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Protecting the environment for wildlife in support of the natural world that sustains us all.

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Office of Energy and Environmental Affairs
ej.inquiries@mass.gov
Electronic submission via email

**BEAT Comments for Massachusetts Office of Energy and Environmental Affairs Draft
Standards and Guidelines for Community Benefits Plans and Agreements**

Please accept these comments from Berkshire Environmental Action Team (BEAT) on the Draft Standards and Guidelines for Community Benefits Plans and Agreement. BEAT is a 501(c)(3) non-profit whose mission is to protect the environment for wildlife in support of the natural world that sustains us all.

Clear explanations

The section "C. Importance of Community Benefits Plan" is thoughtfully constructed and should be provided to communities as a way of understanding the importance of this early building block in developing the more formal and legally binding Community Benefits Agreement. Also, the "Step-by-Step Engagement Process", "Turning Commitments into Action" and "Structuring a Community Benefit Plan" sections should be provided to impacted communities as a guideline explaining what to expect and demand from project applicants.

Plain language overviews like this are very important when engaging with host communities, especially in smaller towns that don't have dedicated staff members to handle these matters, don't have regular access to legal consultation, and who may have never dealt with infrastructure proposals and Community Agreements. These sections could be compiled into a guide for host communities, similar to the work of the Pipeline Safety Trust's "Pipeline Info for Local Governments" guide.¹

Defining "meaningful community involvement"

Thank you for stressing that "equitable projects begin with meaningful community involvement - they actively include community members in shaping priorities and benefits."

¹ ["Pipeline Information for Local Government,"](#) Pipeline Safety Trust.

Engagement Process

The “Step-by Step Engagement Process” outlined in section B is excellent and quite inclusive. While flexibility in these recommendations to ensure that they’re adaptable to each community’s situation is understandable, there should be some level of enforcement or required minimum to be reviewed by the EFSB to ensure that as many of the suggestions as possible are engaged. The Community Advisory Committee suggested in Step 5 should be a requirement.

Mitigation

The hierarchy of mitigation phrased as “avoid, minimize, and mitigate” is a good prioritization of how it should unfold. This should always remain the order of consideration for project harm mitigation with strong limitations on mitigation consideration. Limiting allowable mitigation measures prevents the ability of developers to engage in “pay to play” strategies through which long-term or permanent damage might be done by a project in exchange. Communities should have the ability to reject projects with a high score. “Unsuitable” proposals should remain unpermitted.

Meaningful Benefits

The language used in defining meaningful benefits, “*what matters most is that benefits are responsive to the community’s own stated goals,*” including the four consideration categories is greatly helpful in setting the bar for drafting CBAs. The recommendation made under “Trackable Benefits” that a project proponent “should consider” designating an environmental compliance officer needs to be a requirement, not a suggestion. There needs to be a mechanism of accountability in place for the life of the project.

Workforce development

When considering workforce development standards and guidance, we highly recommend that EEA consult with member organizations of The Peoples’ Coalition for Climate CORI Inclusion. Member organizations state that many CORI citations are for non-violent, minor offenses committed in the past. While CORI checks for serious offenses make sense, especially for workers who may be interacting with clients or community members in an unsupervised role, careful consideration of each applicant’s profile should be employed, rather than a blanket ban on anyone with a CORI record on file.

“[The clean energy] sector has been growing significantly in the Commonwealth since 2010, with plans to create another 30,000+ jobs in the climate industry over the next 5 to 10 years to meet our State’s climate goals, but currently about 25% of our workforce is or will be excluded from many good-paying Green jobs. 1,700,000 People are currently excluded from high-demand Green jobs.”²

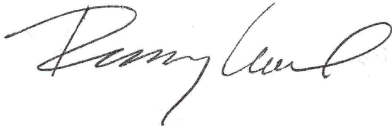
² [The Peoples’ Coalition for Climate CORI Inclusion](#) (C3I). Member organizations include LISC Massachusetts, Massachusetts Jobs with Justice, Massachusetts Climate Action Network, Dorchester Bay Economic Development Corporation and others.

Thank you for the opportunity to comment on this draft guidance. We look forward to reviewing the final version.

Sincerely,

A handwritten signature in black ink, appearing to read "Brit E", with a stylized, cursive script.

Brittany Ebeling, *Executive Director*
Berkshire Environmental Action Team

A handwritten signature in black ink, appearing to read "Rosemary", with a stylized, cursive script.

Rosemary Wessel, *Program Director*
No Fracked Gas in Mass, A Program of Berkshire Environmental Action Team