

Environmental Justice Council Member/Individual Comments on Draft MassEEA EJ Strategy

To be referenced during discussion during February 8, 2023 EJC Meeting
(Author attributions have been removed)

ID	Topic	Comment on EJ Strategy	(a) Include (b) Remove (c) Include with modification (Required)	Discussion Notes and Decision (Optional)
EEA EJ Strategy (Page 1)				
1	Purpose and Use	Document is long and redundant. There is lots of good information, tactics and strategy articulated, but missing a compelling “so what umbrella that threads it all together. What is the vision? How will this make the agencies and the Commonwealth better? Why should people care?		
2	Purpose and Use	Consider one or two pilot efforts that could bring the strategy alive and get external and internal constituents excited about the power of the strategy		
3	General (definitions)	Consolidate definitions up front – lots of redundancy in each section that would be more accessible if consolidated up front and better demonstrate that it is a coherent strategy across all the functional parts of the state.		
4	Community Engagement	Have pop-up offices across the state, go to the people. Perhaps this gets paired with work that MVP coordinators are doing in various regions.		
5	Metrics	Strategy currently states: “To track progress towards its EJ goals, EEA will establish metrics to track the fair distribution of benefits in its programs. EEA will publish these findings in its annual report and will include EJ metrics and progress for EEA’s agencies, offices, and programs. Some of the criteria that may be considered, in addition to others, are the following: <ul style="list-style-type: none"> • Agency spending by fiscal year for language translation and interpretation services • Fiscal year agency and program spending on projects benefitting EJ neighborhoods • Number of EJ Trainings hosted and attended by EEA and its agencies • Hiring demographic information • Number of public meetings hosted in EJ neighborhoods by EEA and its agencies.” 		See matrix on page 10

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		My understanding is that this reporting <u>applies to all secretariats or agencies</u> under EEA. Each of these metrics <u>should be disaggregated by agency/secretariat, program purpose, and location or specific community</u> . Accordingly, consider changing “may” to “should”?		
6	Metrics	Important to measure outcomes <u>of projects</u> (not just outputs) being pursued (e.g., funding allocation, enforcement actions, citing decisions) to understand what is occurring where, regardless of the reason why it is happening.		
7	Metrics	Important to think about defining metrics by what outcomes we want to achieve. Could map metrics based on the goals and outcomes of the strategy? I didn’t look at it that way when reading it. Overall environmental impact, emissions per block, how could we map that? Might consider right balance of metrics. What are the main things we are trying to make happen and how metrics relate?		
8	General and Metrics	Specific agencies should be included in strategy to a greater extent (e.g., DOT, DHCD, DPH)?		
9	Purpose and Use	Document states: “These strategies are subject to change without any required notice ...” Changes to these strategies should be accompanied by some kind of notice or at least documentation. It is not possible to hold EEA accountable if the strategies are not documented and available.		
10	Community Engagement	Consider paying communities to engage with permitting process – not everyone has the financial flexibility to participate and this could be a barrier to engagement		
11	General	Create regional strategies for different parts of the state—identifying what are the key EJ challenges and how departments can work collaboratively to address.		
12	Community Engagement	Language is mentioned a lot as well as use of technology. In addition to language access and use of social media, should add the use of alternative and ethnic/multilingual media, including different social media platforms used by immigrant groups.		
13	Training	Throughout the document there are references to trainings that are or will be given to staff. Who has created these trainings? Is there a curriculum? Are the trainings updated or required on some regular basis?		

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14	Agency EJ Committees	Most important is that agency EJ committees have clear goals and purpose for why they are meeting and what they hope to accomplish.		
15	Periodic Updates to Strategy	The Energy Facility Siting Board (EFSB) references a periodic review (no less frequently than 2 years) of the siting board's EJ strategy. Similarly, the DPU will conduct a periodic review (no less frequently than 2 years) of the best practices in implementing the department's strategy. The EEA and other agencies within should consider doing the same on the same timeframe and outline the level of public input required for the periodic review.		
16	State Resources	How will the state ensure that there is adequate staff to carry out these activities?		
17	State Resources	What is meant by the term "fair distribution"? This seems important to define in some way, especially as it relates to grants and other types of investments. EJ communities are historically and currently disenfranchised so I would argue that resources need to be distributed in a way that repairs the harms that the state has caused in the past.		
18	Metrics	In general, EEA's strategy, and the strategies of the various contributing secretariats and agencies, offer robust commitments to equitable and transparent processes (e.g., public participation and outreach). There should be <u>more clarity in commitments to tracking, measuring, and communicating the equity of outcomes.</u>		
19	Metrics	As a rule, every secretariat or agency should report total and relative (i.e., percentage/proportion/per capita) spending and activity. It should be possible to determine not just how much has been spent or done in EJ communities individually and EJ communities as a group, but also how this money or activity compares to the state as a whole and to non-EJ communities.		
20	Metrics	Metrics tend to focus on outputs versus outcomes (such as reporting the number of trainings versus whether stakeholders felt included and respected in process).		
21	Metrics	There is a need for more outcome-focused metrics. A lot of the metrics are focused on increasing participation and other process which is important but not enough. Would like to see some metrics around what will change or improve in EJ communities because of this effort.		

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22	Metrics	Articulate what are the outcomes you are seeking and then backward chain into what measures would indicate that outcome.		
23	Metrics	Can there be goals around distribution of resources like the federal government's Justice 40 initiative?		
24	Metrics	Add satisfaction with language translation services as a metric. For example, the Energy Facilities Siting Board (EFSB) proposes a metric of the number of positive/negative comments received regarding quality of translation/interpretation that other agencies could adopt.		
25	Metrics	Add a metric on agency staff demographic percentages.		
26	Metrics	Add metric on total value of grants awarded to EJ populations.		
Office of Coastal Zone Management EJ Strategy (Page 20)				
27	State Resources and Metrics	Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth		
28	Metrics	Need some concrete metrics		
29	Training	The staff training piece is important.		
Office of Law Enforcement and MA Environmental Police EJ Strategy (Page 28)				
30	Metrics	Should provide data on enforcement activities by location, reason, and entity.		
31	State Resources	Maintain data on the number of personnel deployed to manage or monitor resources by location		
Massachusetts Environmental Policy Act (MEPA) Office EJ Strategy (Page 38)				
32	General	Add locations in addition to project numbers for MEPA projects listed in in the Environmental Monitor		
33	Metrics	Does analysis of project impacts include any socio-economic impact analysis?		
34	Community Engagement and State Resources	They have thought pretty extensively about language, outreach to existing groups, alternative media. Good ideas. Who implements? Do they have the staff to implement?		

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35	Community Engagement	How does MEPA interact with municipal review processes? Some municipalities have developed good procedures, connections to local groups; can MEPA build upon this by working with and training municipal staff?		
36	Community Engagement	Can we define more clearly how these public processes will give a meaningful voice to EJ communities in project approval/change, mitigation, definition of community benefits?		
Office of Technical Assistance (OTA) EJ Strategy (Page 47)				
37	General	Since OTA supports businesses and also does outreach to communities, what is the balance of the work on these two fronts? If more time goes toward educating and supporting businesses, how does OTA ensure accountability to EJ communities in the face of tensions between economic considerations vs toxics reduction?		
38	Metrics	Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth		
39	Metrics	Good to see the plan to develop metrics; is there a baseline analysis and some goals?		
Department of Agricultural Resource (MDAR) EJ Strategy (Page 57)				
40	General	Need to think about offering assistance for HOUSING and TRANSPORTATION for farm workers		
41	General	Given how global warming is shifting insect and animal populations, possibly making more of Massachusetts susceptible to mosquito-borne illnesses, for example, will MDAR research less toxic approaches to pest control? Suggest that MDAR does so.		
Department of Conservation Resources (DCR) EJ Strategy (Page 67)				
42	Metrics	Great ideas to share with other agencies: "DCR is also focused on capturing investments it makes in its properties that are not within an EJ community but that serve significant EJ populations. Horseneck Beach State Reservation and Blue Hills Reservation are good examples for day use visitation. Neither property is located within an EJ community, but many visitors come from EJ communities."		
43	Metrics	Report on demographics of utilization, including visits from EJ communities		

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44	Metrics	Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth.		
45	State Resources	Given the need to increase facilities and access to recreation facilities in EJ communities, how can DCR acquire new properties for this purpose, possibly from other state agencies?		
Department of Environmental Protection (MassDEP) EJ Strategy (Page 77)				
46	Metrics	Numerous projects and priorities aimed at addressing EJ and EJ communities, but no description of any quantifiable or accountability metrics or progress		
47	Metrics	Spending, inspections, enforcement and other activities should be reported both in total AND relative to total activities/spending for all communities or across the commonwealth. Should be disaggregated by program and tied to specific locations.		
Department of Fish and Game EJ Strategy (Page 91)				
48	Metrics	Spending, inspections, enforcement and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth.		
Department of Energy Resources (DER) EJ Strategy (Page 100)				
49	Metrics	Spending, inspections, enforcement and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth.		
Department of Public Utilities (DPU) EJ Strategy (Page 109)				
50	Metrics	Require EJ-relevant reporting by regulated utilities - efforts, policies, outcomes (e.g., Mass Save spending by customer and/or block group).		
51	Metrics	For areas within/near EJ communities, report on energy service quality, repairs or enhancements (especially GSEP), energy efficiency investments, metrics of transportation and gas pipeline safety, and outcomes of siting of energy facilities		
52	Metrics	Reporting on outcomes should be both in total and relative to the rest of the state		
53	Community Engagement	In addition to language translation services, the EEA should consider how to increase access by summarizing filings/prefiled testimony in "plain language".		

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		For example, DPU rate hearings can be very technical and arcane in nature, particularly when expert witnesses are called upon to testify. These proceedings often impact an entire rate base of customers that undoubtedly encompass environmental justice populations.		
Energy Facilities Siting Board (EFSB) EJ Strategy (Page 117)				
54	General	Provide access to data supporting energy infrastructure development and siting decisions for impartial, third-party review		
55	Metrics	Need metrics for outcomes of siting decisions in and around EJ communities in comparison to rest of commonwealth - # and % of approved vs denied projects disaggregated by type and location.		
56	Community Engagement	Early feedback from populations impacted by projects enables a much greater ability to cost-effectively incorporate feedback into project scope, design, and plans. This criticality is acknowledged by the pre-filing requirement in MEPA's public involvement protocol for Environmental Justice Populations. While the EFSB's strategy recognizes that some of the projects that go before the siting board are also required to file with MEPA as well, and thus undertake the pre-filing public engagement, the EFSB should consider adopting a similar pre-filing requirement for all EFSB applications. Other agencies should also consider specifying similar "early-process" public engagement requirements for projects impacting EJ populations.		
Clean Energy Center (MassCEC) EJ Strategy (Page 130)				
57	Metrics	Great ideas to share with other agencies: Set "goals for agency wide spending for areas such as EJ neighborhoods, Gateway Cities, Low- and Moderate-Income Initiatives, and Translation services by end of FY2023" Good compliment to tracking outcomes – set goals and measure progress toward those goals.		
58	Metrics	Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth		
Water Resources Authority (MWRA) (Page 140)				
59	Metrics	Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth		

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Other General Comments				
60	Community Engagement	How does the public engage state and municipal officials to work with EJ communities and get help?		
61	Community Engagement	Consider language justice for outreach in communities with language diversity prior to approval of projects		
62	EJ Populations	How does the MA EJC decide on EJ communities versus EJ Populations that are affected by climate change; nutrient pollution; toxic chemical exposure and municipal solid wastes which are managed by the MassEEA ?		
63	Community Engagement	What does EJ Strategy mean in real life? Important for state agencies and task force to play an outreach role with municipalities to encourage people to listen and make an impact on their lives.		
64	Enforcement	How will the EJ strategy be enforced, particularly at the city-level?		
65	State Resources	Consider funding for EJ communities similar to the Justice 40 initiative.		
66	State Resources	Important to show the disbursement of EJ funds to EJ communities.		
67	Community Engagement	Consider paying communities to participate in permitting and other agency actions through technical assistance grants or programming that is tailored to each region.		
68	EJ Populations	Are planned affordable housing units considered EJ? Chapter 40b? 40r? If so, how do we include our future EJ neighbors in these decisions? How can we include EJ perspectives into DHCD? For example, when affordable housing developments are planned next to high traffic areas can we get MEPA involved early in these discussions?		
69	Agency EJ Committees	There needs to be better coordination between these diverse EJ engagement actions across state agencies and with county and town governments.		
70	Community Engagement and Definitions	Determine how the EJ policy can translate to average residents and the “people next door” – understand the term EJ and how it effects their lives. including the use of the term EJ.		

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71	Community Engagement	Agencies need to learn how to fit in with the community as opposed to the community learning how to work with the agency. Teach the public how agencies work seems like a first step.		
72	Community Engagement	Important to convey the content and impacts of a project in order to implement effective community engagement and information from a community. It's also important for agencies to follow-up on how permit or siting conditions were actually implemented and whether those conditions actually achieved the goal.		
73	Agency EJ Committees	Some departments/agencies had more extensive ideas – will they be shared across departments?		
74	State Resources	What is the budget associated with community engagement?		
75	State Resources	Clarify whether agencies have staff and resources to lead community engagement work and take ownership of efforts.		
76	Community Engagement	There is a lot of historical information that can be gained from our seniors who have lived in our EJ communities. How are we accessing our seniors who have been through EJ travesties in their neighborhoods? Do we have a plan to get to our seniors? Don't just focus on technology like websites to access information, sometimes you can gain information by going to municipal councils on aging.		

“Matrix of Metrics”

There is an interesting range of EJ strategies outlined by the different secretariats and agencies. Agencies or secretariats can learn from each other by adopting metrics that have been articulated by sister agencies in ways that are appropriate to their respective missions. Below is a matrix of (quantifiable) metrics described within the full EEA EJ Strategy document.

Matrix of EEA EJ Strategies that are quantifiable

Metric / Agency	CZM	MEP	MEPA	OTA	MDAR	DCR	DEP	DFG	DER	DPU	EFSB	MassCEC	MWRA	
\$ Interpretation or Translation	X	X	X	X	X	X	X	X	X	X	X	X	X	Global EEA Metrics
\$ Projects for EJ communities	X	X	X	X	X	X	X	X	X	X	X	X	X	
# EEA EJ trainings	X	X	X	X	X	X	X	X	X	X	X	X	X	
Hiring demographics	X	X	X	X	X	X	X	X	X	X	X	X	X	
# EEA public meetings in EJ neighborhoods	X	X	X	X	X	X	X	X	X	X	X	X	X	
# Documents translated; interpretation instances		X	X		X									Agency or Secretariat specific metrics
Staff attendance at EJ trainings		X												
# Projects in/near EJ communities			X			X		X		X				
# EJ mitigation projects			X											
# public trainings on procedures & how to participate			X											
% Site visits in EJ communities				X										
lbs of pollution reduced in EJ communities				X										
Funding decisions within EJ communities				X										
# translation requests & fulfilment					X					X	X			
# new EJ / BIPOC applicants					X									
Info requests & complaints by EJ contacts								X						
# updated shellfish signs								X						
# hearing & visual accommodation requests											X			
# positive or negative comments on interpretation & translation											X			
Set goals for spending, grants, resources												X		