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October 24, 2025

Undersecretary, María Belén Power  
Office of Environmental Justice and Equity  
Executive Office of Energy and Environmental Affairs (EEA)  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Delivered electronically via email to [ej.inquiries@mass.gov](mailto:ej.inquiries@mass.gov)

Re: NMCOG Comments on *Draft Standards and Guidelines for Community Benefit Plans and Agreements*

Dear Undersecretary Power,

On behalf of the Northern Middlesex Council of Governments (NMCOG), thank you for the opportunity to provide comments on the *Draft Standards and Guidelines for Community Benefit Plans and Agreements* (CBPs and CBAs).

NMCOG is the regional planning agency serving nine municipalities in the Greater Lowell region—Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough, and Westford. Established under M.G.L. c. 40B, NMCOG supports its member communities in transportation, housing, land use, economic development, environmental sustainability, and intermunicipal collaboration. We strongly support EEA's goal to advance equity through the clean energy transition and to ensure that host communities receive meaningful, measurable, and lasting benefits from clean energy infrastructure. Our comments support practical implementation at the municipal level and reflect NMCOG's focus on helping communities of all capacities operate effectively.

NMCOG supports EEA's approach to and encouragement of early and inclusive engagement as a cornerstone of fair and durable project outcomes. NMCOG commends EEA for embedding Environmental Justice (EJ) principles in the CBP engagement framework and recommends further clarifications to ensure equitable distribution of benefits.

Robust community engagement has cost implications for an applicant and potentially a municipal partner. Requiring multiple rounds of outreach or negotiation before a project is financially viable may increase pre-development costs and, over time, affect the delivered cost of clean energy. The final guidance should clarify expectations for reasonable and meaningful engagement, in alignment with the consolidated permitting process.

Further, in order to implement the proposed guidelines, additional support should be offered to municipalities, especially those with limited staff or legal support. Support may be needed to develop and review CBPs and CBAs and enforce CBAs. EEA's guidance should include mechanisms to build local capacity and ensure consistency across projects. EEA should consider establishing a fund or technical assistance mechanism to support municipalities in negotiating, reviewing, and monitoring CBAs. The fund could cover

legal and technical consulting costs for municipalities with limited resources. EEA should also develop CBP and CBA templates and share completed and recorded CBPs and CBAs, training modules, and model language for municipal staff to apply CBP/ CBA framework and development consistently.

Our comments below highlight areas where the draft guidance would benefit from greater clarity and municipal capacity support to make implementation both equitable and practicable:

- The draft guidance distinguishes between CBPs and CBAs. EEA should consider requiring larger or higher-impact projects (e.g., over 5 MW capacity or located within EJ areas) to negotiate a legally binding CBA. This requirement might eliminate ambiguity and create a more consistent application across municipalities and project types.
- NMCOG recommends EEA suggest a percentage of total monetary or programmatic benefits should be directed to the host EJ community or municipality as part of a Host Community benefit.
- NMCOG recommends that EEA caution municipalities to consider enhanced benefits for projects in already burdened EJ areas (e.g., air quality improvements, energy efficiency programs, or workforce training).
- NMCOG recommends EEA encourage shared ownership, revenue-sharing, or cooperative models that give residents a stake in project benefits and governance.
- NMCOG recommends that EEA provide potential remedies for non-performance, such as escrow releases, financial penalties, or permit suspension, to ensure that benefits are delivered as promised.
- For procedural equity and accessibility, NMCOG recommends EEA encourage municipalities to ensure translated materials, provide accessible meeting formats, and connect them to intervenor funding to ensure EJ residents can meaningfully participate in negotiations.

NMCOG supports EEA's commitment to ensuring that the clean energy transition delivers tangible and equitable benefits to communities across Massachusetts. We thank EEA for their leadership and appreciate the opportunity to comment on this important guidance. Please contact Meghan Tenhoff, Principal Planner – Sustainability, at [mtenhoff@nmcog.org](mailto:mtenhoff@nmcog.org) with any questions regarding NMCOG's comments.

Sincerely,



Jennifer Raitt  
Executive Director