



# **PUBLIC INVOLVEMENT PLAN AND COMMUNITY ENGAGEMENT AND OUTREACH GUIDANCE**

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## DEFINITIONS

**Environmental Justice Population:** A neighborhood that meet 1 or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the populations; (iii) 25 percent or more of the households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.

For neighborhoods that do not meet the above criteria, but a geographic portion of that neighborhood meets at least 1 criterion, the Secretary of EEA may designate that geographic portion as an environmental justice population upon the petition of at least 10 residents of the geographic portion of that neighborhood meeting any such criteria. Further, the Secretary may determine that a neighborhood, including any geographic portion thereof, shall not be designated an environmental justice population upon finding that: (a) the annual median household income of that neighborhood is greater than 125 percent of the statewide median household income; (b) a majority of persons age 25 and older in that neighborhood have a college education; (c) the neighborhood does not bear an unfair burden of environmental pollution; and (d) the neighborhood has more than limited access to natural resources, including open spaces and water resources, playgrounds and other constructed outdoor recreational facilities and venues.<sup>1</sup>

**Environmental Justice Principles:** Principles that support protection from environmental pollution and the ability to live in and enjoy a clean and healthy environment, regardless of race, color, income, class, handicap, gender identity, sexual orientation, national origin, ethnicity or ancestry, religious belief or English language proficiency, which includes: (i) the meaningful involvement of all people with respect to the development, implementation and enforcement of environmental laws, regulations and policies, including climate change policies; and (ii) the equitable distribution of energy and environmental benefits and environmental burdens.<sup>2</sup>

**Interpretation:** The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully<sup>3</sup> orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals with certain disabilities that affect communication, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully

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<sup>1</sup> An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy, (2021), Acts Chapter 8, Section 62

<sup>2</sup> The Massachusetts Executive Office of Energy and Environmental Affairs ("EEA"), *Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs* ("EJ Policy" updated 2021) at 4 (2017, updated June 24, 2021) available at [www.mass.gov/doc/environmental-justice-policy6242021-update/download](http://www.mass.gov/doc/environmental-justice-policy6242021-update/download).

<sup>3</sup> Interpreting accurately and completely without adding or taking away from the meaning.

conveying that information into a spoken, captioned, or signed target language while retaining that same meaning.

**Limited English Proficiency (LEP) Persons:** Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.<sup>4</sup> LEP persons include individuals who are deaf and hard of hearing.

**Key Agency Action(s):** Each agency should identify its key agency actions or activities based on its mission statement and its regulatory and statutory requirements. And any action based in whole or in part on significant decision-making processes including any destruction, damage or impairment of natural resources that is not insignificant, resulting from intentional or reasonably foreseeable causes.

**Language Access:** Providing LEP persons with meaningful access to the same services as English-speaking individuals.

**Meaningful Access:** Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP needing assistance to eliminate communication barriers, such as sign language interpretation, real-time captioning, or other accessible form of communication as required by Title VI of the Civil Rights Act of 1964, as amended, and Section 504 of the Rehabilitation Act of 1973. Meaningful access denotes access that is not significantly delayed, restricted, or inferior as compared to programs or services provided to LEP persons.

**Meaningful Involvement:** All neighborhoods have the right and opportunity to participate in energy, climate change, and environmental decision-making including needs assessment, planning, implementation, compliance and enforcement, and evaluation, and neighborhoods are enabled and administratively assisted to participate fully through education and training, and are given transparency/accountability by government with regard to community input, and encouraged to develop environmental, energy, and climate change stewardship.<sup>5</sup>

**Neighborhood:** A census block group as defined by the United States Census Bureau, excluding people who live in college dormitories and people who are under formally authorized, supervised care or custody, including federal, state, or country prisons.<sup>6</sup>

**Translation:** The process of converting written text from a source language into an equivalent written text in a target language as fully and as accurately as possible while maintaining the style, tone, and intent of the text, and while considering differences of culture and dialect.

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<sup>4</sup> Executive Office of Administration and Finance, Office of Access and Opportunity, *Language Access Policy and Implementation Guidelines 2* (March 20, 2015) available at [www.mass.gov/doc/language-access-guidelines/download](http://www.mass.gov/doc/language-access-guidelines/download).

<sup>5</sup> EJ Policy (updated 2021) at 3.

<sup>6</sup> EJ Policy (updated 2021) at 4-5.

**Vital Document:** Vital documents are documents containing critical information on agency programs, activities, services, including residents' eligibility rights, available in English which may deny non-English speakers and LEP persons equitable and meaningful access. Vital documents may include information that is critical for accessing programs or activities, and include, but are not limited to: consent and complaint forms, online and paper applications for services, intake forms, notifications pertaining to eligibility of services, notifications pertaining to reduced or elimination of services, appeal notices, notices advising LEP persons of free language services, documents required by law, and notifications regarding the availability of language interpretation and assistance.

## I. INTRODUCTION

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) meaningful Public Involvement Plan (“PIP”) that outlines frameworks for informing, consulting, and working with community members or groups that could be impacted by an agency at various stages of its decision-making processes to address community needs effectively. EEA is committed to enhancing and improving the accessibility of its programs, activities, and services for all residents including LEP persons, and ensuring meaningful engagement.

## II. PURPOSE

The purpose of this PIP is to ensure meaningful access to services, programs, activities, and materials for all persons, regardless of race, color, national origin, ethnicity or ancestry, disability, class, income, gender identity, sexual orientation, religious belief, or English language proficiency.

This PIP will strive to provide a framework for devising an effective public involvement that engages the impacted community and solicits meaningful public input.

## III. POLICY AND APPLICABILITY

The PIP procedures outlined in this documentation are implemented consistent with Title VI of the Civil Rights Act of 1964, EPA’s Public Participation Guidance found at 71 F.R. 14207, 14210 (March 21, 2006), EEA’s 2017 EJ Policy (updated June 2021), Chapter 8 of the Acts of 2021: An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy, federal Executive Order 13166, Executive Order 526, and Executive Order 615 which include steps for effective public participation that is accessible to all persons without regard to race, age, color, national origin ethnicity or ancestry), disability, class, income, gender identity, sexual orientation, religious belief or English language proficiency.

## IV. IDENTIFYING IMPACTED COMMUNITIES

The concept of public involvement requires thoughtful planning at the onset of any projects, policies, or decision-making processes. It is important to know how to identify the community to be impacted by your project, policy, or decision. Using the following practical supplemental tools and information will support the development of effective strategies to shape policies and engage with communities. Federal grants may require state agencies to consider federal tools and definitions to shape policies. Thus, in addition to state resources, we are including federal resources for further guidance.

### [CJEST Tool \(Climate and Economic Justice Screening Tool\)](#)

The Climate and Economic Justice Screening Tool is an interactive map which uses datasets that display burdens in eight categories: climate change, energy, health, housing, legacy pollution, transportation, water and wastewater, and workforce development. This mapping tool includes information at the national level including the District of Columbia and the U.S. Territories and can be used to determine disadvantaged<sup>7</sup> communities based on thresholds set by the federal government. The methodology to define these thresholds for each category is explained at <https://screeningtool.geoplatform.gov/en/methodology#3/33.37/-97.5>.

### [EPA's EJ Screen Tool \(EJScreen: Environmental Justice and Mapping Tool\)](#)

The United States Environmental Protection Agency ("EPA") established the EJScreen mapping and screening tool using datasets at the national level to display environmental and socioeconomic information within a geographical area. The EJScreen highlights 13 environmental indicators: (1) Particulate matter 2.3 (PM 2.5); (2) Ozone; (3) Diesel particulate matter; (4) Air toxics cancer risk; (5) Air toxics respiratory hazard index; (6) Toxic releases to air; (7) Traffic proximity; (8) Lead paint; (9) Superfund proximity; (10) Risk management plan (RMP) facility proximity; (11) Hazardous waste proximity; (12) Underground storage tanks (UST); and (13) Wastewater discharge. And 7 socioeconomic indicators: (1) People of color; (2) Low income; (3) Unemployment rate; (4) Limited English speaking; (5) Less than high school education; (6) Under age 5; and (7) Over age 64. This tool is an excellent resource for supporting (i) educational programs; (ii) grant writing; (iii) community awareness efforts and (iv) other purposes (i.e., engagement, enforcement, etc.). The environmental and demographic dataset for a specific location can be measured up to other locations at the state, EPA region, or national level. Learn more about this tool at <https://www.epa.gov/ejscreen/how-does-epa-use-ejscreen>.

### [MA Environmental Justice Populations Screening Tool](#)

The Massachusetts Environmental Justice Map Viewer is an interactive map developed by EEA which displays EJ block groups using data from the U.S. Census Bureau's 2019 American Community Survey to identify EJ Populations. The EJ Map Viewer data highlights EJ Populations as described in the Climate Roadmap Act and is an easy tool to navigate and determine whether a community meets any of the EJ criteria. The latest environmental justice map is accessible at [Massachusetts 2020 Environmental Justice Populations \(arcgis.com\)](#).

### [Languages in Massachusetts Tool](#)

The languages spoken map is a sub-section of EEA's EJ Map Viewer. This map displays census tracts data where at least 5 percent of the population speak English "less than very well". It also includes data from the Department of Elementary and Secondary Education ("DESE"). The

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<sup>7</sup> "Communities are considered disadvantaged: [i]f they are in census tracts that meet the thresholds for at least one of the tool's categories of burden, or [if] they are on land within the boundaries of Federally Recognized Tribes." available at <https://screeningtool.geoplatform.gov/en/methodology#3/33.37/-97.5>.



DESE data sets identify languages spoken in the homes of 1 percent or more of the public-school student population, which is used as supplemental information when identifying community demographics. The language map is accessible at [Languages spoken in Massachusetts \(arcgis.com\)](https://arcgis.com)

#### MA Environmental Public Health Tracking ([MA DPH EJ Tool](#))

The Massachusetts Department of Public Health Environmental Justice tool is based on EEA's Environmental Justice Policy<sup>8</sup> established in 2002 and updated in June 2021 to promote environmental justice. The data can be used to support the mapping of communities that should be engaged in public processes. [EJ Screening v3a active - 2023-09-20 - MHT \(mass.gov\)](#).

## V. ASSESSING THE NEED FOR A PUBLIC INVOLVEMENT PLAN OR ENHANCED COMMUNITY ENGAGEMENT

Enhancing public participation is essential to ensure that project decisions positively impact residents' ability to enjoy a healthy environment and community. To achieve this, EEA is dedicated to identifying best practices for engaging with all Commonwealth residents and communities. By fostering collaboration and empowering residents, decisions can prioritize both environmental health and community well-being. The PIP will enhance transparency in decision-making processes. EEA remains committed to making decisions that meet community needs while safeguarding the environment.

EEA will implement the following steps to address the need for public involvement:

- EEA will implement its Public Involvement Plan (PIP) with clearly defined purpose, goals, and objectives. EEA will integrate a budget into the overall strategic planning process, considering factors such as education, outreach needs and others.
- EEA will identify relevant stakeholders, and consider community members, organizations, and affected parties. Understanding their perspectives and needs is essential for successful PIP that will support decision-making during project planning.
- Once stakeholders are identified, EEA will focus on best practices for sharing clear information with the broader community. EEA is committed to providing access in both physical and digital formats. It is critical that the information shared is comprehensive and addresses questions of why, how, what, and the potential impact on the community. Just as critical is ensuring the information reaches stakeholders. The onus is

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<sup>8</sup> [download \(mass.gov\)](#)

on EEA, agencies, staff, and project proponents to ensure critical information reaches those most impacted.

- EEA will define the goal for public engagement clearly, whether it is to solve a problem identified by the community or make a decision, and be transparent about the intentions and how stakeholder input will be incorporated. Such purpose will be communicated with the participants to ensure transparency. The Public engagement will involve several steps: providing objective information to the public, sharing information and requesting input, incorporating input into decision-making, engaging with the public in shared decision-making, and empowering them to discuss final decisions. Starting with identified stakeholders, EEA will follow best practices to seek further input through surveys, polls, public meetings, webinars, phone calls, and more.
- For managing expectations, EEA will gather and manage stakeholder feedback before critical decisions about a project or initiative have been made. EEA is dedicated to reviewing the feedback provided to prevent any misalignments or disagreements, thereby offering insights into what is and isn't effective. Once gathered, this input will be analyzed, prioritized, and aligned with the project's vision and goals. The integration of stakeholder feedback into decision-making processes and action plans will be evaluated. EEA's implementation of receiving feedback will be an iterative cycle, continuously revolving around reflection, dialogue, and practice, with a focus on learning and adaptation that extends beyond simple execution.

### Identify and Develop a Community Engagement Strategy

Meaningful community engagement for key agency actions, activities, services and programs is a critical part of EEA. By actively involving community members, EEA increases trust, empowers community members, provides access to multiple perspectives and expertise, creates a culture of collaboration, and improves communication. A well-crafted community engagement strategy ensures that community needs are at the forefront of decision-making processes, leading to more effective and sustainable outcomes. Therefore, EEA plays a crucial role in identifying and committing to community engagement strategies. Through meaningful engagement EEA is fostering a sense of belonging and commitment among stakeholders, benefiting both communities across the Commonwealth and EEA.

Developing a strategy to support communities including LEP persons involves several key steps:

- **Actively listening:** EEA will participate in local meetings, workshops, and events. Be attentive to the needs, concerns, and prioritize. This will aid in comprehending the unique context and provide the opportunity to initiate conversations with local stakeholders, such as community leaders, educators, business owners, or local organization representatives. Stakeholders can offer insights into the community's

dynamics. EEA will collect demographic data about the community, including age groups, ethnic backgrounds, and socioeconomic statuses. This information will assist in customizing EEA's approach and services to the needs of communities. EEA will determine the languages spoken within the community. EEA will consider offering information and resources in various languages to facilitate effective communication.

EEA will acquaint itself with the cultural practices, traditions, and celebrations that are significant to the community. It is critical to honor and integrate these cultural aspects into the engagement strategies. EEA will investigate existing community resources. This includes gaining a comprehensive understanding of the services, programs, and facilities that are already in place within our community. By doing so, we can identify the strengths and gaps in our current infrastructure and tailor our initiatives accordingly. EEA will work in conjunction with these existing resources. Collaborating will avoid redundant efforts and to ensure that EEA's initiatives are complementary rather than duplicative. This approach will not only maximize the impact of our work but also foster a sense of unity and shared purpose within the communities we serve. EEA understands that residents often face a deluge of requests for engagement. This can lead to engagement fatigue, reducing the likelihood and ability of individuals to participate in all opportunities. To address this, EEA is committed to making every effort to coordinate with local communities. Our goal is to integrate public involvement on specific issues into existing community events. This approach not only streamlines engagement but also respects the time and energy of our residents.

- Co-creation of goals to enhance ownership: EEA deeply values the unique contributions that each partner brings to our collaboration. These contributions range from funding and staff support to invaluable assets such as information, leadership skills, community knowledge, and local expertise. In our commitment to inclusivity, the EEA adheres to the most current Language Access Plan. We translate documents and offer interpretation services during community meetings, seminars, and other initiatives. This ensures active involvement from individuals of various linguistic backgrounds, fostering a diverse and inclusive dialogue. EEA understands the importance of valuing our stakeholders' time. To this end, we facilitate effective communication, ensuring that our interactions are both meaningful and efficient. Our vision extends beyond transient endeavors. EEA strives to develop enduring partnerships and build trust with communities and with that tackle wider social, economic, and environmental issues, creating a sustainable and equitable future for all.
- Stakeholder collaboration: EEA recognize that stakeholders are not just those who are affected by a project, but also those who have an interest in it and those who can influence its outcomes. EEA believes that close collaboration with community members

impacted by a project leads to better outcomes. Their firsthand experience and unique perspectives enrich the understanding and inform decision-making process. Engaging internal stakeholders, such as colleagues, fellow agencies, and other departments, is equally important. This promotes alignment, efficient communication, and resource sharing, leading to improved project results. EEA value our external stakeholders, including other organizations, non-profits, and government bodies. Collaborating with these entities can significantly increase project effectiveness by bringing diverse expertise and resources to the table. By leveraging the skills, knowledge, and resources of all stakeholders, EEA can accelerate processes, identify and mitigate potential obstacles, and broaden participation.

- **Effective communication for non-English speakers:** EEA is committed to following the most current Language Access Plan. We understand the importance of making our materials accessible to all, regardless of language barriers. To this end, we translate materials and provide interpretation into relevant languages. EEA works with professional translators or employs dependable translation tools to ensure accuracy and clarity. We also provide live interpretation services during events, meetings, or presentations to facilitate real-time understanding. EEA strives to utilize clear and simple language, avoiding jargon and complex terminology. We break down information into manageable segments and employ plain language in our written materials. This approach enhances comprehension and ensures that our content is accessible to all. To further aid understanding, EEA enhances our materials with visual aids such as diagrams and images. We structure our content logically and offer it in alternative formats like braille or large print to cater to different needs and ensure that our digital content is compatible with screen readers, making it accessible to visually impaired individuals. EEA is committed to including captions for video and audio materials and providing sign language interpretation. EEA ensures that our physical spaces are accessible, and we offer virtual options for in-person activities.

## VI. KEY ELEMENTS FOR CONDUCTING COMMUNITY OUTREACH AND BEST PRACTICES

Engaging with the community on a regular basis is crucial to understand their needs, as the approach can differ among various groups. For instance, digital platforms may resonate with a younger, tech-savvy demographic, while face-to-face interactions might be more effective for those less comfortable with technology. Partnering with local businesses, sponsoring a youth sports team, or hosting educational workshops can showcase your initiative's dedication and commitment to the well-being of the community. Define your outreach goals, whether they involve addressing a specific community issue, educating the public about it, advocating for policy changes, or raising awareness about your organization. Conduct a needs assessment to

pinpoint community needs, create a list of stakeholders, develop an outreach plan, establish a coalition, and start conversations with key community stakeholders.

#### Key Elements:

- Understanding the Importance of Community Outreach
- Continuous Nurturing and Consistent Involvement
- Diverse Outreach Techniques
- Partnerships and Value Addition
- Goal Setting
- Needs Assessment
- Stakeholder Identification
- Strategy Development
- Coalition Building
- Message Crafting

### Use of a Public Involvement Plan

EEA should use a Public Involvement Plan to gather diverse viewpoints from stakeholders for key agency actions, activities and/or programs. This approach is crucial for decision-making as it brings to light a variety of perspectives and concerns, ensuring equitable treatment, significant participation, and social inclusion for all. The PIP serves as a tool for the Secretariat to solicit public input, thereby promoting accountability and transparency throughout the process. It also conserves resources by assessing the most effective methods for public engagement.

The PIP strategy may differ among various communities. It should be used to identify proactive engagement tools that will enhance community involvement. For instance, in a community where digital literacy is high, online surveys or virtual town hall meetings might be effective. In contrast, in areas with lower digital access, traditional methods like public meetings or mail-in surveys might be more appropriate.

EEA must consistently strive to invoke a PIP plan when public participation is crucial in decision-making processes. This could involve decisions about environmental policies, energy projects, or community development initiatives. By actively seeking public input, EEA can ensure that decisions are made in the best interest of the community and that all voices are heard. The PIP is not just a plan, but a commitment to open, inclusive, and transparent decision-making. It's a promise to listen, understand, and incorporate the views of the public in decisions that affect them. It's about building trust, fostering understanding, and creating better outcomes for everyone involved. EEA's commitment to implementing a PIP plan is a testament to its dedication to these principles.

### Inform Stakeholders

EEA is dedicated to adhering to best practices for informing and engaging its constituents. The team at EEA will actively engage in outreach programs and collaborate with individuals and

organizations in the community that can aid in these efforts. The goal is to involve stakeholders through educational and community outreach initiatives. EEA acknowledges the significance of empowering communities and remains committed to active participation throughout the process.

- Maintain a record of all outreach activities for future reference.
- Identify relevant stakeholders and comprehend their interests and concerns.
- Engage stakeholders through various methods, including in-person, hybrid, and remote meetings, workshops, surveys, public hearings, and online forums.
- Treat stakeholder engagement as an ongoing process, not a one-time event.
- Grant stakeholders' access to data regarding the project's impacts.
- Negotiate agreements with the community detailing the project's benefits for them.
- Continuously improve engagement by incorporating stakeholder and community feedback.
- Present information objectively, maintain transparency, disclose information promptly, and communicate consistently throughout the project's duration.
- Encourage active participation in outreach and public engagement opportunities.
- Ensure outreach materials are accessible, culturally sensitive, and provide language justice.

### Consult with Stakeholders

In the process of conducting public listening sessions, EEA is dedicated to establishing a clear purpose for each session. This clarity guides the session's design and ensures alignment with its intended objectives. EEA, in partnership with other stakeholders, identifies any underrepresented groups to ensure their adequate representation in the listening session. EEA strives to create a welcoming environment by choosing locations for the listening sessions that are easily accessible to the public and comfortable for all attendees, such as public libraries, schools, or parks. EEA ensures that these locations are physically accessible to all participants. EEA follows the most updated Language Access Plan.

EEA, in collaboration with the community, will formulate pertinent and coherent questions. The aim is to garner significant responses that are in line with the listening session's objectives. Participants will be urged to appreciate the perspectives of others, cultivating an environment of mutual respect and understanding. EEA will record and scrutinize the feedback from the session to steer decision-making. After the session, EEA will contemplate the feedback to ascertain how it can be incorporated into the decision-making process. EEA will promote continuous involvement, fostering trust and a sense of ownership among stakeholders.

### Identify Language Spoken by Limited English Proficiency (LEP) persons:

EEA will adhere to the EEA's most updated Language Access Plan which guides the process by which the top languages spoken in the Commonwealth are identified for the interpretation of public meetings and translation of documents.

Additional languages should be accommodated upon request. To determine the extent and scope of language services needed, staff will consult the appropriate resources.

- The 2015 American Community Survey (as updated) is available via the [United States Census Bureau](#).
- Demographic data, available via public sources, on language ability indicating that individuals speak English "less than very well".
- EEA's [EJ Map Viewer](#) (state level).
- Community organizations, school systems, faith-based organizations, and other community-based organizations can often assist with identifying populations where additional outreach is needed.

### Consult data available from the United States Census Bureau

Instructions for accessing US. Census data are as follows:

- a. Go to the U.S. Census Bureau website at: <https://data.census.gov>.
- b. Enter code B16001 (for "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over") in the search box then enter.
- c. "Filter" is displayed on the left corner of the page. Click on "Topics." Then click on "Populations and People." Next, select "Language Spoken at Home."
- d. Go back to the Filter and click on "Geographies." Click on "County Subdivision." Then scroll down to select "Massachusetts."
- e. A list of all the counties will appear. Select the appropriate county.
- f. Next, select the appropriate city/town under the county subdivisions.
- g. Go back to the Filter and click on "Years." Select the latest year (currently 2022).
- h. Go to the toolbar under the search box and click on "Tables."
- i. A table will appear on the right side of the page showing the total population for the city or town with a detailed breakdown of the languages spoken by the residents and the number of residents who "speak English less than very well."
- j. To export the data as an excel document, click on the ellipsis under "More Tools" in the right corner and select "Excel."

## Translation of Materials

When translating a document, staff must follow these steps, in addition to consulting EEA's most updated Language Access Plan:

- Identify which language(s) are needed for translation for the impacted community. Projects with statewide implications should have the above-referenced label inserted and translated.
- Translate vital documents into the top 5 languages or the most updated version of EEA's LAP. Vital documents are documents containing critical information on agency programs, activities, services, including residents' eligibility rights, available in English which may deny non-English speakers and LEP persons equitable and meaningful access.
- Email a Word document version of the materials to be translated to the vendors listed on the State Contracted Vendors to request a quote. It is recommended that staff seek at least three (3) quotes from vendors on the statewide contract to assess which vendor provides the best rates and is able to meet the applicable deadline.
- The vendor contact information can be found on the [PRF75 Statewide Contract](#).

## Interpretation Services (Virtual or In-person) at Public Meetings

EEA is committed to ensuring that community meetings, public hearings, events, and proceedings are accessible to everyone, regardless of language barriers. EEA will provide simultaneous interpretation services, which means interpreters will translate the spoken content in real-time, allowing non-English speakers to participate fully and seamlessly.

Recognizing the importance of accuracy in interpretation, especially during lengthy meetings, events, and proceedings, EEA will ensure that at least two interpreters are secured for each event. This approach allows for regular breaks, preventing errors that can arise from mental fatigue. This will enhance the quality of interpretation.



EEA provides interpreters with an adequate opportunity to review the materials prior to the live meetings, events, and proceedings. We understand that familiarity with the subject matter contributes significantly to the quality of interpretation. Therefore, EEA will ensure that interpreters receive all necessary materials in a timely manner, allowing them to prepare effectively for their crucial role.

### Time and Location of Public Meetings

EEA is committed to fostering an inclusive environment where everyone can participate and contribute. To ensure this, public meetings will be scheduled at times convenient for neighborhood participants to ensure inclusion. Accessibility is recognized as key to inclusion, and every effort will be made to facilitate attendance. If the meeting is in person, the location should be accessible via public transportation, in a place familiar to community members and stakeholders, and must meet the American with Disabilities (ADA) requirements.

EEA will ensure that the factors used to determine the time, place, location, duration, and security at public hearings and meetings are developed in consultation with community and applied in a nondiscriminatory manner (e.g., consideration of culturally relevant holidays and unique community needs).

### Remote/Virtual Option Meetings

EEA understands that not everyone can attend in-person meetings due to various reasons such as distance, time constraints, or health concerns. At the same time, many residents lack the technology or reliable internet connection to participate in virtual meetings. To that end, all meetings will offer both an in-person option and a virtual option. This allows participants to choose the method of attendance that is most convenient for them.

Hybrid meetings are highly recommended, where participants can attend either virtually or in-person. This approach combines the benefits of both formats, offering flexibility and ensuring that everyone has an opportunity to participate.

When holding a hybrid meeting or providing a virtual option, public notice of procedures will be provided. This includes information on how to access the meeting via telephone or virtually. Alternatives will be provided for residents who lack reliable internet access, ensuring that everyone can fully participate.

### ADA Accommodations

The purpose of meaningful access for effective communication for people with disabilities is to promote inclusivity and maximize access in addition to complying with federal non-discrimination statutes and ensuring that a person with vision, speech, language, hearing, or other disability can convey information to, communicate with, and receive information from the EEA. Auxiliary aids and services may be required in order to meaningfully communicate with

people with disabilities. People with disabilities may require different auxiliary devices or assistive technology for language and communication access depending on their functional needs. EEA will consider reasonable modifications to its policies, practices, and procedures to ensure an equal opportunity for individuals with disabilities to participate in or benefit from all EEA programs and activities.

EEA will provide screen readers for people who are blind or low-vision as well as alternative text to describe images that screen readers cannot interpret. EEA will also provide ASL or CART services for people who are Deaf or hard-of-hearing. Requests for reasonable accommodations for people with disabilities should be directed to Secretariat Diversity, Equity and Inclusion Director, Secretariat ADA Coordinator, and Non-Discrimination Coordinator, Melixza Ensenyie, Executive Office of Energy and Environmental Affairs, 100 Cambridge Street, Boston, MA 02114, at (617) 872-3270, [Melixza.Esenyie2@mass.gov](mailto:Melixza.Esenyie2@mass.gov) or [here](#).

### Provide Timely Notices

Public notices and other key documents related to a project should be available in English and the top 5 languages or the most updated version of EEA's LAP. EEA will follow the most updated Language Access Plan. Notices should be visually appealing, with limited dense paragraphs and industry jargon. Language utilized should be understandable to a lay person not familiar with the particular subject. To ensure adequate notice of public meetings, notices should be distributed at least 14 days prior to the meeting or as prescribed under applicable state and federal rules. EEA recommends as much advanced notice as possible, beyond the 14 days. Notices should be posted in high-traffic areas such as local non-profit and community organizations, local medical offices, schools, senior centers, bus stop shelters, and libraries in the affected communities. Furthermore, notices should provide instructions for registration, if required, how to make comments, and how to request language assistance services, including if any request should be submitted by a date certain before the event.

### Comments Submission

The process of submitting comments can be daunting particularly for LEP persons and individuals not familiar with the industry or subject. To ensure equitable participation, instructions should include a statement that qualified interpreters/translators will be available to assist with interpretation/translation. In addition, EEA will develop guidance to the public on how to comment on agency actions. EEA will provide an opportunity for written comment submission, as well as verbal comment submission during public meetings, public hearings, and a phone number where voice messages can be recorded.

## Incorporate Feedback from Stakeholders

EEA is committed to ensuring all voices are heard in its decision-making processes. EEA will review and consider all relevant comments presented during public engagement proceedings and provide responses to comments. Any significant comments on proposed projects impacting an environmental justice population should be incorporated in final decisions to the extent possible. EEA believes in the power of collective wisdom and is committed to providing responses to comments in order to advance transparency.

EEA recognizes the importance of environmental justice and is particularly attentive to any significant comments on proposed projects impacting an environmental justice population. EEA understands that these communities often bear a disproportionate burden of environmental harm and risks. EEA is committed to incorporating these comments into its final decisions to the extent possible. The goal is for EEA to ensure that its decisions are not only environmentally sound but also equitable.

EEA and its agencies will review and consider all relevant comments presented during public engagement proceedings. EEA recognizes the importance of environmental justice and is particularly attentive to any significant comments on proposed projects impacting an environmental justice population. EEA understands that these communities often bear a disproportionate burden of environmental harm and risks. EEA is committed to incorporating these comments into its final decisions to the extent possible. The goal is for EEA to ensure that its decisions are not only environmentally sound but also equitable.

## Statewide Publications

Any programs issuing advisory opinions, rulings, project approvals, or other decisions must make reasonable efforts to publish those opinions, rulings, project approvals, or other decisions, in a searchable format, including any translations made in accordance with the agency's LAP.

## Maintain Relationships with Stakeholders

The relationships made during a project or public engagement are vital. EEA will develop survey questions to gauge the sentiment of community participants. The information will be used to create a database capturing participants' main interests and concerns. If a staff has a project relating to the participants' areas of interests, the participants may be a resource to that project. In this way, the participants will continue to be engaged with EEA. EEA should make every effort possible to develop and maintain positive relationships with residents and community members most impacted by the issues. When relationships are not based on trust and true collaboration, meaningful engagement becomes unlikely.

### Use of Information Repositories

An information repository is a central location in which a collection of documents relating to the project is maintained. An information repository should be easily accessible to the public. In addition to using normal governmental information repositories (website portal accessible to the public), EEA will consider the use of alternative information repositories in neighborhoods where EJ populations reside. A specific location for information repositories can be determined in consultation with the impacted community. Common locations include public libraries, town halls, community centers, houses of worship, cultural centers, public health centers where public access is convenient and photocopying equipment is available. The physical repository should be accessible during normal business hours and meet the Americans with Disabilities Act (ADA) requirements.

### Use of Alternative Media Outlets

In general, alternative media outlets are non-mainstream media platforms, including independent newspapers, community radio stations, social media channels, blogs, and others where EJ Populations are likely consumers. The approach to community outreach is never a one-size-fits-all. In an effective outreach plan, the distribution of any notices to the public should involve alternative media platforms based on the cultural norms and practices of the community. EEA will develop a list of alternative information outlets to be made available to EEA agencies seeking public comments and to project proponents who may be asked to publish public notices for projects that are in or may otherwise impact EJ populations. EEA will continually maintain this list by adding new outlets, as needed, for newly identified EJ areas, keeping contact information up to date, and deleting outlets that are no longer in business or relevant for this purpose.

## VII. IMPLEMENTATION OF THE PUBLIC INVOLVEMENT PLAN GUIDANCE

This PIP should be a living document. This PIP demonstrates EEA's commitment to ensuring that all residents of Massachusetts can readily access information and resources and meaningfully participate in programs, services, and activities.

For staff, this PIP centralizes resources, training and outlines the standard of meaningful engagement. EEA's PIP strives to ensure meaningful and equitable involvement of all people through the implementation of the following guidelines:

- Consulting with stakeholders.
- Incorporating stakeholders' feedback where appropriate.
- Assessing the level of industry jargon used when engaging with constituents.
- Assisting with the procurement of language assistance services.

- Periodically or at least every two years reassessing and updating its PIP to reflect updated information on relevant LEP populations.
- Conducting meetings in locations accessible by public transportation and at a setting that is comfortable and familiar to the constituents.
- Using the proper channels for communicating with a targeted audience.
- Maintaining relationships made during the engagement.
- Establishing repositories where constituents can obtain information about a program, service, or activity.
- Partnering with local Community-Based Organizations.
- Ensuring materials are translated into the appropriate languages.

### Staff Training

EEA will develop training to implement the processes outlined in the PIP document. EEA will continue to hold training on mapping tools, EJ Map Viewer, stakeholder outreach, community engagement, and language access. These trainings will be available for all Secretariat staff.

## VIII. MONITORING AND REVIEW OF THE PUBLIC INVOLVEMENT PLAN

EEA will review, revise, publicize, and implement its PIP at least every three years or more frequently as needed. When appropriate EEA will assess in an ongoing basis whether a change in services, programs, or activities is necessary to ensure that all residents have continuous and equitable access. To ensure stakeholder participation in the revision and further development of its PIP, EEA will consult with community-based organizations that provide services to the populations it serves. Further, in conducting its review, EEA will consider assessing changes in:

- Availability of language access services in outreach
- Implementation of effective and meaningful community engagement
- Integration of public participation in key agency actions
- Public input's influence on decision-making
- Outcomes
- Level of partnership building with Community-Based Organizations
- Staff training on EJ principles

## IX. COMPLAINTS

EEA will respond to public inquiries and complaints relating to the implementation of the PIP document with thorough investigations, implementation of necessary corrective actions, and communication with the complainant. Each agency should identify appropriate personnel to respond to any environmental justice concerns or complaints.

For inquiries or to file a complaint regarding the implementation of this PIP, you may contact:

Jonathan Guzman  
Director of Environmental Justice and Equity  
Office of Environmental Justice and Equity  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Email: [Jonathan.guzman@mass.gov](mailto:Jonathan.guzman@mass.gov)

And

Caroline Lemoine  
Deputy Director of Environmental Justice for External Affairs  
Secretariat Language Access Coordinator  
Executive Office of Energy and Environmental Affairs  
Office of Environmental Justice and Equity  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Email: [caroline.lemoine2@mass.gov](mailto:caroline.lemoine2@mass.gov)



Executive Office of Energy & Environmental Affairs

**DEPARTMENT OF PUBLIC UTILITIES  
PUBLIC INVOLVEMENT PLAN  
AND  
COMMUNITY ENGAGEMENT AND OUTREACH  
GUIDANCE  
2024**

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## DEFINITIONS

**Department or DPU:** The Massachusetts Department of Public Utilities.

**Division:** A branch of the Department that is responsible for the oversight of a specific Department function.

**Environmental Justice (or “EJ”) Population:** A neighborhood that meets 1 or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the populations; (iii) 25 percent or more of the households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.<sup>9</sup>

**Hearing Officer:** An attorney designated by the Commission<sup>10</sup> pursuant to General Laws c. 25, § 4, to preside over a Department proceeding.

**Interpretation:** The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully<sup>11</sup> orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals with certain disabilities that affect communication, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully conveying that information into a spoken, captioned, or signed target language while retaining that same meaning.

**Language Access:** Providing LEP persons with meaningful access to the same services as English-speaking individuals.

**Limited English Proficiency (“LEP”) Persons:** Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

**Key Agency Action:** Any rulemaking, adjudication, investigation processes or any action based in whole or in part on substantive decision-making processes.

**Meaningful Access:** Language assistance that results in accurate, timely, and effective communication at no cost to the person with LEP needing assistance to eliminate communication barriers, such as sign language interpretation, real-time captioning, or other accessible form of communication as required by Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (collectively as the “federal non-

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<sup>9</sup> An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy, (2021), Acts Chapter 8, Section 62

<sup>10</sup> The Department is overseen by the three-member Commonwealth Utilities Commission appointed by the Secretary of the Executive Office of Energy and Environmental Affairs with approval by the Governor. The Secretary designates one of the Commissioners as chair. G.L. c. 25, § 2; see also <https://www.mass.gov/info-details/the-dpu-commission> (last visited June 20, 2024).

<sup>11</sup> Interpreting accurately and completely without adding or taking away from the meaning.

discrimination statutes”). Meaningful access denotes access that is not significantly delayed, restricted, or inferior as compared to programs or services provided to individuals with English proficiency.

**Meaningful Involvement:** All neighborhoods have the right and opportunity to participate in energy, climate change, and environmental decision-making including needs assessment, planning, implementation, compliance and enforcement, and evaluation. Neighborhoods are enabled and administratively assisted to participate fully through education and training; are given transparency/accountability by government with regard to community input; and are encouraged to develop environmental, energy, and climate change stewardship.<sup>12</sup>

**Neighborhood:** A census block group as defined by the United States Census Bureau, excluding people who live in college dormitories and people who are under formally authorized, supervised care or custody, including federal, state or country prisons.<sup>13</sup>

**Public Involvement Plan (“PIP”):** A PIP (or project-specific PIP) is a public plan to ensure community planning and engagement specific to a project or proposal pending before the Department.

**Translation:** The process of converting written text from a source language into an equivalent written text in a target language as faithfully as possible while maintaining the style, tone, and intent of the text, and while considering differences of culture and dialect.

**Vital Document:** Vital documents are documents containing information that is critical for obtaining services or providing awareness of rights or is required by law.

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<sup>12</sup> The Massachusetts Executive Office of Energy and Environmental Affairs (“EEA”), *Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs* (“EJ Policy” updated 2021) at 3 (2017, updated June 24, 2021) available at [www.mass.gov/doc/environmental-justice-policy6242021-update/download](http://www.mass.gov/doc/environmental-justice-policy6242021-update/download).

<sup>13</sup> EJ Policy (updated 2021) at 4-5.

## X. INTRODUCTION

The Department of Public Utilities is an adjudicatory agency overseen by a three-member commission. The Department is responsible for the oversight of investor-owned electric power, natural gas, and water utilities in the Commonwealth. In addition, the Department regulates the safety of bus companies, moving companies, and transportation network companies. We also oversee the safety of natural gas pipelines. The Department is also responsible for overseeing the safety of equipment and operations for the Massachusetts Bay Transit Authority (MBTA) as the State Safety Oversight Agency (SSOA). The Department is charged with developing alternatives to traditional regulation, monitoring service quality, and the siting of certain energy facilities.

The mission of the DPU is to ensure that consumers' rights are protected and that utility companies are providing the most reliable service at the lowest possible cost. The Department seeks to promote safety, security, reliability of service, affordability, equity, and greenhouse gas emission reductions.

## XI. PURPOSE

The Department serves a diverse population of various ages and linguistic origins, and its work impacts nearly everyone in the Commonwealth of Massachusetts. The purpose of this plan is to ensure meaningful access to Department proceedings, services, programs, activities, and materials for all persons, regardless of sex, race, color, religion, creed, national origin (including limited English proficiency), gender identity, income, class, disability, age, sexual orientation, ethnicity, genetic information, ancestry, or status as a veteran. This plan confirms a commitment to eliminate barriers to meaningful access and involvement for all.

This PIP will strive to eliminate barriers for limited English proficiency ("LEP") persons and those with disabilities and provide a framework for effective public involvement and meaningful public input.

## XII. POLICY AND APPLICABILITY

Adherence to this plan will promote compliance with Federal law against non-discrimination (e.g. Title VI of the Civil Rights Act of 1964), the state's anti-discrimination statutes, Executive Order 526, Executive Order 552, and Executive Order 615. This policy applies to all Divisions within the Department and to the agency as a whole.

## XIII. IDENTIFYING COMMUNITY TO BE IMPACTED BY A PARTICULAR DECISION-MAKING PROCESS

Using the tools described below and in accordance with the process described in Section V, the Department will identify when a community may require more comprehensive planning and engagement due to its status as an EJ population and ensure that staff takes the appropriate measures to engage those community members in the decision-making process. The EJ population assessment is triggered when a proposed rule or action has the potential to cause disproportionate impacts (i.e., pose a risk to public health or the environment in a neighborhood) on an EJ population.

### CJEST Tool

The federal Climate and Economic Justice Screening Tool provides data on census tracts that are overburdened and underserved, which are recognized as federal disadvantaged communities. The Department will access this tool to determine if there are any federally disadvantaged communities that are not also considered Massachusetts EJ populations. If so, the Department will take actions aimed at engaging these disadvantaged communities in the decision-making process.

### EPA's EJ Screen Tool

The United States Environmental Protection Agency Environmental Justice Screening Tool provides a nationally consistent dataset and approach for combining environmental and socioeconomic indicators. The Department will access this tool to determine if there are data that could inform the outcome of a proceeding. If so, the Department will reference the tool in its questions to the parties to get evidence on the record that would be considered as part of an agency decision.

### MA Environmental Justice Populations Screening Tool

The Department will access the Massachusetts Environmental Justice Viewer, which is an interactive map that displays the 2020 EJ census block groups, based upon demographic criteria developed by the state's Executive Office of Energy and Environmental Affairs ("EEA"). If the Department identifies that an EJ population is potentially impacted by a proceeding, it will take actions aimed at engaging residents of these EJ populations in the decision-making process.

### Languages in Massachusetts Tool

The Languages in Massachusetts tool is a map that shows census tracts where at least 5% of the population has speakers who report they do not speak English "very well," for the purpose of determining translation and interpretation needs. By clicking on a tract, the Department can identify which languages other than English are spoken in an area where there is a proposal for the agency's review, or the Department initiates an investigation in a manner consistent with the Department's Language Access Plan.

### DPH EJ Tool

The Department will access the Massachusetts Department of Public Health Environmental Justice tool, which was developed to inform a wide range of activities such as siting, permitting, Brownfields clean-up, Massachusetts Environmental Policy Act review, grant applications, transportation projects, and community, health, or climate-related impact assessments. The Department will access this tool to determine if there are data that could inform the outcome of a proceeding, particularly in the context of siting and climate-related utility plan proceedings. If so, the Department will reference the tool in its questions to the parties to get evidence on the record that would be considered as part of an agency decision.

## XIV. ASSESSING THE NEED FOR A PUBLIC INVOLVEMENT PLAN OR ENHANCED COMMUNITY ENGAGEMENT

If a proposed rule or action has the potential to cause disproportionate impacts on an EJ population, the Department will take measures to enhance public participation efforts and engage in meaningful outreach. The Department has established criteria to determine which proceedings warrant greater levels of publication and outreach. Enhancing Public Awareness and Participation, D.P.U. 21-50-A

(February 23, 2024). Proceedings that involve significant policy changes or fundamental changes to process will receive the greatest level of publication and outreach. In addition, proceedings that have the following characteristics also require greater levels of publication and outreach: (1) a unique and specific impact on an EJ population in a particular geographic area within the petitioner's service territory that is not shared by the entire service territory (e.g., the siting of a substation or solar array in an EJ population); and (2) a material impact on safety, security, reliability of service, affordability, equity, or greenhouse gas emissions.

## Identify and Develop Community Engagement Strategy for Key Agency Actions, Activities, and/or Programs

The Department values meaningful community engagement on key proceedings, actions, and services and is using different tools to enhance community outreach and encourage public participation.

As a part of outreach efforts, the Department has established criteria that determine which type of proceedings warrant greater levels of publication and outreach. Proceedings that involve significant policy changes, fundamental changes to process, or have a unique and significant geographic-specific impact on environmental justice populations will receive the greatest level of publication and outreach.

The Department understands the importance of making vital documents accessible to all, regardless of language barriers. To this end, we will follow our latest Language Access Plan (LAP) to translate materials and provide interpretation into relevant languages. The Department also maintains a webpage with information useful for EJ populations, including, but not limited to:

- Contact information for the Department's Director of Environmental Justice and Public Participation;
- A link to the EEA EJ Strategy;
- A link to the EEA EJ Policy;
- A link to EEA's EJ website;
- A link to the Department's Language Access Plan;
- A link to the DPU's Title VI Non-Discrimination Complaint Form;
- Information for non-English speakers and individuals with limited English proficiency about requesting interpretation and translation services;
- Translations of vital documents relative to consumers' rights; and
- A non-exhaustive list of useful links on the Department's website to help customers navigate their energy bills. Such links may include information on energy incentive programs and arrears management programs.

In addition to those noted above, the Department has developed or is in the process of developing the following strategies to engage with the public through direct outreach and education to facilitate greater understanding of DPU processes and encourage broader participation in matters before the Commission:

- Finalizing a policy on enhanced notice procedures to increase awareness of and public participation in Department proceedings;
- Including more plain language in its notices designed to inform the public about proceedings before the Department;

- Establishing standards for petitioners before the Department to file plain language summaries of their proposals;
- Requiring distribution companies to provide bill impact analyses on EJ populations in base distribution rate proceedings;
- Developing standards describing when the Department will summarize public comments in its orders;
- Requiring distribution companies to track and report on EJ-related performance metrics, which the Department will post on its website;
- Providing more educational materials on its website;
- Promoting staff training on language access and EJ matters; and
- Assigning staff to act as the EJ liaison with other state agencies and the EJ point of contact to handle inquiries regarding engagement with EJ populations and language access.

### Use of Agency Discretion to Require or Not Require a Public Involvement Plan

As noted above, the Department has established criteria to determine which of its proceedings warrant greater levels of publication and outreach. For any proceeding, action, or service, the Department may consider the specific circumstances that warrant a project-specific PIP.

## XV. KEY ELEMENTS FOR CONDUCTING COMMUNITY OUTREACH OR PUBLIC PARTICIPATION

The Department's public participation process should be accessible to all persons, regardless of sex, race, color, religion, creed, national origin (including limited English proficiency), gender identity, income, class, disability, age, sexual orientation, ethnicity, genetic information, ancestry, or status as a veteran.

Enhanced public participation means that the Department will consider using alternative media outlets, such as community or ethnic newspapers, translating materials to other languages, and providing interpretation services during public meetings.

The Department may recommend that project proponents consider whether outreach efforts need to include an educational component to ensure that community members have the information necessary to evaluate a project's potential impacts.

All notices of filings will include information about how to request interpretation and/or translation services for LEP persons. The Department will strive to ensure that notices in English announcing public participation opportunities contain plain language to inform the public about the proceeding and facilitate reliable translation into additional languages.

### When to Invoke a Public Involvement Plan for Key Agency Actions, Activities, and/or Programs

As noted above, the Department has established criteria to determine which of its proceedings warrant greater levels of publication and outreach. If the Department determines that a project-specific PIP is warranted for any proceeding, the action, or service, it shall take into account the project-specific circumstances in developing such project-specific PIP.

## Identify Languages Spoken by Limited English Proficiency (LEP) Persons

Before scheduling public hearings for certain complex or high-profile proceedings (e.g., base distribution rate proceedings and statewide investigations), the Department will use current U.S. Census Bureau data and interactive mapping tools regarding environmental justice and languages spoken to determine the applicable languages into which notices, and relevant documents will be translated and for which interpretation services will be provided at public hearings (see the tools referenced in Section IV above). Specifically, the Department will seek to provide language access services by translating and interpreting into languages regularly encountered within the applicable service area. Depending upon the nature of the proceeding and needs of potentially impacted populations, the Department will strive to provide translation and interpretation into more languages than those regularly encountered.

## Consult data available from United States Census Bureau

Instructions for accessing US. Census data are as follows:

- a. Go to the U.S. Census Bureau website at: <https://data.census.gov>.
- b. Enter code B16001 (for "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over") in the search box then enter.
- c. "Filter" is displayed on the left corner of the page. Click on "Topics." Then click on "Populations and People." Next, select "Language Spoken at Home."
- d. Go back to the Filter and click on "Geographies." Click on "County Subdivision." Then scroll down to select "Massachusetts."
- e. A list of all the counties will appear. Select the appropriate county.
- f. Next, select the appropriate city/town under the county subdivisions.
- g. Go back to the Filter and click on "Years." Select the latest year (currently 2022).
- h. Go to the toolbar under the search box and click on "Tables."
- i. A table will appear on the right side of the page showing the total population for the city or town with a detailed breakdown of the languages spoken by the residents and the number of residents who "speak English less than very well."
- j. To export the data as an excel document, click on the ellipsis under "More Tools" in the right corner and select "Excel."

## Consult with Community-based Organizations

For proceedings identified as requiring greater publication and outreach, as noted above, the Department requires petitioners to work with stakeholders in affected communities to develop outreach plans and determine which platforms or locations to use to publicize notices. Petitioners are required to conduct outreach to municipal and community leaders at least 30 days prior to filing a petition with the Department or to explain why such outreach could not be accomplished within that time period. In addition, the Department shall consult with municipalities for certain municipality-specific proceedings, such as municipal aggregation proceedings.

For significant Department-initiated proceedings, the Department will conduct outreach to stakeholders, including community-based organizations, to publicize opportunities to provide feedback.



## Translation of Materials

To identify languages in which vital documents should be translated, staff will consult the latest DPU Language Access Plan. The Department will also endeavor to provide translation and interpretation services upon request, provided such request is made in a timely manner in the context of the proceeding, as determined by the Department on a case-by-case basis. These services are provided free of charge to the individuals requesting the service.

- For proceedings initiated by a petitioner, the Department will direct the petitioner to procure interpretation and translation services. The Department will direct that the services procured by the petitioner include trained interpreters and translators who can reliably translate the technical content.
- For proceedings initiated by the Department, the Department will procure interpretation and translation services itself. The Department will endeavor to select interpretation and translation vendors with appropriate experience and technical knowledge of the industry.

Translated documents will be posted on the Department's website and any relevant petitioner's website as directed by the Department.

The Department's website is formatted to allow for translation into multiple languages using the translate function on the page. Users can select the desired language using the dropdown menu and selecting "Select Language," which is accessible from the globe icon on the website tool bar.

The Department will endeavor to post vital documents on its website in a format that allows for unofficial translation into multiple languages using the translate function on the page. The Department will also use its social media platforms to provide translated vital information and increase messaging to populations with LEP.

Interested individuals may contact the Department's Language Access Coordinator to request translated materials. The Department's Director of Environmental Justice and Public Participation will work with all divisions to assess opportunities to improve language access.

## Interpretation Services (Virtual or In-person)

The Department is committed to ensuring that public hearings for significant proceedings and important events and technical sessions are accessible to everyone, regardless of language barrier. We will maintain assisted listening and interpretation equipment for hearings. The Department will ensure that all Department Hearing Officers are trained on the proper uses and functions of the Department's assisted listening and interpretation equipment.

The Department will develop and maintain a list of technical and legal terms commonly used in Department matters and provide such list to translators and interpreters.

The Consumer Division currently has Spanish, Cape Verdean Creole, Haitian Creole, and Portuguese speaking staff available to answer the toll-free line. The Consumer Division's automated telephone system allows consumers to opt for Spanish language recordings and/or Spanish-speaking staff. The Department's Consumer Division will periodically review call center system analytics and information collected through its automated call center system to identify possible areas of improvement and, to the extent possible, improve the automated call center system functionality.

The Department has a vendor that provides over-the-phone interpretation services to staff in over 200 languages to assist members of the public who call in to the Department. Staff are instructed to call the language service, identify themselves as DPU staff and provide a customer code, request the language for which interpretation is needed, and then wait to be connected to the interpreter. In some cases, DPU staff may need to arrange for a call back in coordination with the interpreter. There are several [state vendors](#)<sup>(00)</sup> on the [PRF75](#) Statewide Contract. All staff will have access to and be trained on the over-the-phone language service provider.

### Time and Location of Public Meetings

The Department will ensure that the factors used to determine the time, place, location, duration, and security at public hearings and meetings are developed and applied in a non-discriminatory manner. Most Department hearings and meetings are held at the Department or virtually. When scheduling public meetings elsewhere, as for service territory hearings, the Department should consider the time of the meeting, availability of public transportation to locations, and whether locations are child-friendly and culturally appropriate. When possible, the Department should hold public meetings in places that community members already routinely use and feel comfortable visiting. The Department will consult with the parties to a proceeding, including petitioners, the Attorney General's Office, and the court reporter (if appropriate). The Department will endeavor to provide information on access and transportation to the meeting location.

### Remote/Virtual Option Meetings

The Department currently offers options for virtual meetings and hearings. Notices of these events contain details on how the public may access the meeting remotely, including telephone access.

### Americans with Disabilities Act ("ADA") Accommodations

The Department's offices and the public buildings in which external meetings are held are ADA accessible. The Department, in coordination with EEA, is developing written procedures and will consider reasonable modifications to its policies, practices, and procedures to ensure meaningful access and an equal opportunity for individuals with disabilities to participate in or benefit from all DPU programs and activities. Questions regarding ADA accommodations, including CART and ASL services should be directed to Jenyka Spitz--Gassnola, ADA coordinator at 857-330-2572 or [Jenyka.Spitz-Gassnola2@mass.gov](mailto:Jenyka.Spitz-Gassnola2@mass.gov).

## XVI. ENGAGEMENT BEST PRACTICES

For certain proceedings, as noted above, the Department has implemented the following publication and outreach efforts: prominent publication on the petitioner's website; newspaper postings; outreach to interested persons and service lists; and outreach to municipal and community leaders. Further, the Department strives to hold hearings and meetings in places that community members already routinely use and feel comfortable visiting, such as public offices, libraries, and community centers.

### Inform Constituents of Key Agency Actions, Activities and/or Programs

The Department interacts with the public in multiple ways. The main points of contact with the public are through the Consumer, Legal, Pipeline Safety, Rail Transit Safety, Transportation Network Company ("TNC"), Transportation Oversight, Siting, and Environmental Justice and Public Participation Divisions.

- The Department's Consumer Division receives and investigates complaints on a tollfree line from consumers on issues involving their investor-owned electric, natural gas, and water utility bills or services. The Consumer Division staff also answers questions from consumers who call the hotline or contact the Department through email and other means.
- The Department's Legal Division primarily interacts with the public during public hearings held pursuant to General Laws c. 30A, § 10. Many Department proceedings involve a public hearing to provide stakeholders with an opportunity to be heard on the rates and services provided by their investor-owned utilities. The Legal Division also responds to public inquiries.
- The Department's Pipeline Safety Division engages with homeowners and contractors during informal conferences and addresses public inquiries related to Dig Safe matters.
- The Department's Rail Transit Safety Division is responsible for overseeing the safety of equipment and operations of the Massachusetts Bay Transportation Authority (MBTA) and receives and responds to safety concerns from the public about the MBTA's Blue Line, Green Line, Orange Line, and Red Line.
- The Department's TNC Division interacts with driver applicants during denial appeal hearings. The TNC Division also has in-person and telephone conversations with rideshare drivers during various stages of the rideshare application process.
- The Department's Transportation Oversight Division interacts with drivers of Division -regulated vehicles who are required to hold motorbus certificates. The Transportation Oversight Division also interacts with consumers, primarily by correspondence, to resolve complaints about common carriers.
- The Department's Siting Division issues licenses to construct and operate transmission lines and provides necessary exemptions from municipal zoning for energy facilities. In addition to administering the Department's siting functions, the Siting Division also serves as staff to the Energy Facilities Siting Board, which oversees the siting of many large energy facilities.
- Beginning in 2024, the Department's Environmental Justice and Public Participation Division is led by a director and includes staff from other divisions working as the Environmental Justice Team. The Environmental Justice Team includes call center professionals, planners, economists, attorneys, a language access coordinator, and compliance officers, and is focused on best practices for complying with the DPU's Environmental Justice Strategy. The work of the agency to be supported by the Environmental Justice and Public Participation Division is at the forefront of important energy, environmental, and technological trends that are transforming energy and transportation infrastructure in Massachusetts while ensuring meaningful public participation.

Each of the Department's other divisions (e.g., Electric Power Division, Gas Division, and Rates and Revenue Requirements Division) also interacts with members of the public in response to inquiries. In addition to the divisions, the agency is continuously working to improve its website and has social media accounts to provide information to the public about upcoming events and agency work.

### [Consult with Constituents about Key Agency Actions, Activities, and/or Programs](#)

The Department is conducting a series of Road Shows across the state throughout 2024, which provide an opportunity for the Department to engage directly with the public. Our three Commissioners, who

oversee the Department, begin each Road Show by giving a presentation outlining the work of the Department and our recent successes. Following the presentation, the Commission takes comments from the public. These events are free and open to all Massachusetts residents.

In addition, the Department solicits public feedback in particular proceedings, for regulations, and for important policies, such as the LAP. The Department also uses social media to engage with the public.

### Provide Timely Notices

The Department issues or directs the issuance of Notices of all proceedings shortly after they are commenced. Each Notice contains detailed information on the nature of the proceeding, how to file comments or attend a public hearing, how to request language access services, and additional contact information.

### Comments Submission

Comments on Department proceedings may be submitted: (1) in writing or electronically before, during, and after the public hearing; or (2) orally at public hearings. The Department will set forth a reasonable deadline for comments in each Notice for Comments pertaining to a particular Department proceeding, taking into account the nature of the hearing and its relationship to the Department's decision-making process. In those cases involving a statutory deadline, the Department will specify deadlines for written and electronic comments in order to meet such statutory deadline.

### Incorporate Feedback from Constituents (Where Applicable)

The Department is committed to ensuring that all voices are heard in its decision-making process and recognizes the importance of integrating environmental justice across all our work. The Department will review and consider all comments submitted in a proceeding and address them as appropriate in a substantive order issued in that proceeding.

### Statewide Publications

The Department issues final orders and any translated materials in its proceedings (containing rulings or other decisions that have precedential value) and provides them to the established service list or, where appropriate, a distribution list for that proceeding. The Department posts the orders and any translated materials on its online File Room for that particular proceeding, which is accessible at this link:

<https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>. In some cases, the Department establishes a dedicated webpage for the proceeding or provides links to the orders on the DPU home page. The Department is enhancing its online File Room to make its contents more accessible and searchable.

Copies of the orders are also published by the Social Law Library, and rulemakings are published by in the Massachusetts Register by the Secretary of the Commonwealth.

### Maintain Relationships and/or Follow up with Constituents

The Department conducts ongoing outreach through its Director of Environmental Justice and Public Participation, its Director of Governmental Affairs, and its Director of Communications.

### Use of Information Repositories

The Department posts information about its proceedings, activities, and services on its website and through social media. The Department provides public records through its Public Records team.

### Use of Alternative Media Outlets

Where appropriate, the Department requires publication and outreach in newspapers in other languages.

## XVII. IMPLEMENTATION OF THE PUBLIC INVOLVEMENT PLAN GUIDANCE

The Department will provide copies of this plan to all staff and conduct staff trainings as noted below.

### Staff Training

This plan will be:

- Posted internally for all employees, and staff will receive periodic reminders about the document;
- Incorporated into the orientation for new employees as part of the on-boarding process;
- Presented to management so they are fully aware of and understand the plan to reinforce the plan's importance and ensure its implementation by staff; and
- Presented to Department staff having contact with the public during trainings about best practices for public participation.

The Director of Environmental Justice and Public Participation will lead trainings for staff at least once per year, or more often as necessary, and notify Department employees of additional trainings available through other agencies. DPU will ensure that all staff, as appropriate, have been properly trained on these processes and procedures. DPU will continue to offer anti-bias and cultural competency trainings to all DPU staff and contractors and will ensure that such trainings are a routine part of the on-boarding process for new employees and contractors.

## XVIII. MONITORING AND REVIEW OF THE PUBLIC INVOLVEMENT PLAN

The Department will review and update this plan at least every three years or more frequently as needed. The review assesses:

- Whether there have been any significant changes in the composition or needs of the populations served;
- Whether Department staff knows and understands the plan;
- Whether additional proceedings or services require application of the plan;
- Identification of any issues or problems related to application of the plan; and
- Identification of any recommended actions to provide more responsive and effective access to Department proceedings, programs, services, activities, and materials.

Monitoring the effectiveness of the plan may include:

- Analyzing current and previous data on public involvement;

- Surveying staff on how often they use this plan, if they believe there should be changes to the plan, and if they believe that the plan is meeting the needs of the public; and
- Monitoring feedback from community-based organizations, legal services, and other stakeholders about the effectiveness of the plan and the Department's effectiveness and performance in ensuring meaningful access to Department proceedings, programs, services, activities, and materials.

## XIX. QUESTIONS/COMPLAINTS

The Department will respond to public inquiries and complaints regarding this plan, including with thorough investigations, implementation of necessary corrective actions, and feedback and communication with the complainant.

Complaints regarding the implementation of this plan may be filed with the Department's Director of Environmental Justice and Public Participation within six months of the alleged denial of the benefits of this plan. The written complaint may be submitted to:

Veena Dharmaraj, Director of Environmental Justice and Public Participation  
Department of Public Utilities  
One South Station  
Boston, MA 02110  
Email: [Veena.Dharmaraj@mass.gov](mailto:Veena.Dharmaraj@mass.gov)  
Ph: 617-305-3779