative Order 2021-02. The list includes actions to be considered already exempted when pursuing compliance with Puerto Rico's Environmental Public Policy Act through an Environmental Compliance Determination.

Actions that fall under Categorical Exclusions are considered to be predictable and routine activities that are not expected to cause harm to the environment or to have significant environmental impacts. Therefore, no individual environmental assessment or environmental impact statement is required. The Categorical Exclusions list recently approved expands on previous categorical exclusion already numerated. The revised list consists of a broad range of actions including the authorization of use of existing structures that don't entail new constructions, emergency repairs of infrastructure, demolition activities, installations or replacement of public service networks and telecommunications systems, actions related to air-emission sources, maintenance, monitoring, as well as land cleaning for agricultural use, among others.

Although the list of Categorical Exclusions is non exhaustive, for any other action to be considered, the solicitor must demonstrate upon evaluation that such actions fall under the parameters of predictability, regularity and most importantly, the fact that such actions will not cause any significant environmental impact. When requesting an Environmental Compliance Determination by Categorical



Exclusion, the actions to be considered must justify the reasons for their applicability and present properly documented evidence. They will be evaluated as a whole in regards to all stages and processes of the project.

It is important to note that a Categorical Exclusion determination does not constitute an environmental permit. Restrictions apply to Categorical Exclusions as well. If granted, certain limits and restrictions may be enforceable, and failure to comply will result in the need to present environmental evaluations and comply with the normal permit/authorization process.

We at Vidal, Nieves & Bauzá, LLC provide comprehensive legal support environmental matters, including energy matters, public-private partnerships, permitting, real estate transactions, corporate and transactional law, and insurance matters. For further information or to determine whether a Categorical Exclusions may apply, please contact us. We are prepared to guide you through the process of compliance with Puerto Rico's environmental regulations.

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