

# Environmental Justice Council Condensed Comments on Draft MassEEA EJ Strategy

*To be referenced during March 17, 2023 EJC Meeting*

ID NEW	Topic	Comments on EJ Strategy	(a) Include (b) Not include (c) Include with discussion	Discussion Notes (Comment numbers reference February 8 Comment Document: <a href="#">here</a> )
<b>EEA EJ Strategy (Page 1)</b>				
<b>1</b>	Purpose and Use	Each strategy, including the EEA EJ strategy, should recommend highlighting one or two pilot efforts that could demonstrate how the strategy impacts EJ communities and excite external and internal constituents about the power of the strategy.		Combined with comment 63  <i><b>Applies to all EJ Strategies</b></i>
<b>2</b>	Purpose and Use	The strategy document should note that, "This collection of Environmental Justice strategies is intended to improve the internal management of EEA agencies and collect, in a single document, the various strategies being employed throughout the Secretariat."  The strategy document should further note that inclusion of agencies is likely out of scope. However, there is an opportunity to recommend that each EEA agency identify areas where collaboration with agencies outside of EEA could provide greater support for Environmental Justice		Original comment: Specific agencies should be included in strategy to a greater extent (e.g., DOT, DHCD, DPH)?
<b>3</b>	Purpose and Use	The strategy document should recommend periodic review (no less frequently than 2 years), similar to the Energy Facility Siting Board for MassEEA EJ Strategy and other agencies. A record of changes to the document is also recommended.		Combined with original #9 and 15  <i><b>Applies to all EJ Strategies</b></i>
<b>4</b>	Definitions	Definitions should be consolidated and a centralized glossary developed upfront to address redundancies.		<i><b>Applies to all EJ Strategies</b></i>
<b>5</b>	Definitions	Define the term "fair distribution", especially as it relates to grants and other types of investments.  "Fair distribution" may need to be flexible, but include a range of possible, measurable definitions (e.g., proportional		

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		distribution/participation, preference for restorative processes and solutions that address historic harms)		
6	EJ Populations and Definitions	Include considerations for future EJ communities (e.g., planned affordable housing units considered under Massachusetts Chapter 40B& 40R?). Considerations include how to involve EJ communities in the decision-making process, particularly including EJ perspectives into Housing & Community Development (DCHD). For example, when affordable housing developments are planned next to high traffic areas, how can MEPA be involved early on in the decision-making process?		<i>Applies to all State Agency Plans</i>
7	Community Engagement	Clarify how EEA agencies and municipalities will work together in support and enforcement of EJ strategy.		Combined comments 64, 60 and 69.  <i>Applies to all State Agency Plans</i>
8	Community Engagement	State agencies should learn how to fit within a community opposed to expecting communities to learn how to work with agencies. A first step may be teaching or raising awareness on the role of each agency to the public. Teach the public how agencies work seems like a first step.		<i>Applies to all State Agency Plans</i>
9	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.		<i>Applies to all State Agency Plans</i>
10	Community Engagement	Support pop-up offices across the state, in coordination with the MVP regions, where EEA would "go to the people".		
11	Community Engagement	Consider accessibility and equity for all communities when seeking community engagement to address systematic barriers. Ensure use of "plain language" for non-technical audiences and adapt language to the community (e.g., language translation, financial, transportation, limited broadband access, and others).		Combined with 10, 12 and 53 (DPU), 61, 67, 70, 71, 76  <i>Applies to all State Agency Plans</i>

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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.		
12	Training	Clarify trainings proposed and to be implemented, including how trainings are updated, coordinated with CBOs, and tracked (e.g., attendees, attendee evaluation, etc.).		Combines comments 13 and 35. <b><i>Applies to all State Agency Plans</i></b>
13	Metrics	<p>The 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 <b>may</b> be considered, in addition to others, are the following:</p> <ul style="list-style-type: none"> <li>• Agency spending by fiscal year for language translation and interpretation services</li> <li>• Fiscal year agency and program spending on projects benefitting EJ neighborhoods</li> <li>• Number of EJ Trainings hosted and attended by EEA and its agencies</li> <li>• Hiring demographic information</li> <li>• Number of public meetings hosted in EJ neighborhoods by EEA and its agencies.”</li> </ul> <p>Clarify 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>.</p> <p>Accordingly, consider changing “may” to “should”.</p>		<b><i>Applies to all State Agency Plans</i></b>
14	Metrics	Prioritize measuring outcomes <u>of projects</u> (not just outputs) being pursued (e.g., funding allocation, enforcement actions, citing decisions, satisfaction with language translation services, etc.) to understand what is occurring where, regardless of the reason why it is happening.		Combined original comment 6, 7, 18, 20, 21, 22, 24, 36 (MassDEP), 46 (MassDEP), 50 and 52 (DPU)

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				<i>Applies to all State Agency Plans</i>
16	Metrics	Consider goals and tracking of resources to EJ communities (similar to Justice 40 federal initiative), including community engagement.  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.		Combines 19, 23, and 26, 27 (Coastal Zone); 38 (OTA); and 65, 66, 74 <i>Applies to all State Agency Plans</i>
17	Metrics	Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth.		Includes comments 47 and 48 and 49 <i>Applies to all State Agency Plans</i>
18	State Resources	Include information on resources needed and allocated for implementation of strategy (e.g., staffing, training), highlighting resource gaps.		From MassDEP comment, but applicable to other comments (including comments 16, and 34), 75 <i>Applies to all State Agency Plans</i>
<b>Office of Coastal Zone Management EJ Strategy (Page 20)</b>				
		<i>See comments applying to all EJ strategies</i>		
<b>Office of Law Enforcement and MA Environmental Police EJ Strategy (Page 28)</b>				
		<i>See comments applying to all EJ strategies</i>		
20	Metrics	Data on enforcement activities by location, reason, and entity should be provided.		
21	State Resources	Data should be maintained on the number of personnel deployed to manage or monitor resources by location.		
<b>Massachusetts Environmental Policy Act (MEPA) Office EJ Strategy (Page 38)</b>				
		<i>See comments applying to all EJ strategies</i>		

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22	Metrics	Add locations in addition to project numbers for MEPA projects listed in in the Environmental Monitor		
23	Metrics	Consider including socio-economic impacts in analyses, such as impacts to total energy costs.		
<b>Office of Technical Assistance (OTA) EJ Strategy (Page 47)</b>				
		<i>See comments applying to all EJ strategies</i>		
24	General	Clarify the balance between supporting business and ensuring accountability to EJ communities.  For example, how does OTA ensure accountability to EJ communities in the face of tensions between economic considerations and toxics reduction?		OTA could be a good example for other agencies to learn from and emulate
<b>Department of Agricultural Resource (MDAR) EJ Strategy (Page 57)</b>				
		<i>See comments applying to all EJ strategies</i>		
25	General	Consider equity-related support to address challenges for vulnerable populations (e.g., housing and transportation for farm workers, translation services).		Combined with comments 40 and 61 – applies to all agencies. <i>Applies to all State Agency Plans</i>
<b>Department of Conservation Resources (DCR) EJ Strategy (Page 67)</b>				
26	Metrics	Consider reporting on demographics of utilization, including visits from EJ communities.		
27	State Resources	Clarify strategy for increasing access to recreation facilities in EJ communities (e.g., acquire properties from other statues agencies).		
<b>Department of Environmental Protection (MassDEP) EJ Strategy (Page 77)</b>				
		<i>See comments applying to all EJ strategies</i>		
<b>Department of Fish and Game EJ Strategy (Page 91)</b>				
		<i>See comments applying to all EJ strategies</i>		
<b>Department of Energy Resources (DER) EJ Strategy (Page 100)</b>				
		<i>See comments applying to all EJ strategies</i>		

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<b>Department of Public Utilities (DPU) EJ Strategy (Page 109)</b>				
		<i>See comments applying to all EJ strategies</i>		
28	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		
<b>Energy Facilities Siting Board (EFSB) EJ Strategy (Page 117)</b>				
		<i>See comments applying to all EJ strategies</i>		
29	General	Provide access to data supporting energy infrastructure development and siting decisions for impartial, third-party review.		
30	Metrics	Provide metrics for outcomes of siting decisions in and around EJ communities in comparison to rest of commonwealth (e.g. the number and percentage of approved vs denied projects disaggregated by type and location).		
31	Community Engagement	Prioritize gathering feedback early from populations that would be impacted by implemented projects. 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.		
<b>Clean Energy Center (MassCEC) EJ Strategy (Page 130)</b>				
		<i>See comments applying to all EJ strategies</i>		
<b>Water Resources Authority (MWRA) (Page 140)</b>				
		<i>See comments applying to all EJ strategies</i>		